District of Lantzville

Agenda for the Regular Meeting of Council of the District of Lantzville to be held on Wednesday, April 24, 2024, at 6:00 pm in the Council Chamber, Municipal Hall - 2nd Floor, 7192 Lantzville Road, Lantzville, BC

Council members may attend this meeting in person, or electronically (except for the Mayor) for a hybrid meeting (per the *Community Charter* and the Council Procedure Bylaw). For in person and hybrid meetings, the Council Chamber will be open for the public to attend. Due to limited seating, the public is encouraged to view the open portion of the meeting starting at **7:00 pm** via the livestream, and to provide verbal public input on agenda items by registering in advance using the Zoom Webinar link provided for each Council meeting event at lantzville.ca, written comments by **noon** the day of the meeting and emailed to district@lantzville.ca, or in person. Prior to attending at Municipal Hall, please self-assess to ensure you are healthy and do not attend if you are ill. Members of the public must remain seated unless invited to address Council. Meetings recorded by the District of Lantzville may be viewed on demand at lantzville.ca.

Public input regarding personnel matters, legal action, nominated political candidates, applications for grants in aid or public hearing topics (EXCEPT DURING THE OFFICIAL PUBLIC HEARING) will not be included or will be severed.

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1. CALL TO ORDER

1-7 **2. ADOPTION OF THE AGENDA**

THAT the April 24, 2024, 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 sections 90(1) (a), (c), (d), (e), (i) and (k), of the *Community Charter*, for the purpose of considering:

- **(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;**
- **(c) labour relations or other employee relations;**
- **(d) the security of the property of the municipality;**
- **(e) 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; and**
- **(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and**
- **(k) 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.**

Following adoption of the above motion, the meeting will be closed to the public.

4. RECONVENE – (7:00 pm)

5. PUBLIC AND STATUTORY HEARINGS – Nil

6. GENERAL MATTERS (Delegations/recognitions) - Nil

START OF CONSENT AGENDA

7. CONSENT AGENDA

THAT the recommendations listed for item 7a) to 7d) in the Consent Agenda be approved.

8-14 a) **THAT the April 10, 2024, 6:00 pm regular Council meeting minutes be approved, as presented.**

15-17 b) **THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (Sched E Cart Exchange) Bylaw No. 366, 2024" be adopted.**

18-21 c) **THAT "District of Lantzville 2024 Tax Rates Bylaw No. 367, 2024" be adopted.**

22 d) **THAT "District of Lantzville 2024 Alternative Municipal Tax Collection Scheme Bylaw No. 368, 2024" be adopted.**

END OF CONSENT AGENDA

8. PUBLIC INPUT PERIOD *(Persons recognized by the Chair to speak must first state their name and address for the record, may speak once for up to 2 minutes (unless Council resolves otherwise), and are limited to providing comment regarding items listed on the Council agenda for this meeting (**EXCLUDING PUBLIC HEARING TOPICS**). **Comments must be directed to the Chair, are not to be directed to individual Council members, staff or the audience and must not include personnel issues.***

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

23-33 **a) Bylaw No. 358**

THAT "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023" be given first reading.

THAT "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023" be given second and third reading.

34-45 **b) Bylaw No. 341**

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given first reading.

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given second and third reading.

10. UNFINISHED BUSINESS

a) **Beach Road Ends [***Brought forward from April 10, 2024***]**

46-59 **THAT Council approve the themed "Lantzville Coal Mine History" approach to the Jack's Road End concept, as presented; AND FURTHER THAT Council approve the themed "Dedicated to Lantzville's Military Veterans" approach to the Lavender Road**

End concept, as presented; AND FURTHER THAT staff are to provide cost estimates to carry out each concept with the majority of the project to be carried out with staff as an "in-house" project utilizing the newly re-introduced Maintenance Technician II, if approved.

Background:
Item brought forward from April 10, 2024, regular Council meeting.

60-74 b) **Land Use and Development Procedures and Fee Bylaw No. 37, 2005** (*Item postponed at April 10th meeting*) (*Councillor Jones*)

THAT Council directs staff to bring to the April 10, 2024, regular meeting, for Council consideration and amendments, the "Land Use and Development Procedures and Fee Bylaw No. 37, 2005".

Councillor's Report
The District's "Land Use and Development Procedures and Fee Bylaw No. 37" has not been updated since 2005. This is for Council to consider amendments that address improvements in procedures for transparency and communications, amongst council, staff, public and applicants, throughout the processes for an application to rezone a property for development. These would include procedures for Information Sessions, the reporting of submissions to council and to the public prior to a public hearing, as well as details on further negotiations with applicants who have submitted development applications with a rezoning.

Staff comments
For clarity, the statement in Councillor Jones' written report that "The District's "Land Use and Development Procedures and Fee Bylaw No. 37" has not been updated since 2005" needs correction. Bylaw No. 37 has been amended twice, once by Bylaw 37.1 in January 2007, and again by Bylaw No. 248 in July 2020. The consolidated Bylaw is on the District website.

Recommended motion

THAT Council directs staff to draft a Lantzville Public Consultation Policy amendment to the "Land Use and Development Procedures and Fee Bylaw No. 37, 2005" for Council to review at the July 17, 2024, Committee of the Whole meeting outlining procedures, to follow the 2nd reading of the bylaw for development applications that propose amendments to the Official Community Plan and/or Zoning Bylaw; AND FURTHER THAT this policy allow sufficient time between scheduled Information Sessions and the date of the Public Hearing for the applicant to consider public concerns and amend their application should they wish to do so.

11. COMMITTEE/COMMISSION RECOMMENDATIONS – Nil

April 17, 2024, Committee of the Whole meeting recommendations

1. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to maintain current forms of housing for a future report to Council.**

2. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to not alter the existing subdivisions regulations.**

3. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to allow on all applicable properties solely a secondary suite in the context of the choice of having a secondary suite, a carriage house, or both.**

   MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council directs Staff to obtain a legal opinion on whether we can allow different types of dwellings on different sizes of lots under the new legislation.

4. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to not alter the existing floor area regulations.**

5. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to maintain the current policy on the number of bedrooms in the secondary suite and/or carriage house.**

6. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to maintain the current parking requirements for a future report to Council.**

7. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare a bylaw to designate a Transit Oriented Area (TOA) to implement the requirements under Bill 47 – *Housing Statutes (Transit-Oriented Development) Amendment Act*, 2023, for a future report to Council.**

8. **MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to WHEREAS due consideration to potential site standards is being given at the April 17, 2024 Committee of the Whole; THEREFORE BE IT RESOLVED THAT the Committee of the Whole recommends THAT Council instructs staff, when staff is preparing amendments to the "District of Lantzville Bylaw No. 180, 2020", to maintain existing Lantzville site standards, such as height, parcel coverage and setback requirements, except where a change is explicitly mandated by the in provincial legislation; AND FURTHER THAT when these amendments to the "District of Lantzville Bylaw No. 180, 2020" are brought to Council's consideration, the associated report specifically reference the legislated requirements being implemented.**

12. NEW BUSINESS (Reports and correspondence)

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

75-76

b) **2024 Rebate Program for Reflective Addresses**

THAT Council direct staff to move forward with securing a company for the purpose of providing reflective address signs to the District to be supplied to the residents of Lantzville through a street address safety program as per the 2024 Rebate Program for Reflective Addresses staff report presented on April 24, 2024.

Background (March 20, 2024, Council Motion)

THAT Council directs staff to bring a Fire Safety Rebate Program report with program recommendations to the April 24, 2024, regular meeting of Council for Council consideration and motions; AND FURTHER THAT this report include, but not be limited to, such items as recommended program eligibility and expense eligibility, recommended amount of rebate(s), and recommended implementation.

c) **Active Transportation Infrastructure Grant Program**
[Councillor Lerner]

WHEREAS the Province of BC will be accepting grant applications for the B.C. Active Transportation Infrastructure Grant Program beginning September 3, 2024, THEREFORE BE IT RESOLVED THAT Council direct staff to review the guidelines for the B.C. Active Transportation Infrastructure Grant Program, and to submit a grant application for an active transportation infrastructure project before the grant application deadline.

Councillor's Report

- the Province of BC will be accepting grant applications for the B.C. Active Transportation Infrastructure Grant Program beginning September 3, 2024;
- Item 12 in Council's Strategic Priorities involves active transportation;

- Staff may want to engage the Parks & Trails Committee to help identify possible projects;
- Staff may want to consider whether such a grant could fund the walkway/multi-use path portion of the upcoming Dickinson Road project.

d) **Deputy Approving Officer Appointment**

THAT Glenn Morphy, Acting CAO/Director of Public Works, be appointed as Deputy Approving Officer, pursuant to the *Land Title Act*.

e) **Pierce Woods Marine Park**

[Councillor Savage]

THAT a small area in the Pierce Woods Marine Park be set aside for the display of memorial plaques on posts honouring past residents of Lantzville, and that Council will determine the location in the park; AND FURTHER THAT the small amount of funding needed to install the first few posts be funded from the Marine Park budget, or secondarily from the One Time Project Operating Reserve Fund.

Councillor's Report

This item is on Council's list of priorities, and because memorial posts take up so little room and many plaques can fit on each post, the new waterfront park would be an ideal location for a memorial area, tucked away near or in the forested areas. This memorial area will also function as recording the history of some of those who lived here, including pioneers.

f) **Council Procedure Bylaw No. 141, 2020**

[Councillor Jones]

THAT the Council Procedure Bylaw No. 141, 2020, CONSOLIDATED to Bylaw No. 344, 2023, be presented to Council with the following amendments;

- **Section 6 (2) (b) insert after 6 pm "with the open portion of the meeting first, followed by the closed portion of the meeting;**
- **Section 6 (2) (c) strike "unanimous", insert "majority";**
- **Section 38 (1) strike "unanimous", insert "majority";**
- **Section 18 (5) strike "for review and approval" and at the end of section (5) insert "All submitted agenda items must be included on the agenda, unless legislatively improper";**
- **Section 18 (8) (b) strike "unanimous", insert "majority", strike "in which case a written report pertaining to the late item must be distributed to the members".**

Councillor's Report

These amendments to the Procedure Bylaw are to improve efficiency and transparency during meetings.

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 *(Persons recognized by the Chair to speak must first state their name and address for the record and the agenda item regarding which they are seeking clarification (excluding public hearing topics), and may speak once for up to 2 minutes to ask clarification questions.) E.g., How did the vote go?, about technicalities – request interpretation of abbreviations or jargon, etc.*

16. ADJOURNMENT BY MAYOR

NEXT SCHEDULED COUNCIL MEETINGS:

Regular, Wednesday, May 8, 2024 @ 6:00 pm
Committee of the Whole, Wednesday, May 15, 2024, if required
Regular, Wednesday, May 22, 2024 @ 6:00 pm

Minutes of the Regular Meeting of Council of the District of Lantzville held on Wednesday, April 10, 2024, at 6:00 pm in the Council Chamber, Municipal Hall - 2nd Floor, 7192 Lantzville Road, Lantzville, BC

PRESENT:

Council: Mayor Mark Swain
Councillor Joan Jones
Councillor Jonathan Lerner
Councillor Rachelle Mundell* [*joined at 7:00 pm*]
Councillor Ian Savage

Staff: Glenn Morphy, Acting CAO | Director of Public Works
Delcy Wells, Director of Corporate Administration
Rose Liu, Director of Financial Services
George Robinson [*joined at 7:00 pm*]

**participated electronically*

CALL TO ORDER
The Mayor called the meeting to order at 6:04 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 April 10, 2024, regular Council meeting agenda be adopted, with the Additional Information submitted for Items 5a, 9d, 12e and 12g.
CARRIED UNANIMOUSLY

MOVED AND SECONDED, THAT the Additional Information regarding Agenda Item 12(e) from Mr. Geselbracht be struck from the agenda and removed from the website in its entirety due to the profanity contained in the letter; AND FURTHER THAT Council directs staff to inform Mr. Geselbracht that his letter with profanity will not be accepted; AND FURTHER THAT all correspondence with profanity be returned with the opportunity provided to resubmit such correspondence with the profanity removed.
CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC
MOVED AND SECONDED, THAT the regular Council meeting be closed to the public, pursuant to sections 90(1) (a), (c), (d), (e) and (i), of the *Community Charter*, for the purpose of considering:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
(c) labour relations or other employee relations;
(d) the security of the property of the municipality;
(e) 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; and
(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

MEETING CLOSED TO THE PUBLIC: 6:15 pm

MEETING REOPENED: 7:00 pm with Mayor Swain and Councillors Jones, Lerner, Mundell*, and Savage in attendance. Also, Acting CAO/Director Morphy, Director Wells, Director Robinson and Director Liu.

The Mayor called the meeting to order, noting the previous acknowledgement of the traditional territory.

PUBLIC AND STATUTORY HEARINGS

a) "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024"

At 7:00 pm, Mayor Swain declared open the electronic public hearing, convened in order to receive and consider input regarding "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024".

The Mayor noted items included in the agenda and distributed: Notice of Public Hearing posted March 27, 2024, Bylaw No. 362 at Second Reading March 6, 2024, Report to Council March 6, 2024 and written public input received between posting Notice of Public Hearing on March 27, 2024 until 12:00 noon April 10, 2024:

a) Brian Dempsey, 6530 Owen Road
b) Shawna, Bob and Julia Magrath, 7507 Clark Crescent
c) Lance Geselbracht, 7365 Spence's Way
d) Jon Slater, 7000 Owen Road

The Mayor:

- reviewed the purpose of the public hearing and procedures to follow during the hearing for anyone in attendance remotely or in the Council Chamber, its location and limited seating available in the Council Chamber, how to speak or register to speak, and noted the information available in the agenda and on the District website
- reviewed restrictions and procedures to follow
- noted that after the conclusion of the public hearing Council may, without further notice, give whatever effect Council believes proper to the representations made at the hearing and must not receive further submissions or correspondence from the public and questions can be directed to staff.

The Mayor called on George Robinson, Director of Planning and Community Services, to introduce the proposed Bylaw. Director Robinson provided context, including noting:

- purpose of Bylaw 362 is to create a Future Old Growth (FOG) zone
- if adopted, the amending bylaw, Bylaw 362, 2024, will rezone the subject properties from Foothills zone to Future Old Growth zone

The Mayor called for the first time for persons registered to speak who believed that their interest in property was affected by proposed Bylaw 362 and gave instructions to follow when called upon to speak and reiterated the instructions to register to speak.

Harriet Rueggebert, 7187 Lancrest Terrace, spoke in support of the bylaw.

Dave Scott, 6898 Harwood Drive, reviewed the history of the Foothills property. Mr. Scott spoke about the area having been logged and suggested other locations for a Future Old Growth zone.

Brian Dempsey, 6930 Owen Road, commented that the bylaw does not protect old growth and referenced the letter submitted.

The Mayor called for a second time for speakers who have new information and wished to speak again.

The Mayor called for a third time for speakers and for any new registrations for speakers remotely and in the gallery and reiterated the instructions to register.

The Mayor again called for speakers to register, and before declaring the public hearing closed, reiterated that Council must not accept or consider submissions for comments from the public regarding Bylaw 362 after the hearing closes.

The Mayor called for a third and final time for speakers and seeing no one who wished to speak, the Mayor declared the public hearing for "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024" closed at 7:18 pm.

GENERAL MATTERS (Delegations/recognitions) - Nil

START OF CONSENT AGENDA

C24-65 MOVED AND SECONDED, THAT the recommendations listed for item 7a) to 7d) in the Consent Agenda be approved as amended by removing Item 7c).
CARRIED UNANIMOUSLY

C24-65 a) MOVED AND SECONDED, THAT the March 20, 2024, 6:00 pm regular Council meeting minutes be approved, as presented.
CARRIED by Consent

C24-65 b) MOVED AND SECONDED, THAT the March 21, 2024, 6:00 pm special Council meeting minutes be approved, as presented.
CARRIED by Consent

d) Q1 2024 Report for Planning and Community Services – For Information
CARRIED by Consent

END OF CONSENT AGENDA

Item 7c Removed From Consent Agenda

c) Q1 2024 Report Financial Plan – For Information
Councillor Lerner asked about whether there were any concerns of note. Director Liu indicated that there was nothing to note.

PUBLIC INPUT PERIOD
No written comments were received; no members of the public spoke via Zoom; and two members in the gallery provided public input on the Council agenda.

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

a) **Bylaw No. 362** [refer to item 5.a) for background materials]
Recommendation, subject to Public Hearing input

C24-66 MOVED AND SECONDED, THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024" be given third reading.
CARRIED UNANIMOUSLY

C24-67 MOVED AND SECONDED, THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024" be adopted.
CARRIED UNANIMOUSLY

b) **Bylaw No. 341**

C24-68 MOVED AND SECONDED, THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Step Codes) Bylaw No. 341, 2024" be postponed to the April 24, 2024, regular Council meeting to match the City of Nanaimo energy step code; AND FURTHER THAT the zero carbon step code options be brought to the May 8, 2024, regular Council meeting.
CARRIED

c) **Bylaw No. 366**

C24-69 MOVED AND SECONDED, THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (Sched E Cart Exchange) Bylaw No. 366, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-70 MOVED AND SECONDED, THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (Sched E Cart Exchange) Bylaw No. 366, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

d) **Bylaw No. 367**

C24-71 MOVED AND SECONDED, THAT "District of Lantzville 2024 Tax Rates Bylaw No. 367, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-72 MOVED AND SECONDED, THAT "District of Lantzville 2024 Tax Rates Bylaw No. 367, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

e) **Bylaw No. 368**

C24-73 MOVED AND SECONDED, THAT "District of Lantzville 2024 Alternative Municipal Tax Collection Scheme Bylaw No. 368, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-74 MOVED AND SECONDED, THAT "District of Lantzville 2024 Alternative Municipal Tax Collection Scheme Bylaw No. 368, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

UNFINISHED BUSINESS - Nil

COMMITTEE/COMMISSION RECOMMENDATIONS

a) **March 27, 2024, Committee of the Whole Meeting Recommendation**

Amendment 1 – Future Study Area OCP Designation

C24-75 MOVED AND SECONDED, THAT staff be instructed to bring forward a draft amendment to Official Community Plan Bylaw No. 150, 2019 for Council consideration to add a new land designation titled Future Study Area 1 and that this designation be assigned to 7035 Owen Road legally described as LOT 10, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN 24659 and 7050 Lantzville Road legally described as LOT 8, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN 18898; and this new land designation shall have the following characteristics:

i) Small homes clustered in order to preserve parkland, the biodiversity of the forest, and the environmentally sensitive area around Bloods Creek.
ii) Promote active transportation with a trail over Bloods Creek to the Village via the new Caillet Drive Bloods Creek trail.
iii) A target of 29.9% parkland not including the environmentally sensitive area of Bloods Creek.
iv) A target of 60 small homes in the size range of 800 sf to 1400 sf to serve the needs of downsizing seniors.

CARRIED

NEW BUSINESS (Reports and correspondence)

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

Councillor Lerner spoke about looking forward to the Association of Vancouver Island Coastal Communities (AVICC) conference; Councillor Jones spoke about looking forward to the farm tours that she will be attending at AVICC and to bringing back what she learns from the conference; Councillor Savage spoke about the decrease in the credit rating of the Provincial government as well as the issues with health care and housing; Councillor Mundell recognized the Fire Department for getting their Superior Tanker Shuttle Service accreditation; Mayor Swain congratulated the Fire Department on their accreditation and mentioned the important benefit to the community of reduced insurance premiums as a result, and recognized Finance for receiving the Canadian Award for Financial Reporting (CAnFR) award from the Government Finance Officers Association (GFOA) for the 2022 Annual Report.

b) **Appointment of Director of Corporate Administration**

C24-76 MOVED AND SECONDED, THAT Delcy Wells be appointed as Director of Corporate Administration for the District of Lantzville.

CARRIED UNANIMOUSLY

c) **Land Use and Development Procedures and Fee Bylaw No. 37, 2005** (*Item postponed to April 24, 2024, meeting*)

C24-77 MOVED AND SECONDED, THAT Council directs staff to bring to the May 22, 2024, regular Council meeting, for Council consideration and amendments, the "Land Use and Development Procedures and Fee Bylaw No. 37, 2005".

CARRIED UNANIMOUSLY

d) **Council-initiated Rezoning for 7704, 7780 & 7840 Superior Road**

C24-78 MOVED AND SECONDED, THAT Council directs staff to assemble any and all information on file with the District related to the property known colloquially and in the Official Community Plan as the "Gee property" and the Council-initiated rezoning process for this property, including any rezoning and "masterplan" documents on file,

and to provide this information printed, in binders, for Council no later than April 30, 2024; AND FURTHER THAT the Council-initiated rezoning of this property be on the agenda of the July 17, 2024, Committee of the Whole Meeting for recommendations and next steps in the process.
CARRIED UNANIMOUSLY

e) **Phase II of the Core Village Project**

Phase 2 Landscape Plan for the Village Core

C24-79 MOVED AND SECONDED, THAT Council directs staff to implement the attached landscape plan titled "Phase 2 Landscape Plan" by hiring as soon as possible a landscape company to:

i) install and prepare the soil then install the plants, the landscape cloth, the birds eye pea gravel and the big stones and coordinate with the installer of the benches and the bike racks on the south side of Lantzville Road;

ii) prepare the soil then install the swale plants recommended by a qualified nursery in the swale on the north side of Lantzville Road; AND FURTHER THAT this be funded using the funds previously allotted by Council for landscaping and other finishes of the Phase 2 Village Improvement, and if needed, the Gas Tax fund; AND FURTHER THAT Council directs staff, while nursery stock is available, to purchase the plants needed including three reserve pine trees added to the design and determine the timing and cost of an appropriate irrigation system for gardens one two, three, four; AND FURTHER THAT Council recommends to staff that all bike racks, benches and other landscape objects be brought back in a report for Council's consideration.

CARRIED

f) **Revising District of Lantzville Policy No. 6000-1 – Purchasing, Consulting & Publicly Tendered Contracts**

C24-80 MOVED AND SECONDED, THAT Council amends Section D5, page 14 of Policy No. 6000-1 – Purchasing, Consulting & Publicly Tendered Contracts by adding as highlighted in bold italics below:

Large Projects: Consultants for large projects should be selected using a two-part Proposal Call. Firstly, consultants will be short-listed from an Expression of Interest Call, and normally three consultants will be invited to respond to the formal Proposal Call. Approval by the CAO is required for consultants selected to provide consulting services for large-sized projects. ***Engineering consulting costs on an infrastructure project where the construction costs are expected to exceed $500,000 are subject to the District's tendering process, unless exempted by Council.*** An **Expression of Interest** call is a request to various firms or companies for an expression of interest in a particular project. There are no project details or prices in an Expression of Interest. Rather, this is a document setting out the expertise of the firm in the area covered by the project, and details the qualifications of the persons who will be involved in the project as well as the qualifications and relevant history of the firm; AND FURTHER THAT Policy 6000-1 – Purchasing, Consulting & Publicly Tendered Contracts be amended by removing, on page 6 of the Policy, the $5000 to $10,000 value; increasing the $1 to $5,000 value to a maximum of $10,000; and adding the words "or issue a purchase order" in the procedures for the $10,001 to $50,000 value.
CARRIED UNANIMOUSLY

g) **Beach Road Ends**

C24-81 MOVED AND SECONDED, THAT Item 12g be postponed to the April 24, 2024, regular Council meeting.
CARRIED UNANIMOUSLY

INTRODUCTION OF LATE ITEMS - Nil

INTRODUCTION OF "NOTICE OF MOTION" - Nil

PUBLIC CLARIFICATION - Nil

ADJOURNMENT
MOVED and SECONDED, THAT the April 10, 2024, regular Council meeting be adjourned.
CARRIED UNANIMOUSLY

MEETING ADJOURNED: 9:30 pm

Certified Correct:

_____
Delcy Wells, Director of Corporate Administration

Confirmed this day of , 2024.

_____
Mark Swain, Mayor

DISTRICT OF LANTZVILLE
BYLAW NO. 366

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 deleting Schedule 'E' as adopted and replacing the Schedule with Schedule 'E', attached to and forming part of this Amendment Bylaw.

2. This Bylaw may be cited for all purposes as "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 - 2004, Amendment (Sched E Cart Exchange) Bylaw No. 366, 2024".

READ A FIRST TIME this 10th day of April, 2024.

READ A SECOND TIME this 10th day of April, 2024.

READ A THIRD TIME this 10th day of April, 2024.

ADOPTED this day of, 2024.

Mayor Mark Swain	Director of Corporate Administration Delcy Wells

SCHEDULE 'E'
DISTRICT OF LANTZVILLE BYLAW NO. 26 – 2004
UTILITY FEES ASSOCIATED WITH THE COLLECTION OF GARBAGE, RECYCLABLES, AND FOOD WASTE

Effective Date: ***May 1, 2024***

Single Family Dwelling Unit

Recyclables (same rate for any recyclable cart size)	**Food Waste**	**Garbage** (utility fee determined by garbage cart size only)	**Payment after Due Date**	**Prompt Payment Rate** ($15 flat fee discount)
100L 240L 360L	100L	80L	$184	$169
		100L	$194	$179
		240L	$279	$264

Single Family Dwelling Unit with One (1) Secondary Suite

	Recyclables (same rate for any recyclable cart size)	**Food Waste**	**Garbage** (utility fee determined by garbage cart size only)	**Payment after Due Date**	**Prompt Payment Rate** ($15 flat fee discount)
One upsize default cart set	360L	100L	240L	$279	$264
Customs choice Garbage – 80L and 80L	100L 240L 360L	100L	80L X2	$368	$353
Customs choice Garbage – 80L and 100L	100L 240L 360L	100L	80L X1 100L X1	$378	$363
Customs choice Garbage – 80L and 240L	100L 240L 360L	100L	80L X1 240L X1	$463	$448
Customs choice Garbage – 100L and 100L	100L 240L 360L	100L	100L X2	$388	$373
Customs choice Garbage – 100L and 240L	100L 240L 360L	100L	100L X1 240L X1	$473	$458
Customs choice Garbage – 240L and 240L	100L 240L 360L	100L	240L X2	$558	$543

Administration / Service Fees	**Fee** (no discount)
Assisted Set-Out Service (1)	$120 per year per single family dwelling unit
Cart Exchange Fee: Garbage Cart (2)	***$75.00 per request/visit***
Cart Exchange Fee: Recycling Cart (2)	***$0.00 per request/visit***
Cart Replacement (3)	$56.40 * – 80L cart $41.80 * – 100L cart $59.00 * – 240L cart $66.90 * – 360L cart
Bear Proof Cart (4)	$230/ 240L cart

(1) For approved residents under the Assisted Set-Out Service program
(2) Limit of one exchange per year per single family dwelling unit
(3) If a Collection Cart is stolen or damaged due to the neglect of the Owner or Occupier
* plus cart delivery fee of $50/ visit
(4) One-time cost

DISTRICT OF LANTZVILLE
BYLAW NO. 367

A BYLAW FOR THE LEVYING OF RATES FOR GENERAL MUNICIPAL, LIBRARY, REGIONAL DISTRICT AND REGIONAL HOSPITAL PURPOSES FOR THE YEAR 2024

WHEREAS Division 3 of the *Community Charter* stipulates that Council must, by bylaw, impose property value taxes for the year by establishing tax rates;

AND WHEREAS the amounts to be collected for the year by means of rates established by the District to meet its taxing obligations in relation to another local government or other public body;

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

Citation

1. This Bylaw may be cited for all purposes as "District of Lantzville 2024 Tax Rates Bylaw No. 367, 2024".

Interpretation

2. In this Bylaw:

'B1' will be the classification given to each parcel of land to which domestic water is or can be provided by the District.

'P2' will be the classification given to each parcel of land to which District of Lantzville Sanitary Sewer Collection System – Phase 2 Local Area Service Bylaw No. 75, 2009 and any amendments thereto applies.

'P3' will be the classification given to each parcel of land to which District of Lantzville Sanitary Sewer Collection System – Phase 3 Local Area Service Bylaw No. 143, 2017 and any amendments thereto applies.

'K1' will be the classification given to each parcel of land to which District of Lantzville Knarston Creek Overflow Local Area Service Bylaw No. 82, 2010 and any amendments thereto applies.

Rates

3. The following rates are hereby imposed and levied for the year 2024:

(a) For all lawful general purposes of the District of Lantzville on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in Column "A" of Schedule 'A' attached hereto and forming a part hereof.

(b) For purposes of the Vancouver Island Regional Library on the assessed values of land and improvements taxable for Vancouver Island Regional Library purposes, rates appearing in Column "B" of Schedule 'A' attached hereto and forming a part hereof.

(c) For purposes of the Regional District of Nanaimo on the assessed value of land and improvements taxable for Regional District of Nanaimo purposes, rates appearing in Column "C" of Schedule 'A' attached hereto and forming a part hereof.

(d) For purposes of the Nanaimo Regional Hospital District on the assessed value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "D" of Schedule 'A' attached hereto and forming a part hereof.

Parcel Taxes

4. For the year 2024 there are hereby levied parcel taxes as listed below on all parcels of land as classified into Groups with explanations identified under 'Interpretation'.

(a) B1: a tax of $355.00 per parcel for domestic waterworks supply

(b) P2: a tax of $246.00 per parcel for Sanitary Sewer Collection System – Phase 2 Local Area Service

(c) P3: a tax of $483 per parcel for Sanitary Sewer Collection System – Phase 3 Local Area Service

(d) K1: a tax of $602.00 per parcel for Knarston Creek Overflow Local Area Service

Due Date & Penalty

5. The aforementioned taxes are due and payable on or before the 2th day of July, 2024 and to all current taxes remaining unpaid after the said due date a penalty shall be added at the following percentage:

(a) After July 2th a penalty equal to 2% of the outstanding current year balance as of the due date shall be added to the balance due.

(b) A further penalty equal to 8% of the outstanding current year balance after September 30th shall be added to the balance due.

(c) In the event that either penalty dates are a Saturday, Sunday, or statutory holiday, the penalty shall be added to the balance due on the business day immediately following the Saturday, Sunday or statutory holiday.

In addition, taxes remaining unpaid on the 31st day of December following the date upon which the taxes are levied shall bear interest at the rate prescribed by the Lieutenant Governor in Council as per section 245 of the *Community Charter*, until paid or recovered. The interest is from day to day deemed part of the taxes and a reference to taxes is deemed to include all interest so added.

6. "District of Lantzville 2022 Tax Rates Bylaw No. 305, 2022" and any amendments thereto are hereby repealed.

READ A FIRST TIME this 10th day of April, 2024.

READ A SECOND TIME this 10th day of April, 2024.

READ A THIRD TIME this 10th day of April, 2024.

ADOPTED this day of , 2024.

_____
Mark Swain, Mayor

_____
Delcy Wells, Director of Corporate Administration

SCHEDULE 'A'

DISTRICT OF LANTZVILLE BYLAW NO. 367

LEVYING OF RATES FOR GENERAL MUNICIPAL, LIBRARY , REGIONAL DISTRICT, and REGIONAL HOSPITAL PURPOSES FOR THE YEAR 2024

Tax Rates (Dollars of Tax per $1,000 of Value)

	A	B	C	D
PROPERTY CLASS	**GENERAL MUNICIPAL**	**LIBRARY**	**REGIONAL DISTRICT**	**REGIONAL HOSPITAL**
Residential	1.3946	0.1324	0.6121	0.4511
Utilities	36.3991	3.4556	2.1424	1.5789
Light Industry	9.7622	0.9268	2.0811	1.5337
Business / Other	5.2298	0.4965	1.4996	1.1052
Managed Forest	16.7352	1.5888	1.8363	1.3533
Recreational / Non-Profit	2.4406	0.2317	0.6121	0.4511
Farm	1.8130	0.1721	0.6121	0.4511

DISTRICT OF LANTZVILLE
BYLAW NO. 368

A BYLAW TO ESTABLISH AN ALTERNATIVE MUNICIPAL TAX COLLECTION SCHEME FOR THE YEAR 2024

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 2024 Alternative Municipal Tax Collection Scheme Bylaw No. 368, 2024".

Definition

2. "**Collector**" means the municipal officer assigned responsibility as collector of taxes for the municipality.

Penalties

3. If all or part of the property taxes for the 2024 taxation year for a parcel of land and its improvements on the assessment roll remain unpaid after the first working day in July:

   (a) A penalty equal to two (2) percent of the outstanding current year balance as of the due date shall be added to the balance due.
   (b) A further penalty equal to eight (8) percent of the outstanding current year balance after September 30th shall be added to the balance due.
   (c) If either penalty dates fall on Saturday, Sunday, or statutory holiday, the penalty shall be added to the balance due on the next business day.
   (d) The penalty referred to in (a) is due as part of the property taxes for the current year for the parcel of land and improvements.

Election of Applicable Tax Scheme

4. A property owner may elect to pay property taxes under the alternative municipal tax collection scheme or the general tax scheme by providing written notice to the District before June 15th of the year in which the property taxes are levied.

5. If a property owner does not make an election under section 4, the Alternative Municipal Tax Collection Scheme applies.

Repeal

6. This bylaw is repealed on December 31, 2024.

READ A FIRST TIME this 10th day of April, 2024.
READ A SECOND TIME this 10th day of April, 2024.
READ A THIRD TIME this 10th day of April, 2024.
ADOPTED this day of , 2024.

_____
Mark Swain, Mayor

_____
Delcy Wells, Director of Corporate Administration

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: April 24, 2024

SUBJECT: "District of Lantzville Tree Protection Bylaw No. 358, 2023"

PURPOSE

To provide Council with information regarding proposed "District of Lantzville Tree Protection Bylaw No. 358, 2023".

RECOMMENDATION

1. **THAT** "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023" be given first reading.

2. **THAT** "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023" be given second reading.

3. **THAT** staff schedule and host [*insert number*] public engagement events to provide an opportunity for community feedback and review of proposed "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023".

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

Per Council Procedure Bylaw No. 141, if a motion to pass any reading or adoption of a bylaw is defeated, that bylaw shall be deemed to be defeated.

1. Take no action – first and second readings are not given to "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023".

   "District of Lantzville Tree Protection and Management Bylaw No. 331, 2022" would remain in place until such time Bylaw 331 is repealed by a future bylaw.

2. Other direction, as provided by Council.

BACKGROUND/RELEVANT HISTORY

At the November 5, 2022, special Council meeting, Council adopted "District of Lantzville Tree Protection Bylaw No. 331, 2022" (Tree Protection Bylaw No. 331) to regulate the cutting and removal of trees on parcels greater than 1 acre in size (**ATTACHMENT 1**). Tree Protection Bylaw No. 331 prohibits the cutting or removal of trees with a diameter greater than 20 centimeters, measured 1.4 metres from the natural grade of the ground, unless the cutting or removal complies with an exemption listed in the Bylaw.

Tree Protection Bylaw No. 331 was approved with the understanding that it would likely be amended or replaced with a more comprehensive bylaw that residents will have the opportunity to provide feedback on at a public engagement event prior to adoption.

Staff are proposing to replace Tree Protection Bylaw No. 331 with "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023," (Tree Protection Bylaw No. 358) which clarifies the application of the bylaw, provides for exceptions, and enforcement penalties (**ATTACHMENT 2**). It is anticipated that Tree Protection Bylaw No. 358 will be brought to Council for consideration of third reading following a public engagement process and subsequent amendments to the proposed Bylaw.

ATTACHMENTS

1. "District of Lantzville Tree Protection Bylaw No. 331, 2022"
2. "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023"

ANALYSIS/RATIONALE

The following analysis provides an overview of Tree Protection and Management Bylaw No. 358, supporting research, and rationales for why provisions were included. This report does not include all of the provisions of Tree Protection and Management Bylaw No. 358. Please review the proposed Bylaw in **ATTACHMENT 2** in addition to this report.

PURPOSE

The primary purpose of Tree Protection and Management Bylaw No. 358 is to regulate the cutting and removal of trees in the District of Lantzville on greenfield parcels, unless otherwise specified in the Bylaw.

The Bylaw includes provisions which would allow the District to make decisions on whether trees should be removed based on recommendations from professionals and compliance with the Bylaw.

DESIGNATED TREES

Tree Protection and Management Bylaw No. 358 would allow the District to regulate the removal of 'Designated Trees', defined as a tree identified in Schedule "A" to the Bylaw, as amended from time to time. This gives Council the ability to designate specific trees for enhanced protection.

PROHIBITIONS

Tree Protection and Management Bylaw No. 358 prohibits the cutting or removal of trees on greenfield properties without a valid exception.

Any person who contravenes Bylaw No. 358 would be required to pay bylaw contravention fees as outlined in Section 6 of the Bylaw.

EXEMPTIONS

Under proposed Tree Protection and Management Bylaw No. 358, the cutting or removal of trees would be permitted in the following cases:

a) Trees authorized to be removed in accordance with a Development Permit or Building Permit issued by the District.

Rationale: As a part of existing development review procedure, under the "District of Lantzville Development Approval Information Area Bylaw No. 183, 2019" staff can ask for a tree protection plan, an ecological restoration plan, and landscape plans to ensure the protection of the natural environment.

b) Trees identified for Cutting by the Ministry of Forests due to disease or pest infestation.

Rationale: Diseased, dead, dying, or severely damaged trees may become dangerous if not cut or removed in a timely manner. The District should be notified to keep track of removals and to ensure that a permit was not required.

c) Removing a Dangerous Tree.

Rationale: Cutting or removing dangerous trees in a timely manner is necessary for the safety of people and property.

d) Trees required to be Cut Down to meet any B.C. Hydro or Workers' Compensation Board safety regulation.

Rationale: B.C. Hydro routinely maintains transmission corridors and may need to trim or remove trees to provide a safe and stable supply of electricity.

e) Trees required to be Cut Down to allow the creation and maintenance of a public service corridor or highway.

Rationale: Tree maintenance, pruning, and surveying of District property is necessary to maintain sightlines and to access or operate infrastructure. These activities must be carried out in a timely manner and thus shall be commenced at the discretion of Public Works employees.

f) Municipal employees, or their agents, during the discharge of duties that involve maintenance, surveying of the creation and upkeep of walkways and trails.

Rationale: Tree maintenance, pruning, and surveying of District property is necessary to maintain parks and trails.

g) Trees on Crown land or land subject to the *Private Managed Forest Land Act*.

Rationale: The District does not have jurisdiction over tree cutting or removal on Crown land. Tree cutting and removal for forestry practices is regulated by the Private Managed

Forest Lands Act, which includes requirements for tree replacement, buffers surrounding wildlife trees, etc.

h) Trees on Developed Property.

Rationale: As per the definition section of the proposed bylaw, "Developed Property" means any parcel of land that contains a dwelling or commercial or industrial building affixed to a foundation. The intent is that if the property is already developed that no further undue restrictions be placed on tree removals. Environmental impact and tree preservation is considered during the development review process.

i) Trees that prevent development of the density permitted under the District of Lantzville's zoning bylaw.

Rationale: This clause is intended to not interfere with development which complies with the Zoning Bylaw. For example, an agriculturally zoned property may need to remove trees to develop an agricultural use, but may not meet the definition of "Developed Property" above.

Strategic Plan Objectives

N/A

Policy (Existing/Relevance/None)

Official Community Plan

If adopted, Tree Protection and Management Bylaw No. 358 will support a number of the goals and objectives in the OCP, including:

Goal 1 – Protect the Natural Environment

Trees offer many environmental benefits such as providing habitats for animals and insects, water filtration, stormwater management, and maintaining the stability of slopes. Tree Protection Bylaw No. 332 supports the following objectives in Goal 1 of the OCP:

- *Protect natural systems such as environmentally sensitive areas, streams, creeks, wetlands, and habitat areas, and repair past damage to these systems.*
- *Protect water quality in surface streams and water quality and recharge capacity in aquifers.*
- *Maintain sustainable hydrology of surface water runoff.*
- *Encourage preservation of the "urban forest" of mature trees in developed areas of the community and in new developments.*

Tree Protection and Management Bylaw No. 358 also supports the following policies under Section 4.2.1 –Natural Ecosystems and Sensitive Areas:

6. The District will encourage the preservation of natural topography and as much existing vegetation and trees within new development projects as possible, while also addressing fire hazard issues.

Goal 2 – Preserve Community Character

Preserving canopy coverage will help maintain the semi-rural character of Lantzville and allow for the development of shaded parks and greenways in the community.

Resources

Support from the District's Planning staff will be required to review tree removal in development, manage bylaw contraventions, and track tree removal. Large scale tree removal for development applications will require a more detailed review process that will most often be combined with subdivision or rezoning application processes.

Financial/Budget Implications

Financial implications are anticipated to be minimal.

Sustainability Implications

Managing the removal of trees will allow the District to regulate where and how many trees are removed from a property. Trees have numerous environmental benefits including carbon absorption, water filtration, providing ground and slope stability, and providing habitat areas for animals. The proposed Bylaw may reduce the amount and scale of tree cutting activities in the District and will help maintain canopy coverage.

Legal Implications

If Tree Protection and Management Bylaw No. 358 is adopted, a subsequent amendment to "District of Lantzville Municipal Ticket Information Bylaw No. 100, 2012" to include penalties for bylaw contraventions would need to be introduced.

Prepared by:

George Robinson, Director of
Planning and Community Services

Date: April 24, 2024

Approved for submission to Council:

Glenn Morphy, Acting CAO /Director
of Public Works

Date: April 24, 2024

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	April 24, 2023	
Closed (In-Camera)		

File Number:
Location:

DISTRICT OF LANTZVILLE
BYLAW NO. 331

A Bylaw to Prohibit the Cutting of Trees

WHEREAS Section 8(3)(c) of the *Community Charter* allows a local government to prohibit and/or regulate the cutting of trees;

AND WHEREAS the Council of the District of Lantzville wish to regulate the cutting of Trees in the District;

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

1. **TITLE**

   This Bylaw may be cited for all purposes as "District of Lantzville Tree Protection Bylaw No. 331, 2022".

2. **DEFINITIONS**

   In this Bylaw, unless the context otherwise requires:

   "**Cut Down or Cutting**" means to remove a Tree or Trees by any means or the undertaking of any action which results in the death of a Tree or Trees or could reasonably be expected to result in the death of a Tree or Trees;

   "**Dangerous Tree**" means a Tree, identified by a certified arborist who has training in tree risk assessment, which could reasonably be expected to present an imminent hazard to the safety of persons or to the public or to private property;

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

   "**Tree**" means a woody perennial plant of any size with a trunk greater than 20 centimetres measured at a height of 1.4 metres above the undisturbed grade of the land where the Tree is located."

3. **APPLICATION OF BYLAW**

   Subject only to the exceptions set out in Section 4, no person shall cut down, or permit the cutting down of any Tree on a parcel or parcels of land in the Municipality greater than one (1) acre in size.

4. **EXCEPTIONS**

   This Bylaw does not apply to:

   a) Trees identified for cutting by the Ministry of Forests due to disease or pest infestation;

   b) Dangerous Trees;

   c) Trees required to be cut down to meet any B.C. Hydro or Workers' Compensation Board safety regulation;

d) Trees required to be cut down to allow the creation and maintenance of a public service corridor or highway;

e) Municipal employees, or their agents, during the discharge of duties that involve maintenance, surveying of the creation and upkeep of walkways and trails;

f) British Columbia land surveyors during the discharge of their duties;

g) Trees authorized to be removed in accordance with a Development Permit issued by the District;

h) Trees on Crown land or land subject to the *Private Managed Forest Land Act*.

6. GENERAL PROVISIONS

Should any provision of this Bylaw be declared by any Court to be invalid the outcome shall not affect the validity of this Bylaw, as a whole or parts thereof, other than the provisions(s) declared to be invalid.

7. CONTRAVENTION AND PENALTIES

a) Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw shall be deemed to be guilty of an infraction hereof and shall be subject to fines as prescribed under the *Offence Act* RSBC, 1996 c 338 or as set out in the Municipal Ticket Information Bylaw No. 100, 2012, as amended from time to time.

b) Each Tree that is cut down contrary to this Bylaw constitutes a separate offence.

READ A FIRST TIME this 3rd day of November, 2022.

READ A SECOND TIME this 3rd day of November, 2022.

READ A THIRD TIME this 3rd day of November, 2022.

ADOPTED this 5th day of November, 2022.

ORIGINAL SIGNED

Mayor

ORIGINAL SIGNED

Director of Corporate Administration

DISTRICT OF LANTZVILLE
BYLAW NO. 358

A Bylaw to Prohibit the Cutting of Trees

WHEREAS Section 8(3)(c) of the *Community Charter* allows a local government to prohibit and/or regulate the cutting of trees;

AND WHEREAS the Council of the District of Lantzville wish to regulate the cutting of Trees in the District;

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

1. TITLE

This Bylaw may be cited for all purposes as "District of Lantzville Tree Protection and Management Bylaw No. 358, 2023".

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"**Cut Down or Cutting**" means to remove a Tree or Trees by any means or the undertaking of any action which results in the death of a Tree or Trees or could reasonably be expected to result in the death of a Tree or Trees.

"**Dangerous Tree**" means a Tree, identified by a certified arborist who has training in tree risk assessment, which could reasonably be expected to present an imminent hazard to the safety of persons or to the public or to private property.

"Developed Property" means any parcel of land that contains a dwelling or commercial or industrial building affixed to a foundation.

"**Designated Tree"** means a tree identified in Schedule "A" to this Bylaw, as amended from time to time.

"Greenfield Property" means a parcel of land that does not contain any buildings permanently affixed to land.

"**Tree**" means a woody perennial plant of any size with a trunk greater than 20 centimetres in diameter measured at a height of 1.4 metres above the undisturbed grade of the land where the Tree is located.

3. SCOPE AND PROHIBITION

3.1 This Bylaw applies to all Designated Trees and to all Greenfield Properties in the District of Lantzville.

3.2 Subject only to the exceptions set out in Section 4, no person shall Cut Down, or permit the Cutting Down of any Designated Tree or Tree on a Greenfield Property.

4. EXCEPTIONS

This Bylaw does not apply to:

a) Trees authorized to be removed in accordance with a Development Permit or Building Permit issued by the District;

b) Trees identified for Cutting by the Ministry of Forests due to disease or pest infestation;

c) Dangerous Trees;

d) Trees required to be Cut Down to meet any B.C. Hydro or Workers' Compensation Board safety regulation;

e) Trees required to be Cut Down to allow the creation and maintenance of a public service corridor or highway;

f) Municipal employees, or their agents, during the discharge of duties that involve maintenance, surveying of the creation and upkeep of walkways and trails;

g) Trees on Crown land or land subject to the *Private Managed Forest Land Act*;

h) Trees on Developed Property.

i) Prevent development to the density permitted under the District of Lantzville's zoning bylaw.

5. GENERAL PROVISIONS

Should any provision of this Bylaw be declared by any Court to be invalid the outcome shall not affect the validity of this Bylaw, as a whole or parts thereof, other than the provisions(s) declared to be invalid.

6. CONTRAVENTION AND PENALTIES

a) Any person who:

i. violates or fails to comply with any provision of this bylaw;

ii. permits, suffers, or allows any action or thing to be done in violation of this bylaw; or

iii. fails or neglects to do anything required to be done under this bylaw,

contravenes this bylaw, and when the contravention is a continuing one, each day that the contravention continues constitutes a separate contravention, and when the contravention impacts more than one Tree, the impact on each Tree constitutes a separate contravention.

b) Any person who contravenes this bylaw commits an offence and, upon conviction by way of a proceeding under the *Offence Act,* is liable to a penalty of not less than ten thousand dollars ($10,000.00) and not more than fifty thousand dollars ($50,000.00) for each offence and the costs of prosecution.

c) This bylaw may be enforced by a fine up to three thousand dollars ($3,000.00) if a ticket is issued under the "District of Lantzville Municipal Ticket Information Bylaw No. 100, 2012," and any amendments thereto.

d) 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.

READ A FIRST TIME this day of , 2024.

READ A SECOND TIME this day of , 2024.

READ A THIRD TIME this day of , 2024.

ADOPTED this day of , 2024.

Mark Swain, Mayor

Delcy Wells, Director of Corporate Administration

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: April 24, 2024

SUBJECT: "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024."

PURPOSE

To provide Council with information regarding the recommended BC Energy Step Code policies in "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024." (**ATTACHMENT 1**)

RECOMMENDATION

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given first reading.

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given second reading.

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given third reading.

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. DEFEAT THE BYLAW

Per Council Procedure Bylaw No. 141, if a motion to pass any reading or adoption of a bylaw is defeated, that bylaw shall be deemed to have been defeated.

2. AMEND THE PROPOSED BYLAW

When the following motion is on the floor:

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given second reading.

Amend by motion:

THAT the motion on the floor be amended by adding "as amended" [*insert specific wording of amendment*].

Vote on the main motion as amended:

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024" be given second reading, as amended [*insert preceding amendment*].

The implications are unknown until the amendments are known. Staff will amend the Bylaw as directed by Council.

ATTACHMENTS

1. District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024
2. District of Lantzville Building Bylaw No. 182, 2020, Amendment (Miscellaneous) Bylaw No. 338, 2023
3. "City of Nanaimo Building Bylaw 2016 No. 7224" Section 29

BACKGROUND/RELEVANT HISTORY

Council has passed a number of motions pertaining to the BC Energy Step Code since 2023, including:

January 11, 2023 (regular Council meeting)

THAT staff bring forward a draft amendment bylaw for Council consideration to amend "District of Lantzville Building Bylaw No. 182, 2020" as follows:

a) The British Columbia Energy Step Code requirements for the District of Lantzville, match those of the City of Nanaimo's Building Bylaw section 29.

b) Notwithstanding the preceding section a), in all subdivisions and developments, where more than 50% of the parcels are approved to be smaller than 900 m², Step 5 of the British Columbia Energy Step Code must be required for all residential buildings, where the total gross floor area of living space of the building(s), including the basement, exceeds 20% of the total area of the parcel containing the building(s); AND FURTHER THAT, staff bring the amendment bylaw back to Council for consideration as soon as possible.

April 19, 2023 (regular Council meeting)

Council adopted "District of Lantzville Building Bylaw No. 180, 2020, Amendment (Miscellaneous) Bylaw No. 338, 2023" (**ATTACHMENT 2**). Bylaw No. 338 aligned the District's Building Bylaw with the required level of the BC Energy Step Code (ESC) implemented in the BC Building Code on May 1, 2023. Part 9 (simple) buildings must meet step 3 of the ESC and Part 3 (complex) buildings must meet step 2 of the ESC. The January 11th Council motion was not addressed in the Bylaw No. 338 update, as staff were working with the RDN on a regional net zero building strategy at the time.

September 13, 2023 (regular Council meeting)

THAT staff bring forward the required amendments to "District of Lantzville Building Bylaw No. 182, 2020" to ensure that the District of Lantzville is matching the Energy Step Code of the City of Nanaimo Building Bylaw section 29; AND FURTHER THAT the proposed bylaw amendment for consideration of first reading be received by Council no later than December 6, 2023.

April 10, 2024 (regular Council meeting)

THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Step Codes) Bylaw No. 341, 2024" be referred back to staff to match the City of Nanaimo energy step code on April 24, 2024; AND FURTHER THAT the carbon step code options be brought to the May 8, 2024, Council meeting.

The City of Nanaimo adopted an amendment to their Building Bylaw on October 16, 2023, to address future ESC requirements and implement the Zero Carbon Step Code (**ATTACHMENT 3**). the amendment does not address advancement of the ESC beyond step 3 due to concerns about industry capacity and construction costs. Section 29 of the City of Nanaimo's Building Bylaw 2016 No. 7224 is summarized in **Table 1**.

TABLE 1 – City of Nanaimo Building Bylaw 2016 No. 7224

	Current	**July 1, 2024**	**January 1, 2026**
Part 9	Zero Carbon Step Code EL-1 (measure only)	Zero Carbon Step Code EL-4 (Zero Carbon Performance)	-
Part 3	Zero Carbon Step Code EL-1 (measure only)	Zero Carbon Step Code EL-4 (Zero Carbon Performance)	BC Energy Step Code Step 3

BC Energy Step Code

The ESC is a Provincial standard used to guide the construction of energy efficient buildings in BC. It includes 5 'steps' of energy efficiency. Step 1 requires modelling of energy performance and air tightness and steps 2 – 5 include increasing levels of energy efficiency compared to the 2018 BC Building Code (**Table 2**).

TABLE 2: BC Energy Step Code Energy Efficiency

Part 9 Buildings	**Part 3 Buildings**
Step 2 = 10% more efficient	Step 2 = 20% more efficient
Step 3 = 20% more efficient	Step 3 = 40% more efficient
Step 4 = 40% more efficient	Step 4 = Net Zero Ready
Step 5 = Net Zero Ready	

Part 9 (simple) buildings are three storeys and under in height with a footprint of 600m² or less[1]. They typically include houses, low-rise apartment buildings, and small stores or low-

[1] BC Office of Housing and Construction Standards. (2015). Understanding B.C.'s Building Regulatory System. https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/buildingactguide_sectiona1_june2015_web.pdf. Page 5.

hazard industrial shops. Part 3 (complex) buildings are over 3 storeys in height or over 600m² in area, and buildings used for care, detention, and high hazard industrial activities[2]. Examples include shopping malls, apartment buildings, and care facilities.

The ESC is required for all new development through the BC Building Code. The Province aims to achieve the highest step by 2032 and has proposed a phased approach to implementation[3]:

- 20% more energy efficient beginning May 1, 2023 (step 3 for simple, step 2 for complex).
- 40% more energy efficient by 2027 (step 4 for simple, step 2-3 for complex).
- Net Zero Energy Ready by 2032 (step 5 for simple, step 4 for complex).

Local governments can specify a more aggressive implementation schedule in their Building Bylaw.

Research and Analysis

Potential Impacts of Requiring Higher Steps of the Energy Step Code

Requiring higher levels of the ESC may impact the design and cost of construction in Lantzville. These impacts can be detrimental if Bylaw No. 341 is implemented without preparing local industry and property owners for the new requirements. Potential problems include:

Supply Shortages and Capacity Issues: Many municipalities on Vancouver Island do not currently require step 4 or 5 of the ESC. This may result in development delays caused by a lack of specialized contractors such as external insulation companies. Supply shortages for specialized equipment, building materials, and mechanical systems may also impact the cost and timelines for construction. Although local Energy Advisors can support the transition to higher steps of the ESC, local builders may need additional education if changes to construction methods are required.

Design: Achieving the top level of the ESC can require thicker walls, deeper roof insulation, and smaller windows to meet energy efficiency requirements. These requirements can impact the cost and feasibility of construction for the following reasons:

- **Walls:** Thicker walls decrease the amount of livable space in a building if maximum gross floor area is measured to the external edge of the walls. Some communities that require higher steps of the ESC, including North Vancouver, Port Moody, and New Westminster, have made amendments to their definition of 'floor area ratio' or 'gross floor area' to provide more flexibility for energy efficient buildings.

[2] BC Office of Housing and Construction Standards. (2015). Understanding B.C.'s Building Regulatory System. https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/buildingactguide_sectiona1_june2015_web.pdf. Page 5.
[3] Government of British Columbia. (2021). Energy Efficiency. https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards/energy-efficiency

- **Roof Insulation:** Deeper roof insulation requirements may decrease the usable height of a building. Some communities, such as New Westminster, have made amendments to their zoning bylaw to increase the permitted height of a building in cases where deeper roof insulation is required to comply with ESC requirements.

- **Windows:** Many Lantzville residents build homes with large windows to take advantage of viewpoints. Higher levels of the ESC may require the window-to-wall ratio to be decreased to meet energy efficiency requirements. The location and design of windows on new buildings may also need to be adjusted to manage solar gains. For example, many houses constructed in the first phase of the Foothills development would not be able to meet step 5 due to large windows on north-facing walls causing significant heat loss. Additionally, increasing demand for high energy efficiency windows has led to ordering and delivery wait times.

Cost of Systems and Materials: Systems and materials that are required to meet higher levels of the ESC (e.g. heat pumps, heat recovery ventilators, triple pane windows, etc.) may increase the cost of construction. The incremental increase in cost may be higher for smaller buildings, as many of these systems are fixed costs. Although there may be a long-term benefit (in terms of energy cost savings) in buildings with higher step requirements, the higher upfront cost may not be feasible for some property owners.

BC Energy Step Code Council Recommendations for Increasing Step Requirements

The BC Energy Step Code Council recommends a notifying residents and builders about increasing to higher levels of the ESC one year in advance of the change. The minimum timeline for notification allows an appropriate amount of time for local industry and property owners time to adjust to the upcoming changes.

A grace period should be given for in-stream applications (including rezoning, development permits, variances, and building permits) once the new Step Code requirements are adopted. A grace period will reduce the likelihood that in-stream applicants will be unable to complete construction due to an unforeseen increase in costs or the need for major revisions.

ESC Requirements Based on Parcel Size

Staff do not recommend implementing the ESC requirements proposed in part b) of Council's January 11, 2023 motion: *b) Notwithstanding the preceding section a), in all subdivisions and developments, where more than 50% of the parcels are approved to be smaller than 900 m2, Step 5 of the British Columbia Energy Step Code must be required for all residential buildings, where the total gross floor area of living space of the*

building(s), including the basement, exceeds 20% of the total area of the parcel containing the building(s).

Requiring step 5 of the ESC based on parcel size may cause the following impacts on development:

a) Discouraging the development of smaller, more affordable lots;

b) Discouraging the development of homes with secondary suites or carriage houses due to the proposed 20% parcel coverage specification. Secondary suites are often used for rental income and provide housing options for people who do not own homes or require more flexible accommodations. Suites can also serve as a 'mortgage helper' to allow younger families to afford a suitably sized home. Availability of this housing type is limited in Lantzville.

The definition of gross floor area in "District of Lantzville Zoning Bylaw No. 180, 2020" is: "the sum of the total floor area of all floors in a building measured to the extreme outer limits of the building, but specifically excludes parking that is fully below natural or finished grade, whichever is lower." This means that, on an 850 m^2 lot in which Council's proposed amendment applies, any house larger than 170 sqm (1,829.86 sqft) including all floors would need to be built to step 5.

Recommendation

Staff recommend that the District implements Step 3 of the ESC for Part 3 buildings beginning January 1, 2026. This recommendation aligns with Council's September 13, 2023, motion *THAT staff bring forward the required amendments to "District of Lantzville Building Bylaw No. 182, 2020" to ensure that the District of Lantzville is matching the Energy Step Code of the City of Nanaimo Building Bylaw section 29.*

A future Bylaw amendment will be required to comply with future BC Building Code updates, or to adopt high levels of the ESC earlier than legislated.

ADDITIONAL CONSIDERATIONS

1. Strategic Plan Objectives

The District's Council Strategic Priorities 2023-2026 document aims to have Energy Step Code requirements as advanced as possible.

2. Policy

None besides those already discussed.

3. Resources

Staff time to respond to enquiries about the ESC update.

4. Financial/Budget Implications

N/A

5. Sustainability Implications

Advancing the ESC will improve the energy efficiency in future buildings constructed in the District.

Prepared by:

Amanda Masse, Planner

Date: April 18, 2024

Approved for submission to Council:

Glenn Morphy, Acting Chief Administrative Officer
Date: April 18, 2024

George Robinson, Director of Planning and Community Services

Date: April 18, 2024

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	April 24, 2024	
Closed (In-Camera)		

File Number: 3900-20-341
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2024\2024-04-24 Regular Council Meeting\April 24, 2024, Energy Step Code Bylaw No. 341, 2024

DISTRICT OF LANTZVILLE
BYLAW NO. 341, 2024

A BYLAW TO AMEND DISTRICT OF LANTZVILLE BUILDING BYLAW NO. 182, 2020

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 "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Energy Step Code) Bylaw No. 341, 2024".

2. District of Lantzville Building Bylaw No. 182, 2020 is hereby amended as follows:

   In Section 9 by inserting the following Clause after Clause 9.2 and renumbering accordingly:

   9.3 The Municipality incorporates, by reference, Step 3 of the British Columbia Energy Step Code for Part 3 Buildings effective January 1, 2026.

READ A FIRST TIME this day of , .
READ A SECOND TIME this day of , .
READ A THIRD TIME this day of , .
ADOPTED this day of , .

Mark Swain, Mayor

Delcy Wells, Director of Corporate Administration

DISTRICT OF LANTZVILLE
BYLAW NO. 338, 2023

A BYLAW TO AMEND DISTRICT OF LANTZVILLE BUILDING BYLAW NO. 182, 2020

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

1. This Bylaw may be cited for all purposes as "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Miscellaneous) Bylaw No. 338, 2023".

2. "District of Lantzville Building Bylaw No. 182, 2020," is hereby amended as follows:

2.1 In Section 9 by inserting the following Clause after Clause 9.1 and renumbering accordingly:

9.2 The municipality incorporates, by reference, Step 3 of the British Columbia Energy Step Code for Part 9 Buildings and Step 2 of the British Columbia Step Code for Part 3 Buildings effective May 1, 2023."

2.2 In Section 9 Clause 9.2 by removing "must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the BC Energy Step Code." and inserting "must be designed and constructed to meet the minimum performance requirements specified in the required Step of the BC Energy Step Code."

2.3 In Schedule 4 by inserting the following Clauses after Clause 8 and renumbering accordingly:

9. "BC Energy Step Code Pre-Construction Compliance Report – required for new buildings and additions."

10. "Energuide Homeowner Information Sheet Model Summary – required for new buildings and additions."

2.4 In Schedule 5 – Definitions under the heading "complex building" by removing "means any building other than a standard building" and inserting:

"means a building that meets at least one of the following requirements:

(a) all buildings used for major occupancies classified as:

i. assembly occupancies;

ii. care or detention occupancies; or

iii. high hazard industrial occupancies.

(b) all buildings exceeding 600 square metres in building area or exceeding three storeys in building height used for major occupancies classified as:

i. residential occupancies;

ii. business and personal services occupancies;

iii. mercantile occupancies; or

iv. medium and low hazard industrial occupancies."

2.5 In Schedule 5 - Definitions under "S" by removing the heading "standard building" and inserting "simple building" and by removing "(c) is used for a major occupancy classified as residential occupancy or is a secondary building that does not contain dwelling units or sleeping units, and (d) is limited to a house with a secondary suite, a duplex, or a secondary building associated with a house or duplex." and inserting "(c) is used for residential, commercial, or low-to-medium hazard industrial activities.

READ A FIRST TIME this 22nd day of March, 2023.

READ A SECOND TIME this 5th day of April, 2023.

READ A THIRD TIME this 5th day of April, 2023.

ADOPTED this 19th day of April, 2023.

ORIGINAL SIGNED

Mark Swain,
Mayor

ORIGINAL SIGNED

Trudy Coates,
Director of Corporate Administration

28.4 The requirements in Sections 28.2 shall not apply where:

28.4.1 the construction will result in the creation and/or location of no more than a total of two residential units on the parcel; or

28.4.2 the construction will result in only fully detached single dwelling units on the property; or

28.4.3 the construction will consist only of alterations to an existing building or structure and the value of construction will not exceed 50% of the current assessed value of the building, as determined by the BC Assessment Authority, or the current appraised value of the building, as determined by a member of the British Columbia Branch of the Appraisal Institute of Canada; or

28.4.4 the construction will result in the addition to an existing building that will not exceed 25% of the existing floor area of the building or a maximum gross floor area of 200 square metres, whichever is the lesser; where construction will result in a non-combustible addition to a non-combustible building that will not exceed 25% of the existing floor area of the building, or a maximum gross floor area of 600 square metres, whichever is lesser;

28.4.5 the construction will result in the construction of a detached building(s) having a total gross floor area of less than 100 square metres; or

28.4.6 the construction will result in an unoccupied mechanical building not exceeding 300 square metres; or a non-combustible building used only for a car wash which does not exceed 300 square metres; or stand-alone greenhouses that are utilized only for food production or decorative plants not exceeding 300 square metres; or a non-combustible building used only for storing and processing of steel, salt, or rock products; or a fabric-covered building in Industrial Zones (I-1, 1-2, I-3, 1-4) used for storage, processing, or manufacturing where a registered professional specializing in building codes, alternative solutions, and fire science has submitted in a report that provides specifications to minimize the fire hazard in and around the structure; or

28.4.7 non-combustible canopies over gasoline pumps or other areas where flammable liquids are handled.

29. BC Energy Step Code / BC Zero Carbon Step Code *(7224.02, 7224.05)*

29.1 Any new building or structure to which Part 3 or Part 9 of the Building Code applies, and is within the scope of the application of the Zero Carbon Step Code, as described in the Building Code, must be designed and constructed to meet performance requirements specified in EL-1 (measure only) of the Zero Carbon Step Code.

29.2 In the case of a building permit submitted after 2024-JUL-01, a new building or structure to which Part 3 or Part 9 of the Building Code applies, and which is within

the scope of the Zero Carbon Step Code, must be designed and constructed to meet performance requirements specified in EL-4 (Zero Carbon Performance) of the Zero Carbon Step Code

29.3 In the case of a building permit submitted after 2026-JAN-01, a new building or structure to which Part 3 of the Building Code applies, and which is within the scope of the Energy Step Code as described in the BC Building Code, must be designed and constructed to meet the performance requirements specified in Step 3 of the BC Energy Step Code."

29.4 When an Energy Advisor or an architect, as required, provides energy reports or field reviews in accordance with this bylaw, the City will rely solely on field reviews undertaken by the Energy Advisor or architect and the reports submitted pursuant to this bylaw as assurance that the construction or applicable aspect thereof substantially conforms to the design, and that the construction or applicable aspect thereof substantially complies with the Building Code, this bylaw, and other applicable enactments respecting energy efficiency and greenhouse gas emissions.

29.5 With respect to a building permit for a building or structure that falls within the scope of Part 9 of the Building Code, the owner must provide, to the satisfaction of the Building Official, all the materials and documentation required by the BC Energy Step Code and BC Zero Carbon Step Code, prepared and signed by an Energy Advisor or Registered Professional, and such other reports and materials as required by the Building Official.

29.6 The Energy Advisor, providing the required materials and documentation set out in the BC Energy Step Code and BC Zero Carbon Step Code, must provide evidence to the Building Official that they are an Energy Advisor registered and in good standing with Natural Resources Canada in accordance with the EnerGuide Rating System Administrative Procedures and adheres to the technical standards and procedures of the ERS.

29.7 For certainty, and notwithstanding Sections 29.5 above, where a registered professional is required under this bylaw, in respect of a building permit for a building or structure that falls within the scope of Part 3 or Part 9 of the Building Code, the professional design and field review shall include the materials and documentation required by the applicable step of the BC Energy Step Code and BC Zero Carbon Step Code, and such other reports and materials as required by the Building Official.

30. Penalties and Enforcement *(7224.02)*

30.1 Any Person who causes permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than $50,000, plus the costs of prosecution, and any other penalty or remedy available under the *Community Charter* and *Offence Act*. *(7224.06)*

District of Lant
REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: April 10, 2024

SUBJECT: Jacks and Lavender Road Ends - Concepts

PURPOSE

To provide Council with a follow up report from the closed portion of the September 13, 2023, Council meeting during which staff were directed to carry out enhancements of both the Jack's Road and Lavender Road Ends. Prior to carrying out these works, staff require Council's approval and direction on design concepts.

RECOMMENDATION

1. THAT Council approve the themed "Lantzville Coal Mine History" approach to the Jack's Road End concept, as presented.

2. AND FURTHER THAT Council approve the themed "Dedicated to Lantzville's Military Veterans" approach to the Lavender Road End concept, as presented.

3. AND FURTHER THAT staff are to provide cost estimates to carry out each concept with the majority of the project to be carried out with staff as an "in-house" project utilizing the newly re-introduced Maintenance Tech II position, if approved.

COMMITTEE/COMMISSION RECOMMENDATION - N/A

ALTERNATIVES AND IMPLICATIONS

1. THAT Council approve the themed "- - Insert theme -or- No theme - -" approach to the Jack's Road End concept, as presented.

2. AND FURTHER THAT Council approve the themed "- - Insert theme -or- No theme - -" approach to Lavender Road End concept, as presented.

3. AND FURTHER THAT staff are to provide cost estimates to carry out each concept with the majority of the project to be carried out with staff as an "in-house" project utilizing the newly re-introduced Maintenance Tech II position, if approved.

The 2024 construction season is fast approaching so staff require clear direction on a concept for both road ends as soon as possible.

BACKGROUND/RELEVANT HISTORY

There have been several motions passed surrounding the Lavender Road and Jack's Road Ends. Those motions are as follows:

2019 Council resolutions:

C19-140	9-Sep-19	THAT the Parks and Trails Committee recommendation (THAT $9,800 be included in the 2020 budget to green up the Lavender Road and Harper Road beach road ends, subject to public consultation.) be referred to the 2020 financial planning process.
C19-175	4-Nov-19	THAT $9,800 be included in the 2020 Financial Plan to green up the Lavender Road and Harper Road beach road ends.

2020 Council resolution:

C20-93	11-May-20	THAT the May 4, 2020 Lavender Road & Harper Road Beach Road Ends 2020 Project defeated motion be reconsidered: THAT Option 3, item 6. Lavender Road & Harper Road Beach Road Ends ($9,800) from the 'Potential 2020 Financial Plan Amendments to Reduce 2020 Property Taxation' report, for adjustment in the 2020-2024 Financial Plan be selected; AND FURTHER THAT staff be authorized to prepare a 2020-2024 Financial Plan Amendment Bylaw and 2020 Tax Rates Bylaw that reflects the option(s) selected by Council.	NOTE: Motion to reconsider passed; however, motion re Option 3 DEFEATED; no action required

2021 Council resolutions:

C21-45	31-Mar-21	THAT staff prepare a report on how to calm the traffic at the Lavender Road Beach end, considering adding speed bumps and/or changing the direction of the stop signs at the corner of Lavender Road and Lancrest Terrace; AND FURTHER THAT staff identify the funding sources.
C21-124	21-Jul-21	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.
C21-125	21-Jul-21	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.

2023 Council resolutions:

C23-185	26-Jul-23	THAT Council refers to the District solicitor to review the Traffic & Parking Regulations Bylaw to draft an amendment bylaw to permit further regulation of the Jacks Road beach road end access for the purpose of regulating vehicular access including no parking or public vehicle access to that a section of Jacks Road between McGill Road and the foreshore, and with the solicitors review to be presented at the September 6, 2023 Committee of the Whole meeting; AND FURTHER THAT Council will facilitate and approve a green space design, with funding up to $20,000 for this project to be funded from Gas Tax, and if not possible, funded from the money allocated to Special Projects in the District of Lantzville 2022/2023 Financial Plan.
C23-213	13-Sep-23	THAT Council directs staff to enact the following improvements, as soon as possible, to that section of Jack's Road between McGill Road and the foreshore: a. Engage a contractor to remove all the remaining pieces of asphalt in this section; b. Engage a contractor to implement a layout design submitted and approved by Council, of a path with areas of greenery and a pedestrian ocean viewing area; and c. Obtain a cost estimate for creating a safer walking route down to the beach, be it stairs formed from big rocks similar to Myron Road or more traditional stairs similar to Huddlestone Road; AND FURTHER THAT funding to engage a contractor to carry out the improvements be funded from the One Time Operating Projects Reserve Fund of the 2023 Financial Plan to a maximum of $25,000.00.
C23-214	13-Sep-23	THAT Council requests a report from staff outlining the works and costs to complete the following improvements [as shown in Figure 1 submitted by Mayor Swain at the COTW Sept. 6th, 2023] at the Lavender Road beach end including: • Install parking in Area A including removal of blackberries, install a culvert and install grass matting as the parking surface • In Area B, remove the stairs and wooden cribbing, add fill and soil, and slope the property to connect the upper and lower levels; • In Area C, create the hammerhead vehicle turn-around including installing removable bollards, and remove all asphalt on the waterfront side of the removable bollards and replace with surface materials as per green shores best practices; AND FURTHER THAT any required land surveying or other professional services required to prepare the report for Council consideration be funded from the Accumulated General Operating Surplus Reserve Fund.

ATTACHMENTS

1. Jack's Road End, concept
2. Lavender Road End, concept
3. Wall memorial example
4. Rain Garden, RDN trial

DISCUSSION

Staff have been working on a concept for each road end designed to best carry out Council's vision as per the motions presented above.

ANALYSIS/RATIONALE

Staff initiated the design concept process with a review of the motions previously passed including the September 13, 2023, motion which is the last motion on record. The history of the road ends appears to have evolved over time as to what is the best solution to each end, as each have their own challenges.

Adding to the complexity is the potential of the District introducing "in-house" capital projects carried out by staff for the most part. This is contingent on Council's approval to reintroduce a Maintenance Tech II position. Otherwise, the Lavender and Jacks Road Ends design concepts will be carried out by external contractors. Either approach will have an impact on how the Public Works Department estimate each project.

During the design review process, staff identified a potential enhancement to each concept by introducing a themed approach to each end. For example, Jack's Road End to potentially be themed as "Lantzville's Coal Mine History" (see attachment 1) and the Lavender Road End as "Dedicated to Lantzville's War Veterans" (see attachment 2). Each road end has further enhancements like expanded potential memorial bench locations. Both ends have a unique memorial capability with Jack's proposing memorial pedestals and Lavender to have a wall approach to memorializing Lantzville's war veterans (attachment 3). Plus, Jack's concept is proposing a "rain garden" trial location, a first in Lantzville. The Regional District of Nanaimo implemented a trial location last year (see attachment 4).

Financial/Budget Implications

The project was budgeted at $37,690 in the 2024 Financial Plan. If project costs exceed budget, we will seek approval from Council for more funding.

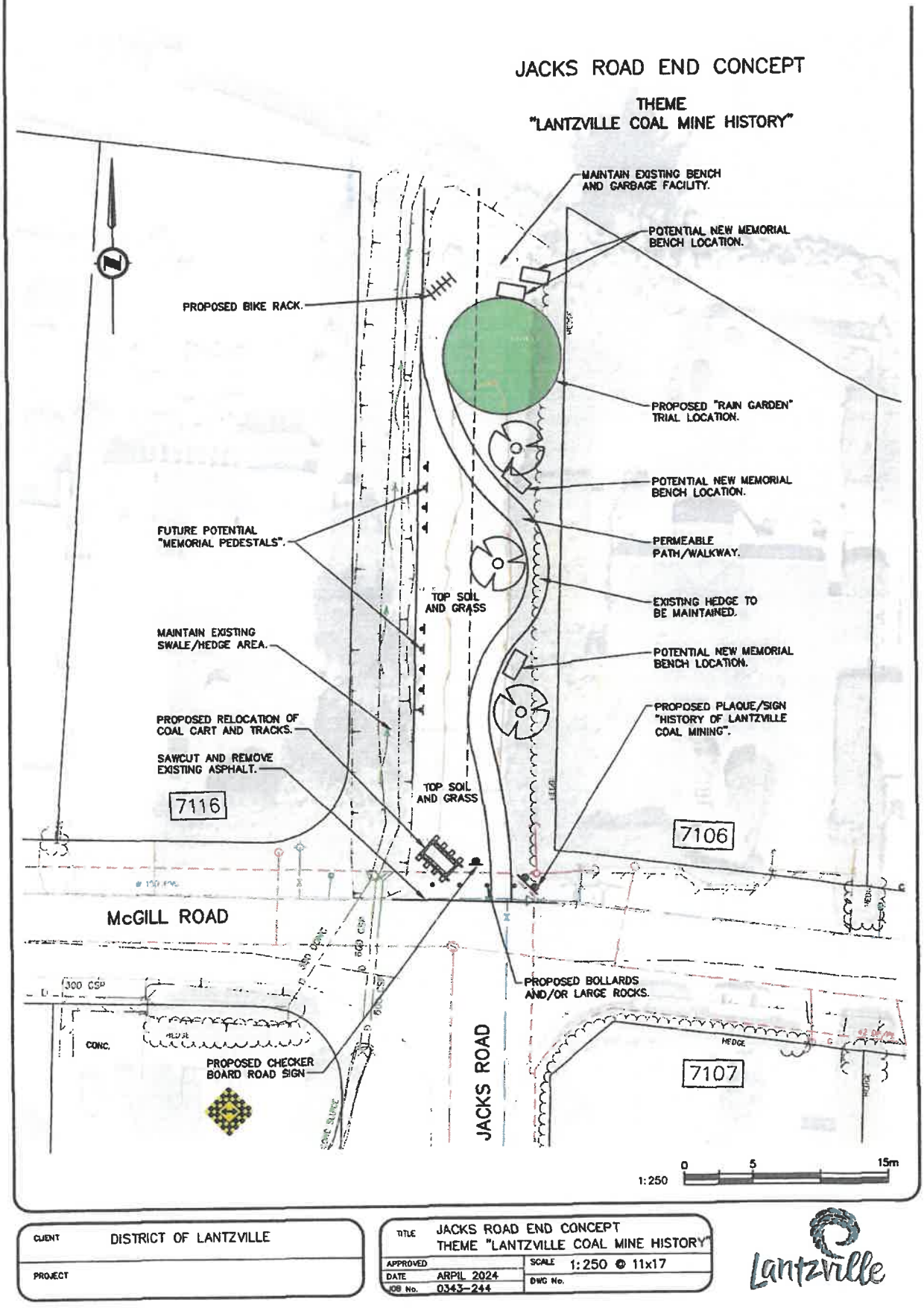
Prepared by:

Glenn Morphy
Acting CAO/Director of Public Works
Date: April 9, 2024

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		
Special		
Closed (In-Camera)	April 10, 2024	

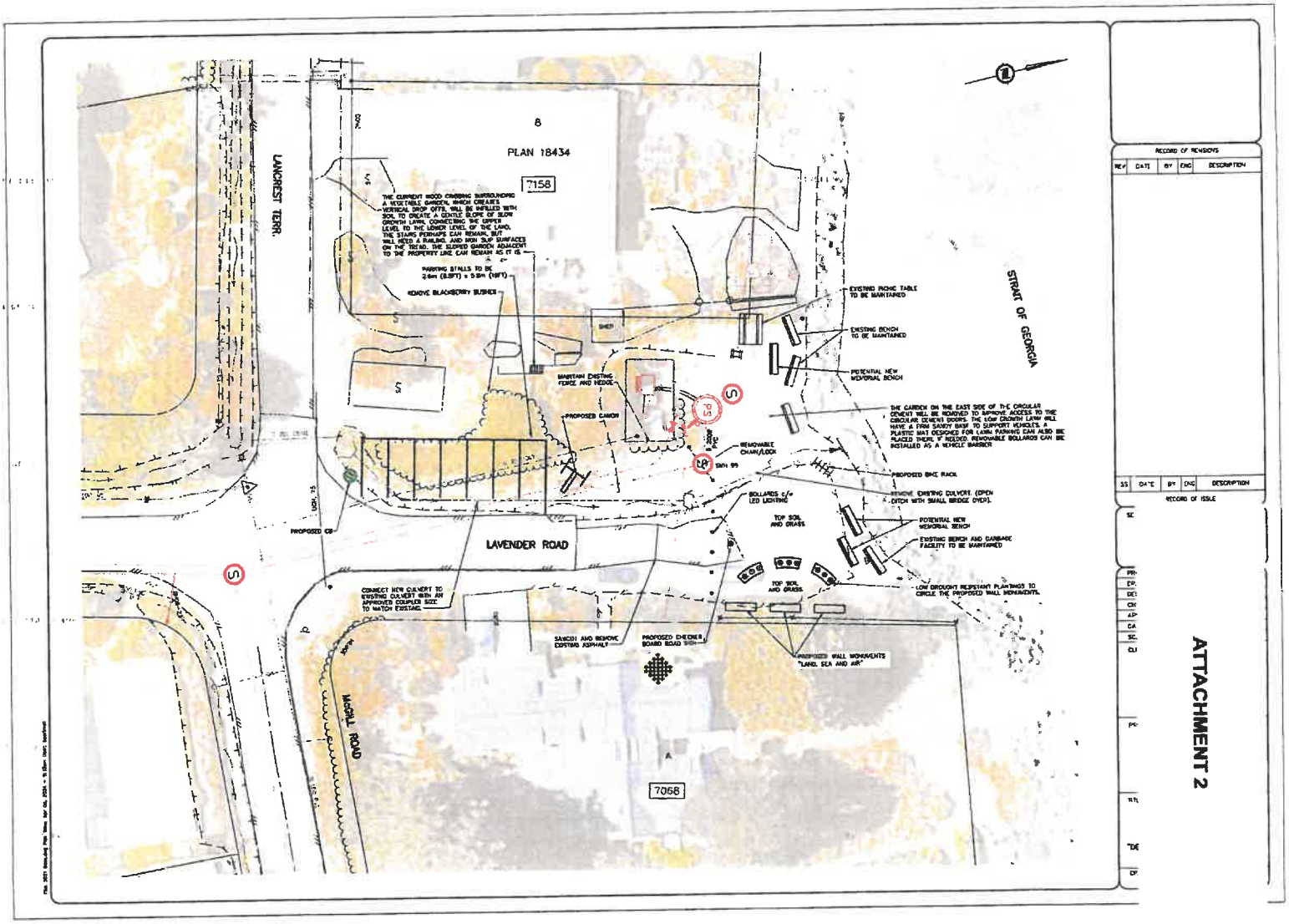
ATTACHMENT 1



CLIENT	DISTRICT OF LANTZVILLE
PROJECT	

TITLE	JACKS ROAD END CONCEPT THEME "LANTZVILLE COAL MINE HISTORY"		
APPROVED		SCALE	1:250 @ 11x17
DATE	ARPIL 2024	DWG No.	
JOB No.	0343-244		

Lantzville


PLAN 18434
7158
7068
LANCREST TERR.
LAVENDER ROAD
McGILL ROAD
STRAIT OF GEORGIA
EXISTING PICNIC TABLE TO BE MAINTAINED
EXISTING BENCH TO BE MAINTAINED
POTENTIAL NEW MEMORIAL BENCH
MAINTAIN EXISTING FENCE AND HEDGE
PROPOSED CAIRN
REMOVABLE CHAIN/LOCK
PROPOSED BIKE RACK
BOLLARDS C/W LED LIGHTING
TOP SOIL AND GRASS
EXISTING BENCH AND GARBAGE FACILITY TO BE MAINTAINED
LOW DROUGHT RESISTANT PLANTINGS TO CIRCLE THE PROPOSED WALL MONUMENTS.
PROPOSED WALL MONUMENTS "LAND, SEA AND AIR"
PROPOSED CB
CONNECT NEW CULVERT TO EXISTING CULVERT WITH AN APPROVED COUPLER SIZE TO MATCH EXISTING
SAWCUT AND REMOVE EXISTING ASPHALT
PROPOSED CHECKER BOARD ROAD SIGN
RECORD OF REVISIONS
RECORD OF ISSUE
ATTACHMENT 2

ATTACHMENT 3



RDN Rain Garden Demo Site

In 2023, DWWP launched a new funding initiative, the **Demonstration Site & Interpretive Signage Program**, which supports local governments, partners, and environmental stewardship organizations with the installation of green infrastructure, such as rain gardens, and interpretive signage at demonstration sites or watershed features.



RDN Rain Garden Pilot Project:

- to learn more about associated costs and processes of projects of this type to fully inform the new funding program
- amend an existing swale so that it functions to slow, capture, and infiltrate rainwater run-off from the surrounding landscape
- create a demonstration space for public awareness and education

ATTACHMENT 4

Current state of the RDN Rain Garden

- Turf grass covering hard-packed and poor soil
- Lack of vegetation
- Invasive species
- Uncovered storm drain

All of this results in...



RDN Rain Garden - Overlooking the East side of swale/rain garden from RDN Admin Building



RDN Rain Garden overlooking the West side of swale from RDN Admin Building





Invasive English Ivy at the East end of the rain garden

Vision for the RDN Rain Garden

NORTH ARROW Landscapes

We plan to:

- Remove turf and amend soil
- Remove invasives and plant native species throughout
- Raise and cover storm drains
- Upgrade pathways & install interpretive signage





The top of the rain garden berm along Hammond Bay Road

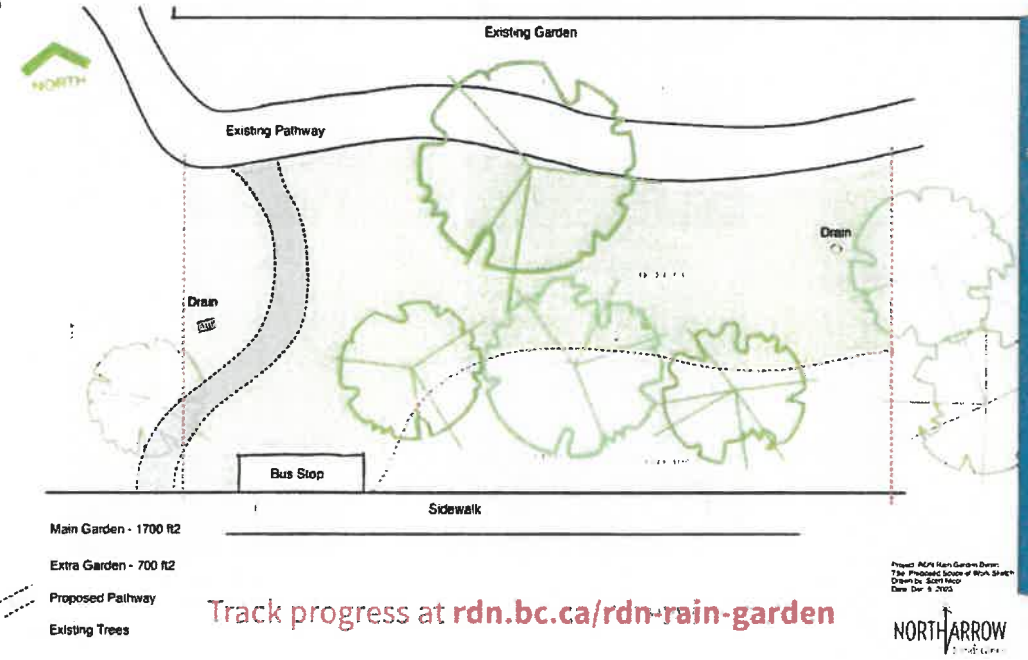
Zone 1
The deepest and wettest part of the rain garden.

Zone 2
The bank slopes of the rain garden.

Zone 3
The driest areas along the perimeter of the rain garden.



RDN Rain Garden Scope & Timeline



Track progress at **rdn.bc.ca/rdn-rain-garden**

NORTH ARROW

Project estimate of $40,967.74

- **Fall 2023**
  RFSQ to select a landscaping firm
- **Winter 2024**
  Agreement with selected firm North Arrow Landscape
- **Early Spring 2024**
  Draft and finalize site plan
- **Spring 2024**
  Landscaping work begins: excavation, soil amendments, plantings, irrigation, pathway
- **Summer to Fall 2024**
  Plantings and function monitored; additional plantings as needed
- **Completed Rain Garden!**
  Educational signage design and install in 2025

Shade / Part Shade / Wetland

Polystichum munitum
Sword fern



Dicentra formosa
Bleeding heart





Tellima grandiflora
Fringe Cup



Juncus effusus
Common rush



Aquilegia formosa
Western Columbine



Mahonia nervosa
Oregon Grape



Fragaria vesca
Woodland Strawberry



Carex obnupta
Slough sedge

NORTH ARROW

Sun / Part Sun

Ribes sanguineum
Red flowering currant



Koeleria macrantha
June grass





Symphyotrichum subspicatum
Douglas aster



Eriophyllum lanatum
Woolly sunflower



Armeria maritima
Sea thrift



Festuca roemeri
Roemer's fescue



Iris tenax
Toughleaf Iris



Lupinus polyphyllus
Large-leaved Lupine



Achillea millefolium
Common yarrow



Anaphalis margaritacea
Pearly everlasting



Allium cernuum
Nodding onion



Prunella vulgaris
Heal all

NORTH ARROW

DISTRICT OF LANTZVILLE

LAND USE AND DEVELOPMENT PROCEDURES AND FEE BYLAW NO. 37, 2005

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of Bylaw No. 37, 2005 with the bylaws listed below. The amending bylaw has been combined with the original bylaw for convenience only. This consolidation is not a legal document. The Corporation does not warrant that the information contained in this consolidation is current. Certified copies of the original bylaws should be consulted to ensure accurate, current bylaw provisions.

Date of Adoption	Amending Bylaw	Bylaw Citation
January 8, 2007	Bylaw No. 37.1	District of Lantzville Land Use and Development Procedures and Fee Bylaw No. 37, 2005, Amendment Bylaw No. 37.1, 2006
July 30, 2020	Bylaw No. 248	District of Lantzville Land Use and Development Procedures and Fee Bylaw No. 37, 2005, Amendment (Planning & Building Permit Fees) Bylaw No. 248, 2020

The bylaw numbers in bold in the margin of this consolidation refer to the last bylaw that amended each section of the principal bylaw: District of Lantzville Land Use and Development Procedures and Fee Bylaw No. 37, 2005.

DISTRICT OF LANTZVILLE

BYLAW NO. 37

A Bylaw to set administrative charges and establish procedures for land use and development applications.

WHEREAS, the Council of the District of Lantzville shall, in accordance with the provisions of Section 895 of the *Local Government Act*, by Bylaw establish procedures for making applications to amend an Official Community Plan and/or a Zoning Bylaw or for a permit under part 26 of the *Local Government Act*.

AND WHEREAS, the Council of the District of Lantzville may, in accordance with the provisions of Section 925 of the *Local Government Act*, require that the applicant for a permit issued under Part 26 provide security;

AND WHEREAS, the Council of the District of Lantzville may, in accordance with the provisions of Section 931 of the *Local Government Act*, impose fees for the costs of processing, inspection, advertising and administration in connection with such applications;

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

1. GENERAL PROVISIONS

1. In this bylaw:
   (a) **"mobile home park"** means land used or occupied by any person for the purposes of providing rental spaces for the accommodation of two or more mobile homes (being transportable single family dwelling units meeting minimum Canadian Standards Association Z-240 or A-277, or National Building Code standards, and suitable for long term occupancy) and for imposing a charge or rental for the use of such space;
   (b) **"Official Community Plan"** and "OCP" mean the "District of Lantzville Official Community Plan Bylaw No. 50, 2005, as amended, or its successor(s); and
   (c) **"Zoning Bylaw"** means the "District of Lantzville Subdivision and Development Bylaw No. 55, 2005", as amended or its successor(s).

2. Every complete application for an amendment to the Official Community Plan or Zoning Bylaw or for the issuance of a Development Permit, Development Variance Permit, a Temporary Commercial or Industrial Permit, or Mobile Home Park Permit shall be considered by Council as specified in this bylaw.

3. Any person, being the owner of land or having the written permission of the owner may apply to Council for an amendment to the Official Community Plan or Zoning Bylaw or the issuance of a Development Permit, Development Variance Permit, a Temporary Commercial or Industrial Permit, or Mobile Home Park Permit in accordance with this bylaw.

(Bylaw No. 248, 2020)

4. The applicable public hearing fee will be refunded if the application is withdrawn in writing by the applicant prior to publication of notification, or mailing or delivery of notification to adjacent property pursuant to section 8 of this bylaw, or if Council waives the requirement to hold a public hearing.

2. APPLICATIONS - GENERAL

(Bylaw No. 248, 2020)

1. Application for a bylaw amendment or a permit shall be in writing addressed to the Chief Administrative Officer and shall be made by the registered owner of the subject property or by an agent authorized in writing by the owner to act on his behalf, and shall:

   (a) state the name and address of the applicant and owner;
   (b) identify, by full legal description, the land which is the subject of the bylaw amendment or permit application;
   (c) be accompanied by the applicable fee set out in Miscellaneous Fees and Charges Bylaw No. 26, 2004;
   (d) include a current title search for all parcels and a copy of all charges on title; and
   (e) include such further documents as may be requested by the Chief Administrative Officer, or designate, at the time of application.

2. Upon receipt of a complete application, the Chief Administrative Officer will review and circulate the application to the municipal planner or designate, other applicable District staff and outside agencies as necessary. Further information may be requested from the Applicant.

3. After reviewing the application and receiving the comments requested from other staff and agencies, the municipal planner or designate will prepare a report to be reviewed by the Chief Administrative Officer for Council's consideration.

4. Council may, upon receipt of the report under Section 2(3) of this bylaw:

   (a) proceed with the proposed amendment bylaw, or, authorize the issuance of the appropriate permit; or
   (b) request additional information or minor adjustment to the proposed bylaw or permit;
   (c) forward the amending bylaw or permit application to a public hearing or waive the requirement for a public hearing as provided for by Council;
   (d) table the amendment bylaw or issuance of the permit; or
   (e) refuse the application to amend the bylaw or refuse to authorize the issuance of the permit.

5. Where Council has refused an application for a bylaw amendment or permit, the Chief Administrative Officer, or designate, shall notify the applicant within 15 days of the date of refusal by Council.

6. Reapplication for a bylaw amendment or a permit that has been refused by Council shall not be considered within a six (6) month period immediately following the date of refusal by Council; such time may be varied for a specific reapplication by an affirmative vote of at least 2/3 of the Council members eligible to vote on the matter.

7. All application forms, plans, drawings and other documents accompanying an application will become the property of the District when submitted by the applicant.

3. OFFICIAL COMMUNITY PLAN BYLAW AMENDMENTS

1. Application for an amendment to the Official Community Plan shall be made on the applicable form prescribed for that purpose by the Chief Administrative Officer.

2. In addition to the provisions of Section 2(1), an application for an OCP amendment shall also include a written description of the land use designation requested and the purpose of same, or if applicable, the proposed text amendment.

4. ZONING BYLAW AMENDMENTS

1. Application for an amendment to the Zoning Bylaw shall be made on the applicable form prescribed for that purpose by the Chief Administrative Officer.

2. In addition to the provisions of Section 2(1), the following material shall also be filed with the application:

   (a) a written description of the zoning designation requested and the purpose of same, or if applicable, the proposed text amendment, must be filed with the application; and
   (b) a fully detailed and to scale site plan of the proposed development, showing use, site coverage, floor area ratio, siting, elevations, off-street parking, vehicular access and landscaping, as applicable.

5. DEVELOPMENT PERMITS AND DEVELOPMENT VARIANCE PERMITS

1. Application for a Development Permit shall be made on the applicable form prescribed for that purpose by the Chief Administrative Officer.

2. Application for a Development Variance Permit shall be made on the applicable form prescribed for that purpose by the Chief Administrative Officer.

3. In addition to the provisions of Section 2(1) of this bylaw, the following material shall be filed with an application for Development Permit:

   (a) A written description, a fully detailed and to scale site plan of the proposed development, showing, where applicable, all uses, site coverage, floor area ratio, building siting, elevations, off-street parking, vehicular access, landscaping and lighting, and details regarding building form and character, including building materials and colours;
   (b) A detailed plan of topographic features, and water courses on the subject property, and
   (c) proposed elevations, cross sections or relevant detail drawings.

4. In addition to the provisions of Section 2(1) of this bylaw, an application for Development Variance Permit shall include a written description and a fully detailed and to scale site plan of the proposed development, outlining in what manner the relevant District bylaws are proposed to be varied.

5. When Council considers that a condition in a Permit requires the applicant to complete landscaping, or where contravention of a condition in a permit may result in an unsafe condition or damage to the natural environment, the Council may require the applicant to provide security or an irrevocable letter of credit in an amount to be stated in the Permit.

6. Where, in the opinion of the Chief Administrative Officer, an applicant has failed to satisfy the landscaping requirements of the Permit, or failed to comply with the conditions of the Permit, or has created an unsafe condition, the District may undertake and complete the landscaping requirements, or carry out any construction required to comply with the conditions of the Permit or to correct an unsafe condition or correct the damage to the environment, at the full cost of the holder of the Permit, and may apply the security in payment of the cost of the work, with any excess to be returned to the holder of the Permit.

7. Subject to the terms of the Permit, where an applicant fails to substantially commence any construction with respect to which a Development Permit or Development Variance Permit was issued, within two years after the date it was issued, the Permit lapses.

8. When a Permit lapses, the Council shall return any security deposit provided under Section 5(5) to the applicant, without interest.

9. The applicant shall not proceed with the development until they have received a copy of the Permit from the Chief Administrative Officer. The terms of the Development Permit or Development Variance Permit, or any amendment to such a Permit, shall be binding on all persons who acquire an interest in the land affected by the Permit.

10. Council may issue more than one Permit for an area of land, and the land shall be developed strictly in accordance with the Permit or Permits, issued, which shall also be binding on the District.

11. If authorized by Council, the Chief Administrative Officer or designate will complete the Permit in the form attached as Schedule "A" and file in the Land Title Office a notice in the form prescribed for that purpose, that the land described in the notice is subject to a Permit.

(Bylaw No. 248, 2020)

12. An application for an extension to a development permit shall be made by letter addressed to the Chief Administrative Officer requesting an extension, stating the length of the extension required, and setting out the reasons for the extension and the applicant's intentions regarding the time for commencement of construction, and shall include the applicable fee.

13. An applicant for an amendment to a development permit shall be made by letter addressed to the Chief Administrative Officer requesting an amendment, and stating the reasons for the amendment required, and shall include the applicable fee.

6. TEMPORARY USE PERMITS

1. Application for a Temporary Commercial or Industrial Permit shall be made on the applicable form prescribed for the purpose by the Chief Administrative Officer.

2. In addition to the provisions of Section 2(1) of this bylaw, the following material shall be filed with an application for Temporary Use Permit to facilitate the processing of the permit:

   (a) a written description of the temporary commercial or industrial use requested; and
   (b) if applicable, a fully detailed and to scale site plan of proposed buildings.

3. An applicant for a Temporary Commercial and Industrial Use Permit shall, upon request by Council and prior to issuance of a permit, provide security to the Municipality in an amount to be determined by Council, to guarantee the performance of the terms of the Permit.

4. If authorized by Council, the Chief Administrative Officer or designate will complete the Permit in the form attached as Schedule "A" and Schedule "B", and file in the Land Title Office a notice in the form prescribed for that purpose, that the land described in the notice is subject to a Permit.

7. MOBILE HOME PARK PERMITS

1. No person shall establish, construct, alter, or subdivide a mobile home park until written approval of detailed plans and specifications is received and approved and all relevant permits, including a Mobile Home Park Permit and building permits, are issued by the Chief Administrative Officer and other authorities having jurisdiction.

2. A Mobile Home Park Permit shall not be granted to an applicant until a sewage disposal system, water supply and system, and garbage disposal method have been approved by the authority having jurisdiction.

3. Application for a Mobile Home Park Permit shall be made on the applicable form prescribed for the purpose by the Chief Administrative Officer.

4. In addition to the provisions of Section 2(1) of this bylaw, the following material shall be filed with an application for Mobile Home Park Permit to facilitate the processing of the permit:

   (a) a plot plan showing the location of the source of the proposed water supply, and the method of sewage disposal, and if applicable the location and extent of the area proposed for sewage disposal, wastewater disposal and garbage disposal; and

   (b) two full sets of working drawings showing:
   - (i) the dimensions and location of the buffer area;
   - (ii) the number, location, dimensions, and designation of all mobile home spaces, and location and dimension of all roadways, the owner's residential plot (if any), recreation areas, and parking areas;
   - (iii) the dimension and location of all ancillary buildings, the owner's residence and other structures;
   - (iv) the location and details of the source of water, treatment plants, water distribution lines, outlets and fire hydrants;

(v) the location and details of all connections to the sewer, sewer lines, septic tank(s) and sub-surface disposal field, or other private sewage treatment plants and disposal methods;
(vi) the location and details of all on-site garbage and refuse disposal areas, electric al services and street lighting, and all drainage facilities;
(vii) a general landscaping plan for the site;
(viii) all water courses or water frontage within or adjacent to the land concerned;
(ix) the contour of the land or adjacent land; and
(x) the relationship of the proposed mobile home park to adjacent roads.

5. All parcels of land in a mobile home park shall be contiguous.

6. A Mobile Home Park Permit shall permit the establishment of a mobile home park on the land concerned only in compliance with the mobile home park plan approved and permit issued.

8. NOTIFICATIONS

1. The Chief Administrative Officer or designate shall give notice of public hearing or of Council's intention to consider issuance of a Development Variance Permit, a Temporary Use Permit, or Mobile Home Park Permit to owners and occupiers of parcels of land any part of which is within 60.0 meters (196.85 feet) of the boundary of the property subject to the proposed bylaw amendment or permit.

(Bylaw No. 37.1)

2. Applications for an amendment to the Official Community Plan, Zoning Bylaw, Temporary Use Permit and/or any combination of the aforementioned applications will be subject to and in accordance with the provisions outlined in Schedule "C" – Signage Requirements for Land Use Amendment Applications.

9. OTHER BYLAWS

(Bylaw No. 248, 2020)

1. An application for an amendment to a bylaw, other than the Official Community Plan or Zoning Bylaw, under Division 7 or 11 of Part 26 of the *Local Government Act*, shall:

(a) be submitted in writing to the Chief Administrative Officer;
(b) be accompanied by the applicable fee;
(c) describe the amendment requested and purpose of same;
(d) be signed by the applicant.

10. DISTRICT AMENDMENTS AND PERMITS

1. Nothing in this bylaw shall be construed as:

   (a) preventing the District from initiating an application to amend any plan or bylaw or issuing to itself any permit;
   (b) affecting the referral of any plan, bylaw, amendment or permit to any District committee or commission; or
   (c) preventing the Council from tabling or otherwise dealing with any application in the manner it deems appropriate.

11. SEVERABILITY

1. If any portion of this bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed and the portion that is invalid shall not affect the validity of the remainder of this bylaw.

12. SHORT TITLE

1. This bylaw may be cited for all purposes as "District of Lantzville Land Use and Development Procedures and Fee Bylaw No. 37, 2005"

13. EFFECTIVE DATE

1. This bylaw comes into force and takes effect on the date of its adoption.

READ A FIRST time this 13th day of June, 2005

READ A SECOND time this 13th day of June, 2005

READ A THIRD time this 13th day of June, 2005

RECONSIDERED AND FINALLY ADOPTED this 27th day of June, 2005

ORIGINAL SIGNED

Mayor

ORIGINAL SIGNED

Director of Corporate Administration

(Bylaw No. 248, 2020)

SCHEDULE "A"

DISTRICT OF LANTZVILLE
P.O. Box 100, 7192 Lantzville Road
Lantzville, BC, V0R 2H0

NOTICE OF PERMIT

TO: **REGISTRAR OF TITLE**
850 BURDETT STREET
VICTORIA, B.C. V8W 1B3

FROM: **DISTRICT OF LANTZVILLE**
P.O. BOX 100
7192 LANTZVILLE ROAD
LANTZVILLE, B.C. V0R 2H0
Tel: (250) 390-4006
Fax: (250) 390-5188

TAKE NOTICE that the land described below is subject to a permit issued by the District of Lantzville.

PARTICULARS OF THE PERMIT

Permit Description

(a) Type of Permit: *Development Permit/Development Variance Permit/Temporary Use Permit*

(b) Statutory Authority: *Section 920/922/921 of the Local Government Act*

Legal Description of Land affected:

Legal Address
(Civic Address) (PID)

and any and all buildings, structures and other development thereon.

Issue Date _____

Expiry Date: _____

AND FURTHER TAKE NOTICE that in the case of a Temporary Commercial or Industrial Permit you are hereby authorized to cancel the notation of the filing of this notice against the title to the land affected by it on or after the expiry date specified above without further application from us and we consent to a cancellation of the notation on the basis of effluxion of time

Date: _____ DISTRICT OF LANTZVILLE

_____
CHIEF ADMINISTRATIVE OFFICER

(Bylaw No. 248, 2020)

DISTRICT OF LANTZVILLE
P.O. Box 100, 7192 Lantzville Rd, Lantzville, BC, V0R 2H0

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT/TEMPORARY USE PERMIT

TO: ***APPLICANT NAME***

1. This *Development Permit/Development Variance Permit/Temporary Use Permit* is issued subject to compliance with all applicable District of Lantzville Bylaws except as specifically varied by this Permit.

2. This *Development Permit/Development Variance Permit/Temporary Use Permit* applies to, and only to,

Legal Address
(Civic Address) (PID)

and any and all buildings, structures and other development thereon.

3. In accordance *with/to vary the provisions of/XXXXXXXXXXXX* the District of Lantzville

_____ Zoning Bylaw

_____ Subdivision and Development Bylaw

_____ Sign Bylaw

_____ Official Community Plan Bylaw (as required under Development Permit Areas)

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.

5. *If the Permit holder or its successor(s) in title does not substantially commence any construction with respect to which this permit was issued within* ***2 years*** *after the date it was issued, the Permit shall lapse.*

6. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.

7. The terms of the Permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the Permit.

(Bylaw No. 248, 2020)

SCHEDULE "B"

DISTRICT OF LANTZVILLE
P.O. Box 100, 7192, Lantzville Road, Lantzville, BC, V0R 2H0

TEMPORARY USE PERMIT

TO THE DISTRICT OF LANTZVILLE:

I, _____ (name of owner), being the owner of _____ (legal description), known as _____ (civic address) hereby undertake as a condition of issuance of my temporary use permit to:

(a) demolish or remove all buildings and /or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and

(b) restore the land described on the temporary use permit to a condition specified in that permit;

all of which shall be done not later than the termination date set out on the temporary use permit.

I further understand that should I not fulfill the undertaking described herein, the District of Lantzville or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with the District of Lantzville Zoning Bylaw, as amended, and that any securities submitted by me to the District pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

DATE _____

_____
OWNER

_____
WITNESS

(Bylaw No. 37.1)
(Bylaw No. 248, 2020)

SCHEDULE "C"

SIGNAGE REQUIREMENTS FOR LAND USE AMENDMENT APPLICATIONS

The District of Lantzville requires the following signage as part of the review process for any of the following applications:

1. Official Community Plan Amendment
2. Zoning Bylaw Amendment
3. Temporary Use Permit
4. And/or any combination of the above permits.

When an application has been received and/or Council has introduced a Bylaw to amend the land use for a property or properties, the applicant shall post notice of the application in accordance with the specifications following.

1.0 Timing of the Notice

1.1 The notice shall be posted a minimum of ten (10) days prior to either:

1.1.1 A Public Information Meeting or public consultation event on the proposed development, if required by the District of Lantzville; or

1.1.2 The application advancing to the District of Lantzville Council whichever is first occurring.

1.2 If a Public Information Meeting or public consultation event is required by the District of Lantzville, the date, time, and location of the event shall be identified on the on-site signage.

1.3 If the application is advancing to a meeting of the District of Lantzville Council, the date, time and location of the meeting shall be identified on the on-site signage.

2.0 Siting of the Notice

2.1 The notice shall be posted in a location unobstructed to view from the most visible and/or traveled public road right of way adjoining the subject property.

2.2 The notice shall be posted no more than 6.0 metres from the property line abutting the public road right of way.

2.3 Where the property abuts two or more streets, the notice shall be posted no further than six metres from each abutting street or alternatively from the intersection point of the two streets at a 45 degree angle.

2.4 Where the placement of a required notice is not feasible, the notice may be posted in another location subject to the approval of the District of Lantzville.

2.5 Where the property abuts the Inland Island Highway and at least one other developed public right of way, notice must be directed to the public right of way.

2.6 Where the notice is mounted to a building or fence, the view of the notice must be unobstructed, and the bottom edge of the notice must be a minimum of 1.0 metres and a maximum of 3.0 metres from the existing grade.

3.0 Failure to Post Notice

3.1 Failure by the applicant to post notice shall result in the application ceasing to advance through the land use amendment review process.

3.2 Where an amendment application has ceased to advance due to failure of the applicant to post notice as required in this Bylaw, no refund of the Public Hearing Fee or Notification Fee shall be granted.

4.0 Notice Removal

4.1 Any notice required to be placed on a property shall be removed no later than seven (7) days after the date of adoption of an amendment bylaw by the District of Lantzville.

4.2 Not withstanding 4.1, if an application does not proceed to adoption, any notice required to be placed on a property shall be removed no later than seven (7) days after the date of a decision by the District of Lantzville to not proceed with the amendment process.

5.0 Notice Content

Line No.		
1	**TYPE OF APPLICATION**	
2	**AN APPLICATION HAS BEEN SUBMITTED TO THE DISTRICT OF LANTZVILLE**	
3	**TO _____(REZONE/AMEND) THIS PROPERTY FROM _____TO _____**	
4	**TO PERMIT _____**	
5		FOR FURTHER INFORMATION CONTACT:
6	*Insert a map showing*	THE APPLICANT (COMPANY NAME):
7	*the location plan and legal*	NAME:
8	*description/civic address*	ADDRESS:
9		PHONE/EMAIL:
10	A Public Information Meeting will be held	District of Lantzville
11	ON:	7192 Lantzville Road
12	PLACE:	Lantzville, BC V0R 2H0
13	LOCATION:	Phone: (250) 390-4006
		Email: district@lantzville.ca

6.0 Notice Lettering

6.1 The notice shall be posted as a white background with black lettering.

6.2 The notice shall be framed by a black border.

6.3 Lettering shall be in BLOCK HELVETICA CAPITALS/lower case as illustrated, with the following minimum height for each line in the notice as indicated in Section 5.0 of this Bylaw:

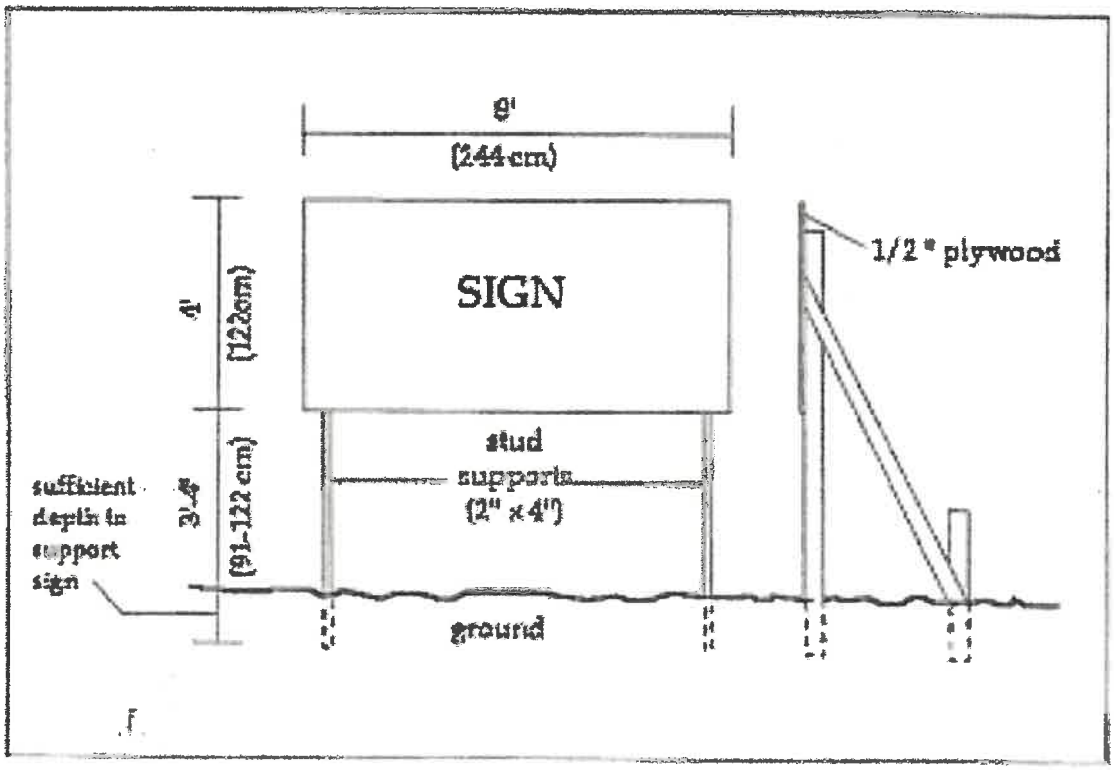
6.3.1 Line 1	15.0 cm
6.3.2 Line 2	7.5 cm
6.3.3 Line 3	7.5 cm
6.3.4 Line 4	7.5 cm
6.3.5 Line 5	4.0 cm
6.3.6 Line 6	4.0 cm
6.3.7 Line 7	4.0 cm
6.3.8 Line 8	4.0 cm
6.3.9 Line 9	4.0 cm
6.3.10 Line 10	4.0 cm
6.3.11 Line 11	4.0 cm
6.3.12 Line 12	4.0 cm
6.3.13 Line 13	4.0 cm

7.0 Notice Size

7.1 The notice shall not be less than 122 cm by 244 cm (4' by 8') as shown in Section 8.0 of this Bylaw.

8.0 Notice Posting

(*not to scale*)



District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: April 24, 2024

SUBJECT: 2024 Rebate Program for Reflective Addresses

PURPOSE

To develop and implement a community safety enhancement program by encouraging residents to increase the visibility of their home address.

RECOMMENDATION

THAT Council direct staff to move forward with securing a company for the purpose of providing reflective address signs to the District to be supplied to the residents of Lantzville through a street address safety program as per the 2024 Rebate Program for Reflective Addresses staff report presented on April 24, 2024.

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **THAT** Council receive the Rebate Program for 2024 Reflective Addresses staff report presented on April 24, 2024, as "for information" and provide alternate direction to staff.

BACKGROUND/RELEVANT HISTORY

As part of the approved 2024-2028 Financial Plan funds of $10,000 have been allocated towards this initiative to enhance public safety. Council directed staff to bring back a report outlining a program including an implementation plan with an objective to increase better visibility of addresses in the community.

ATTACHMENT(S)

N/A

ANALYSIS/RATIONALE

The Fire Department have been analyzing a potential rebate program with the intent to use the funds to get the most out of the project. It was determined rather than a rebate program, which would be a challenge to administer, a different process could be used to accomplish the desired results. By securing a supplier of reflective addresses and administering an online request system to obtain reflective addresses, this will allow the least amount of time for staff to administer the program, while also allowing for more reflective addresses to be installed in the community.

The way the program would be administered would be to set up a link on the District of Lantzville web page, where residents of Lantzville could fill out an order form. Then the address numbers would be sent to the selected supplier to have the reflective addresses made and delivered back to the district office for residence to pick up. The program would be on a first come first serve bases. This program would run until the funds were exhausted or the end of 2024, whichever comes first.

RESOURCES

There would still be time required to administrate this program. At this time, it is estimated that we would require approximately 10% of the budget for this program to be dedicated to administration.

FINANCIAL/BUDGET IMPLICATIONS

$10,000 approved by Council in the 2024-2028 Financial Plan

Prepared by:

DWelb

for Neil Rukus, Fire Chief

Date: April 24, 2024

Approved for submission to Council:

Glenn Morphy, A/Chief Administrative Officer

Date: April 24, 2024

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	April 24, 2024	12 b)
Closed (In-Camera)		
Special		