



**VILLAGE OF BELCARRA
REGULAR COUNCIL AGENDA
VILLAGE HALL
May 7, 2018
7:30 PM**



COUNCIL

Mayor Ralph Drew
Councillor Bruce Drake
Councillor Jennifer Glover
Councillor Perry Muxworthy
Councillor Jamie Ross

1. CALL TO ORDER

Mayor Ralph Drew will call the meeting to order.

2. APPROVAL OF THE AGENDA

2.1 Regular Council Meeting, May 7, 2018

Recommendation:

That the agenda for the Regular Council Meeting, May 7, 2018 be approved as circulated.

3. ADOPTION OF MINUTES

3.1 Regular Council Meeting, April 23, 2018

Recommendation:

That the minutes from the Regular Council Meeting held April 23, 2018 be adopted.

4. DELEGATIONS AND PRESENTATIONS

5. REPORTS

5.1 Lorna Dysart, Chief Administrative Officer, dated May 7, 2018 regarding a Little Free Library

Recommendation:

That the installation of a Little Free Library be approved on Village Property on the right hand side of Bedwell Bay Road past the entrance near the bus shelter and the mail boxes; and

That staff work with the volunteers to install the Little Free Library at the appropriate location.

5.2 Rick Beauchamp, R.A. Beauchamp & Associates, dated May 7, 2018 regarding Bylaw Notice Dispute Adjudication Program

Recommendations:

- 1) That "Village of Belcarra Regulatory Bylaw Enforcement and Penalty Amending Bylaw No. 519, 2018" be read a first, second and third time.
- 2) That "Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003, Amending Bylaw No. 521, 2018" be read a first, second and third time.
- 3) That "Village of Belcarra Traffic and Parking Regulation Bylaw No. 518, 2018" be read a first, second and third time.
- 4) That "Village of Belcarra Bylaw Notice Enforcement Bylaw No. 520, 2018" be read a first, second and third time.
- 5) That the Screening Officer Bylaw Notice Policy No. 208 dated May 7, 2018 be approved.
- 6) That the Chief Administrative Officer, Superintendent of Public Works, Building Inspector and the Public Works Utilities and Maintenance Workers be appointed Bylaw Enforcement Officers.
- 7) That Staff develop an overview of the Bylaw Notice Dispute Adjudication System in the form of a media release for distribution to Village residents and for placement on the Village website.

5.3 Lorna Dysart, Chief Administrative Officer, verbal report regarding Federation of Canadian Municipalities' (FCM) Municipal Asset Management Program (MAMP) for Phase 2 of the Drainage Study application

Recommendation:

That Council direct staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Phase 2 of the Drainage Study; and

That the Village of Belcarra commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance the Asset Management program:

- Data Collection
- Reporting
- Site Visits / Inspection of 141 culverts to complete drainage asset inventory and condition assessment; and

That the Village of Belcarra commits \$10,000.00 from its budget toward the cost of this initiative.

6. REPORTS FROM MAYOR AND PROJECT LEADS

6.1 Mayor's Report – Asset Management Planning – The Next Phase

7. BYLAWS

7.1 Village of Belcarra 2018 Annual Tax Rates Bylaw No. 523, 2018

Recommendation:

That "Village of Belcarra 2018 Annual Tax Rates Bylaw No. 523, 2018" be adopted.

8. CORRESPONDENCE/PROCLAMATIONS

Recommendation:

That correspondence item 8.1 to 8.7 be received.

ACTION ITEMS

- 8.1** Crystal Dunahee, President, Child Find BC, dated April 20, 2018 regarding a Declaration for May 2018 as National Missing Children's Month and May 25, 2018 as Missing Children's Day

Recommendation:

That May 2018 be declared National Missing Children's Month; and
That May 25, 2018 be declared Missing Children's Day in the Village of Belcarra.

INFORMATION ITEMS

- 8.2** Cathy Peters, BC's Anti-Human Trafficking Educator, Speaker and Advocate, dated April 29, 2018 regarding District of Houston Letter of Support for a Human Trafficking Task Force
- 8.3** Shane Brienens, Mayor, District of Houston, dated March 29, 2018 regarding a letter to Honorable John Horgan, Premier of British Columbia and Honorable Mike Farnworth, Minister of Public Safety and Solicitor General regarding Human Trafficking Task Force
- 8.4** John Harwood, Mayor, District of Clearwater, dated April 13, 2018 regarding a letter to Honorable Carole James, Minister of Finance regarding Employer Health Tax
- 8.5** Christine Baird, Manager of Corporate Services, Village of Anmore, dated April 20, 2018 regarding Village of Anmore Official Community Plan Amendment Bylaw No. 576 – 2018
- 8.6** Veronika Casey, Port Moody Odyssey Teams, Coach & School Coordinator, Port Moody Secondary Odyssey of Mind Club, dated March 15, 2018 regarding Odyssey of the Mind World Finals Fundraiser
- 8.7** Darrell Mussatto, Mayor, City of North Vancouver, dated May 3, 2018 regarding Trans Mountain Pipeline Expansion Project

9. NEW BUSINESS

10. PUBLIC QUESTION PERIOD

11. RESOLUTION TO CLOSE MEETING

That the May 7, 2018 Regular meeting of Council be closed pursuant to the Community Charter Section 90 (1) "A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (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."

12. ADJOURNMENT

Recommendation:

That the May 7, 2018 Regular Meeting be adjourned.



**VILLAGE OF BELCARRA
REGULAR COUNCIL MINUTES
VILLAGE HALL
April 23, 2018**



Minutes of the Regular Council Meeting for the Village of Belcarra held April 23, 2018 at the Municipal Hall, 4084 Bedwell Bay Road, Belcarra, BC.

Council in Attendance

Mayor Ralph Drew
Councillor Bruce Drake
Councillor Jennifer Glover
Councillor Perry Muxworthy
Councillor Jamie Ross

Staff in Attendance

Connie Esposito, Acting Corporate Officer
Bernie Serné, Superintendent of Public Works
Paula Richardson, Administrative Services Assistant

Staff Absent

Lorna Dysart, Chief Administrative Officer

1. CALL TO ORDER

Mayor Drew called the meeting to order at 7:30 pm.

2. APPROVAL OF THE AGENDA

2.1 Regular Council Meeting, April 23, 2018

Moved by: Councillor Ross
Seconded by: Councillor Muxworthy

That the agenda for the Regular Council Meeting, April 23, 2018 be approved as circulated.

CARRIED

3. ADOPTION OF MINUTES

3.1 Public Hearing, April 5, 2018

Moved by: Councillor Glover
Seconded by: Councillor Drake

That the minutes from the Public Hearing held April 5, 2018 be adopted.

CARRIED

3.2 Regular Council Meeting, April 9, 2018

Moved by: Councillor Drake
Seconded by: Councillor Glover

That the minutes from the Regular Council Meeting held April 9, 2018 be adopted.

CARRIED

4. DELEGATIONS AND PRESENTATIONS

No items presented.

5. REPORTS**5.1** Nancy Gomerich, NG Consulting, report dated April 23, 2018 regarding 2018 Annual Tax Rates Bylaw No. 523, 2018.

Moved by: Councillor Muxworthy

Seconded by: Councillor Ross

That "Village of Belcarra 2018 Annual Tax Rates Bylaw No. 523, 2018" be read for a First, Second and Third time.

CARRIED

6. REPORTS FROM MAYOR AND PROJECT LEADS**6.1** Councillor Ross, Project Lead, verbal report regarding Multi Use Court (Tennis Court) update.

J. Ross advised that he was approached by a resident with a view to setting up a committee to review the Multi Use Court (Tennis Court). The project would initially require a Geotech review and a cost analysis Council report to be prepared by staff.

Moved by: Councillor Drake

Seconded by: Councillor Glover

That a report be brought to Council with regard to establishing a committee to look at next steps to revitalize the Multi Use Court (Tennis Court).

CARRIED

7. BYLAWS**7.1 Village of Belcarra Zoning Bylaw No. 510, 2018**

Mayor Drew reported that a minor clerical error was made at third reading to Schedule A of Zoning Bylaw No. 510, 2018. The following motions are required to correct the Schedule A Zoning Map attached to the Zoning Bylaw.

Moved by: Councillor Drake

Seconded by: Councillor Glover

That third reading for Zoning Bylaw 510, 2018, be rescinded.

CARRIED

Moved by: Councillor Muxworthy

Seconded by: Councillor Glover

That Zoning Bylaw 510, 2018 be amended by replacing the 'Official Zoning Map Schedule A dated April 9, 2018' with the updated 'Official Zoning Map Schedule A dated April 23, 2018'; and

That Zoning Bylaw 510, 2018 be read a third time.

CARRIED

Moved by: Councillor Ross
Seconded by: Councillor Glover

That the "Village of Belcarra Zoning Bylaw No. 510, 2018", be adopted.

CARRIED

**7.2 Village of Belcarra 5 – Year Financial Plan 2017 – 2021, Bylaw No. 506, 2017
Amendment Bylaw No. 522, 2018**

Moved by: Councillor Drake
Seconded by: Councillor Glover

That the "Village of Belcarra 5 – Year Financial Plan 2017 – 2021, Bylaw No. 506, 2017
Amendment Bylaw No. 522, 2018", be adopted.

CARRIED

8. CORRESPONDENCE/PROCLAMATIONS

Moved by: Councillor Drake
Seconded by: Councillor Glover

That correspondence item 8.1 – 8.2 be received.

CARRIED

ACTION ITEMS

- 8.1** Greg Moore, Chair, Metro Vancouver Board, dated April 13, 2018 regarding Metro Vancouver 2040: Shaping Our Future Land Use Designation Amendment Request Regional Growth Strategy Amendment Bylaw No. 1263 – Hazelmore (full report available at the Village Office)

Mayor Drew noted that the Regional Strategic Plan must be endorsed by all municipalities. The amendment requested by the City of Surrey requires endorsement.

Councillor Glover recused herself from the meeting at 8:50 pm due to a conflict of interest.

Moved by: Councillor Drake
Seconded by: Councillor Ross

That Council support the request dated April 13, 2018 from the Metro Vancouver Board regarding the Regional Growth Strategy Amendment Bylaw No. 1263 – Hazelmore.

CARRIED

Councillor Glover returned to the meeting at 8:55 pm.

INFORMATION ITEMS

- 8.2** Greg Moore, Chair, Metro Vancouver Board, dated April 18, 2018 regarding Agricultural Land Soil Investigation Results (full report available at the Village Office)

9. NEW BUSINESS

Councillor Muxworthy provided an update on the organic bin at the WARD facility. He noted that a proto-type hook was tested on the bin lids and will be further investigated for both feasibility and liability purposes.

10. PUBLIC QUESTION PERIOD

Rob Begg, 3424 Marine Avenue, queried with regard to:

- Future committees in the Village allowing only one representative per property.
- Clarification regarding Item 8.1 Shaping Our Future Land Use Designation Amendment Request Regional Growth Strategy Amendment Bylaw No. 1263 – Hazelmere.

Councillor Ross advised that Don Babineau with 10 – 12 volunteers, cleaned up the Shoreline on Earth Day. Metro Parks and Village staff hauled away the significant amount of debris collected.

Mayor Drew requested that a thank you letter be sent to Don Babineau and other volunteers, on behalf of Council.

Moved By: Councillor Drake
Seconded by: Councillor Glover

That Council direct staff to write a thank you letter to Don Babineau and volunteers who participated in the Shoreline Clean Up project on Earth Day, Monday, April 23, 2018.

CARRIED

11. ADJOURNMENT

Moved by: Councillor Drake
Seconded by: Councillor Glover

That the April 23, 2018 Regular Meeting be adjourned at 8:01 pm.

CARRIED

Certified Correct:

Ralph Drew
Mayor

Lorna Dysart
Chief Administrative Officer



COUNCIL REPORT

Date: May 7, 2018

From: Lorna Dysart, Chief Administrative Officer

Subject: **Little Free Library**

Recommendation

That the installation of a Little Free Library be approved on Village Property on the right hand side of Bedwell Bay Road past the entrance near the bus shelter and the mail boxes; and
That staff work with the volunteers to install the Little Free Library at the appropriate location.

Purpose

To request Council approval to install a Little Free Library on Village property on Bedwell Bay Road, near the bus shelter past the entrance to the Village or at the Waste and Recycle Depot.

Background

At a Regular Council meeting held April 9, 2018, Council passed a motion of support in principle for coordination between volunteers and staff to implement a Little Free Library. The volunteers have indicated that they will maintain the Book Box.

The Little Free Library will be a book exchange consisting of a dollhouse sized box mounted on a post. Anyone may stop by and pick up a book and drop off another book to share in the exchange. "Little Free Libraries" or "Little Library Programs" have been implemented in various municipalities in the Lower Mainland including Port Moody and Port Coquitlam.

Council approval is required for the Little Free Library to be installed on Village property. Two possible locations have been recommended for the Book Box. The preferred location by the volunteers is on the right hand side of Bedwell Bay Road past the entrance to the Village near the bus shelter and the mail boxes. The second suggested location for the Little Free Library is in the yard at the Waste and Recycle Depot.

The Insurance company for the Village advised that any liability of the Village arising from the installation of the Little Free Library would most likely be covered by the Village Liability Protection Agreement.

Attachment: Little Free Library photo

5.1 Attachment



LITTLE FREE LIBRARY_{.ORG}
TAKE A BOOK • RETURN A BOOK



COUNCIL REPORT

Date: May 7, 2018
From: Rick Beauchamp, R.A. Beauchamp & Associates
Subject: Bylaw Notice Dispute Adjudication Program

Recommendations

- 1) That "Village of Belcarra Regulatory Bylaw Enforcement and Penalty Amending Bylaw No. 519, 2018" be read a first, second and third time.
- 2) That "Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003, Amending Bylaw No. 521, 2018" be read a first, second and third time.
- 3) That "Village of Belcarra Traffic and Parking Regulation Bylaw No. 518, 2018" be read a first, second and third time.
- 4) That "Village of Belcarra Bylaw Notice Enforcement Bylaw No. 520, 2018" be read a first, second and third time.
- 5) That the Screening Officer Bylaw Notice Policy No. 208 dated May 7, 2018 be approved.
- 6) That the Chief Administrative Officer, Superintendent of Public Works, Building Inspector and the Public Works Utilities and Maintenance Workers be appointed Bylaw Enforcement Officers.
- 7) That Staff develop an overview of the Bylaw Notice Dispute Adjudication System in the form of a media release for distribution to Village residents and for placement on the Village website.

Purpose

The purpose of this report is to introduce various legislative requirements to authorize the introduction of a Bylaw Notice Dispute Adjudication Program for the Village of Belcarra.

Background

As directed by Council, I have been working with staff, outside agencies and providers to develop a Bylaw Notice Dispute Adjudication System tailored to the specific needs for the Village of Belcarra. Attached is an overview of the Bylaw Notice Adjudication System for your easy reference (Attachment 6). The primary enforcement issue for the Village at this time is managing street and highway parking during the summer months. While efforts have been focused on this issue, other regulatory bylaws have been included to assist with enforcement should the need arise.

Verbal notification has been received that the Province of BC has approved the application by the Village for designation under the Bylaw Notice Adjudication Regulations with an effective date of May 2, 2018. As part of the implementation process there are a number of requirements that must be put in place included adoption of some regulatory bylaws and resolutions which are set out within the recommendations above. An ad has been prepared for the Tri Cities Newspaper for the hiring of part time Parking Compliance Officers who will be contracted with to work on busy summer weekends. It is anticipated that Bylaw Officers from neighboring municipalities may be interested in working an extra day on a weekend.

Approval of the above will allow staff to proceed with the implementation of the Bylaw Adjudication Program which may be operational by the end of May. A number of administrative details such as ticket development and printing, processing forms and monitoring schedules are in the process of being developed along with arrangements for an independent Screening Officer and collection agency to deal with outstanding tickets. There is no urgency in making a determination on whether to handle the adjudication process in-house or to contract this service with an existing adjudication provider. Our preliminary investigation indicates that it would be more efficient and economical to develop an in-house Adjudication Registry verses contracting the services to a third party provider. As part of the program implementation, an overview of the program is being drafted and requirements are being developed for placement on the Village website and in the form of a newsletter press release for Village residents.

I would like to thank staff for all their help in assisting with moving the program forward in a very timely manner for Council consideration.

Rick Beauchamp, President
R.A. Beauchamp & Associates

Attachments:

- 1) "Village of Belcarra Regulatory Bylaw Enforcement and Penalty Amending Bylaw No. 519, 2018"
 - This bylaw standardizes and authorizes bylaw notices and penalties under certain bylaws that will be introduced for enforcement under Bylaw Notice Enforcement Bylaw No. 520, 2018.

- 2) "Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003, Amending Bylaw No. 521, 2018"
 - This Amendment Bylaw provides for the filing of a Transportation Management Plan for any building permits of a value greater than \$250,000. An application form is being prepared which explains the requirement for building permit applicants to clearly identify parking requirements for on-site and street parking for construction workers, deliveries etc.
- 3) Village of Belcarra Traffic and Parking Regulation Bylaw No. 518, 2018
 - This bylaw is a new enhanced traffic and parking bylaw providing for better regulatory control over streets and highways within the Village.
- 4) Village of Belcarra Bylaw Notice Enforcement Bylaw No. 520, 2018
 - This bylaw authorizes the enforcement of bylaw notices in conjunction with an Adjudication Registry and establishes fine penalties for contravention of designated regulatory bylaws of the Village.
- 5) Screening Officer Bylaw Notice Policy No. 208.
- 6) An overview of the Bylaw Notice Adjudication System (for information purposes).



**VILLAGE OF BELCARRA
Regulatory Bylaw Enforcement and Penalty
Amending Bylaw No. 519, 2018**



5.2 1)

A bylaw to amend bylaw enforcement authority and penalties in order to improve bylaw enforcement within the Village of Belcarra

WHEREAS the Council of the Village of Belcarra deems it expedient to provide penalties and minimum fines in its regulatory bylaws;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

Part 1 Citation

This bylaw may be cited as “Village of Belcarra Regulatory Bylaw Enforcement and Penalty Amending Bylaw No. 519, 2018”.

Part 2 Severability

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

**“Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003”,
as Consolidated**

3.1 The “Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003” is hereby amended by deleting Sections 159 and 160 in their entirety and replacing with the following:

“159 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.

160 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.”

“Village of Belcarra Business License Bylaw No. 227, 1995”, as Consolidated

3.2 The “Village of Belcarra Business License Bylaw No. 227, 1995” is hereby amended by deleting Section 14 in its entirety and replacing with the following:

“14.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information

being laid and a summons issued in accordance with the procedures set out in the Offence Act.

- 14.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.
- 14.3 Any false declaration or concealment of material facts with respect to application for a business licence shall be deemed an infraction of this bylaw.
- 14.4 Anyone failing to post and keep posted the issued business licence shall be guilty of an infraction of this bylaw.”

“Village of Belcarra Animal Control Bylaw No. 431, 2010”

- 3.3 The “Village of Belcarra Animal Control Bylaw No. 431, 2010” is hereby amended by deleting Section 22 in entirety and replacing with the following:

- “22.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.
- 22.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.”

“Village of Belcarra Recycling and Refuse Collection and Removal Regulation Bylaw No. 422, 2010”

- 3.4 The “Village of Belcarra Recycling and Refuse Collection and Removal Regulation Bylaw No. 422, 2010” is hereby amended by deleting Section 44 in its entirety and replacing with the following:

- “44.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.
- 44.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and

is guilty of a separate offence each day that a violation continues or exists.”

“Village of Belcarra Waterworks Bylaw No. 456, 2012”, as Consolidated

- 3.5 The “Village of Belcarra Waterworks Bylaw No.346, 2012” is hereby amended by deleting Section 121 in entirety and replacing with the following:

“121.1 The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.

121.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.”

“Village of Belcarra Well Regulation Bylaw No. 455, 2012”, as Consolidated

- 3.6 The “Village of Belcarra Well Regulation Bylaw No. 455, 2012” is hereby amended by deleting Section 5 (b) in entirety and replacing with new Section 5 (b) and by further adding a new Section 5 (c) as follows:

“5 (b) The Enforcement Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.

5 (c) Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.”

Read a First Time on

Read a Second Time on

Read a Third Time on

ADOPTED by the Council on

Ralph Drew
Mayor

Lorna Dysart
Chief Administrative Officer

This is a certified a true copy of Village of Belcarra
Regulatory Bylaw Enforcement and Penalties
Amendment Bylaw No. 519, 2018

Chief Administrative Officer



VILLAGE OF BELCARRA
Building and Plumbing Code Regulation
Bylaw No. 355, 2003
Amendment Bylaw No. 521, 2018



A bylaw to amend Village of Belcarra Building and Plumbing Code Regulation
Bylaw No. 355, 2003

WHEREAS the Village of Belcarra Council has adopted “Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003”, as consolidated;

AND WHEREAS the Village of Belcarra Council deems it expedient to amend “Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003”;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

Part 1 Citation

This bylaw may be cited as “Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003, Amending Bylaw No. 521, 2018”.

Part 2 Severability

If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

Village of Belcarra Building and Plumbing Code Regulation Bylaw No. 355, 2003, as consolidated, be amended:

- 3.1 Under Application Part 3 by adding to Item 13 after word structures “and traffic management plan, see item 13 (1)”.
- 3.2 Under Application Part 3 by adding “Item 13 (1) Any application for a permit having a value exceeding \$250,000.00 shall be required to prepare a “Traffic Management Plan” in a format prescribed by the Village of Belcarra.”
- 3.3 Under Owners Responsibility Part 4 by adding “Item 42 (1) Every owner, or their agent, must ensure that the details and conditions of the Traffic Management Plan are adhered to.”
- 3.4 Under Owners Responsibility Part 4 by adding “Item 42 (2) Every owner, or their agent, must ensure the Traffic Management Plan is available on site during construction.”

Read a First Time on

Read a Second Time on

Read a Third Time on

ADOPTED by the Council on

Ralph Drew
Mayor

Lorna Dysart
Chief Administrative Officer

This is a certified a true copy of Village of Belcarra
Building and Plumbing Regulation Bylaw No. 355, 2003
Amendment Bylaw 521, 2018

Chief Administrative Officer



VILLAGE OF BELCARRA Traffic and Parking Regulation Bylaw No. 518, 2018



5.2 3)

A Bylaw to Regulate Traffic and Parking on Highways within the Village of Belcarra.

WHEREAS the Council of the Village of Belcarra deems it expedient to provide for the regulation of traffic and parking on highways within the Village of Belcarra;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

PART 1 - INTRODUCTION

The Council of the Village of Belcarra, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Village of Belcarra Traffic and Parking Regulation Bylaw No.518, 2018".
2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.
3. Village of Belcarra Parking Regulation and Enforcement Bylaw No. 350, 2003 and all amendments thereto are hereby repealed in their entirety.
4. Words in this Bylaw have the same meaning as words defined in the *Motor Vehicle Act*, R.S.B.C., 1996, or regulations under that *Act*, unless otherwise defined in this Bylaw.
5. Metric units are used for all measurements in this Bylaw.
6. The provisions of this bylaw do not apply except where the provisions are consistent with the applicable Provincial Acts and Regulations.
7. Any Act referred to in this bylaw is a reference to the Province of British Columbia, or an Act of Canada as the case may be, and the applicable regulations, as amended, revised, consolidated or replace from time to time.

PART 2 – DEFINITIONS

In this bylaw, unless the context otherwise requires, the expressions and definitions contained within the *Motor Vehicle Act*, the *Passenger Transportation Act* and the *Commercial Transportation Act*, shall be applicable and these additional interpretations shall prevail throughout:

"ACCESS" means a driveway intended for ingress or egress to abutting property from a highway.

"ACCESS / ROAD USE PERMIT" means a permit which authorizes provision of access to an abutting property from an adjacent highway.

"BOULEVARD" means the area between the curb lines of a highway or the lateral lines of a highway or the shoulder thereof and the adjacent property line.

"BYLAW NOTICE" means a ticket issued in respect of this Bylaw.

"CHIEF FINANCIAL OFFICER" means the person appointed by Council to the position of Chief Financial Officer and includes any person appointed or designated by the Chief Financial Officer to act on their behalf.

"COUNCIL" means the Council of the Village of Belcarra.

"CYCLE" means a device having any number of wheels that is primarily propelled by human power, may be electrically power assisted, does not contain any internal combustion engine and on which a person may ride.

"PERSON WITH DISABILITIES (PWD)" means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk.

"EMERGENCY TURNAROUND" means that portion of any highway, lane, access gate or fire access route that is designated by this bylaw to facilitate turning of emergency or non-emergency vehicles.

"ENFORCEMENT OFFICER" means:

- a) every person designated by Council by name of office or otherwise, as an Enforcement Officer for the purposes of administering and enforcing this Bylaw;
- b) a Peace Officer, including every officer of the Royal Canadian Mounted Police;
- c) every Bylaw Enforcement Officer of the Village appointed under the Police Act;
- d) every officer and employee of the Sasamat Volunteer Fire Department who attends to a fire or emergency while acting in the scope of their authority.

"FEES AND CHARGES BYLAW" means the Village Fees and Charges Bylaw, including all amendments and replacements thereto.

"FIRE CHIEF" means the person appointed as such by Council or contracted through a local service and any person appointed or designated by the Fire Chief to act on their behalf.

"HAZARDOUS MATERIALS" means any explosive, flammable, toxic, noxious or other harmful or hazardous materials, including dynamite, concentrated chemicals in either solid, liquid or gaseous form, pressurized gases, gasoline and diesel fuel.

"HIGHWAY" includes every highway within the meaning of the *Transportation Act* excluding highways classified as arterials pursuant to the *Transportation Act* designed or intended for or used by the general public for the passage of persons and vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.

"OPERATOR" means any person who drives, operates, propels, or is in physical control of a vehicle, and shall be deemed to include the person in whose name the vehicle is registered.

"OVERPARKED" means a space where the standing of a vehicle, whether occupied or not, when contrary to any traffic control device.

"OWNER" means a) the person who holds the legal title to the vehicle or b) the person who is entitled to be and is in possession of the vehicle or c) the person in whose name the vehicle is registered.

"PARK" means the stopping or standing of a vehicle, whether occupied or not.

"PARKING SPACE" means a space of a section of a highway marked by painted lines or other device or sign that is intended for the parking of a vehicle.

"PERSONS" means 1) human beings, male or female or 2) a company or corporation.

"PUBLIC AREA" means a parking lot, fire access route on open area located on Public Lands that is not defined as a highway.

"PUBLIC TRANSIT BUS" means any vehicle operated under the auspices of TransLink for use by the general public.

"RECREATIONAL APPARATUS" means cycles, skateboards, roller skates, games and devices, sleighs, toboggans, bobsleds and similar apparatus.

"RECREATION VEHICLE" means a chassis mounted camper, motor home, holiday trailer, boat, skidoo, or RTV, trailer intended exclusively for recreational use.

"RESERVED PARKING" means a parking space reserved for a special use as indicated by a traffic control device.

"RESIDENTIAL AREA" means any area zoned for residential land use in the Zoning Bylaw.

"RESIDENT" means a member of the immediate family of the owner, renter or lessee of a property located within the Village.

"RESIDENT PARKING PERMIT" means a special parking permit issued, for the purpose of authorizing vehicles, permission to park at designated Residential Parking Zones, Water Access Resident Parking Permit Zones or Temporary Parking Areas.

"RESIDENT PARKING ZONE DECALS" means a Village approved decal, to identify residents who are authorized to park at designated Resident Parking Zones, Water Access Resident Parking Zones or Temporary Parking Areas.

"RESIDENTIAL DWELLING UNIT" means one or more habitable rooms constituting a self-contained unit with separate entrances and used or intended to be used for living and sleeping purposes for not more than one family, which dwelling unit contains not more than one set of cooking facilities;

"ROAD CLOSURE PERMIT" means a permit which authorizes the closure of a highway or portion of a highway.

"SHOULDER" means the portion of the highway between the travelled portion of an uncurbed highway and the ditch; or if there is no ditch, the area between the travelled portion of the highway and the boulevard.

"SUPERINTENDENT OF PUBLIC WORKS" means the person appointed as such and any person appointed or designated by the Superintendent of Public Works to act on their behalf.

"TIME" means either Pacific Standard Time, or Pacific Daylight-Saving Time, whichever is proclaimed to be in effect by the Province of British Columbia.

"TRAFFIC CONTROL DEVICE" means a sign, signal, line, meter, marking, space, or device, not inconsistent with this bylaw, placed or erected by authority of the Minister of Transportation or designate or of Council or person duly authorized by the Minister of Transportation or designate or Council to exercise such authority.

"TRAILER" means a vehicle, including a recreation vehicle that is at any time drawn upon a highway by a motor vehicle.

"VEHICLE" includes any means of conveyance in, upon, or by which any person or property is or may be transported or drawn upon a highway irrespective of the motive of power.

"VILLAGE" means Village of Belcarra.

PART 3 – AUTHORITIES

8. CHIEF ADMINISTRATIVE OFFICER AND SUPERINTENDENT OF PUBLIC WORKS

The Chief Administrative Officer and Superintendent of Public Works may:

- (a) authorize and issue 1) guest parking permits: 2) special use parking permits and 3) residential parking permits;
- (b) issue or cause to be issued Bylaw Notices for violations of this bylaw;
- (c) impound or detain or cause to be impounded or detained, any vehicle, trailer or cycle in violation of this bylaw;
- (d) issue, or cause to be issued, orders to revoke, rescind, amend or vary any permit, notice, traffic notice, order or directive issued pursuant to the provisions of this Bylaw.

9. SUPERINTENDENT OF PUBLIC WORKS – The Superintendent of Public Works may:

- (a) on any highway, place or erect, or cause to be placed or erected, traffic control devices to regulate or prohibit traffic where deemed necessary to ensure the orderly movement of traffic, or to prevent injury or damage to persons or property, or to prevent injury or damage to the highway and where such traffic control devices are so placed or erected, they shall have the same force and effect as if placed or erected by resolution of Council;
- (b) prohibit the use of vehicles not equipped with chains, snow tires, or sanding devices;
- (c) authorize and empower by order to place, replace, or alter traffic control devices at any location determined to give effect to the provisions of the *Motor Vehicle Act* and this bylaw;
- (d) issue, or cause to be issued, bylaw notices for violations of this bylaw;
- (e) impound, or detain if necessary for the purpose of carrying out required duties, any vehicle or trailer;
- (f) issue, or cause to be issued, orders to revoke, rescind, amend or vary any permit, notice, traffic notice, order or directive issued pursuant to the provisions of this Bylaw.

10. PEACE OFFICER – The Peace Officer may:

- (a) issue Bylaw Notices for violations of this bylaw;
- (b) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control devices;
- (c) impound or detain any vehicle, trailer or cycle that is in violation of this bylaw;
- (d) require the driver of any vehicle to weigh same at any weigh scale forthwith.

11. FIRE CHIEF – The Fire Chief may:

- (a) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device;
- (b) impound or detain if necessary, for the purpose of carrying out required duties, any vehicle or trailer;
- (c) designate in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass;
- (d) issue or cause to be issued Bylaw Notices for violations of this bylaw.

12. ENFORCEMENT OFFICER – An Enforcement Officer may:

- (a) issue Bylaw Notices for violations of this bylaw;
- (b) place temporary “No Parking” signs and barricades or other applicable traffic control devices;
- (c) impound or detain any vehicle, trailer or cycle in violation of this bylaw;
- (d) issue, or cause to be issued, orders to revoke, rescind, amend or vary any permit, notice, traffic notice, order or directive issued pursuant to the provisions of this Bylaw;

PART 4 - GENERAL TRAFFIC REGULATIONS

13. APPLICATION – Unless the context otherwise requires:

- (a) The provisions of this bylaw do not apply to persons, vehicles and to other equipment while actually engaged in highway construction or maintenance work upon, under or over the surface of a highway while at this site of the work, but do apply to them when travelling to or from the site of the work;
- (b) A person riding an animal or driving an animal drawn vehicle upon a highway has all the rights and is subject to all the provisions of this Bylaw.

14. CONFORMANCE

No person shall park, drive or operate a vehicle or cycle in contravention of a traffic control device.

15. DAMAGE TO DEVICES

No person shall drive or walk on or over a newly painted line or marking, nor remove or alter any traffic control device.

16. OBEY COMMANDS

Every person shall, at all times, comply with any lawful order, direction, signal or command made or given by a peace officer, enforcement officer, fireperson, ambulance attendant, traffic control person or school patrol.

17. SPEED LIMITS HIGHWAY

The maximum speed on any highway in the Village shall be fifty (50) kilometers per hour unless otherwise posted with the following exceptions:

- (a) Playground Zones which will be thirty (30) kilometers per hour from sunrise to sunset daily.

18. SPEED LIMITS – LANEWAY

No person shall operate a vehicle on a laneway at a greater rate of speed than twenty (20) kilometers per hour.

19. SPEED LIMITS - CONSTRUCTION

No person shall operate a vehicle within a construction zone at a speed greater than twenty (20) kilometers per hour unless otherwise posted.

20. BLOCKING INTERSECTIONS

No person operating a vehicle shall block an intersection or a marked crosswalk, notwithstanding any traffic control device.

21. VEHICLE WHEELS

- (a) No person shall drive any vehicle of any kind having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections engaging the highway along, on or across any bridge or hard surface highway within the Village, without first obtaining the written permission of the Superintendent of Public Works who shall determine which bridges and highways may be used and the conditions of such use. Nothing herein contained shall be construed as prohibiting the use of tire chains or studded winter tires.
- (b) The Superintendent of Public Works, by public notice or by the placing of signs on highways, prohibit the operation of vehicles which are not equipped with chains or winter tires or sanding devices or any combination of these which they may consider adequate and necessary in view of the prevailing highway conditions and no person shall drive any vehicle in contravention of such notice or signs.

22. TRUCK ROUTES

- (a) Every person operating a truck exceeding the GVW of 10,900 kilograms upon a highway shall travel by the closest and most direct route to the destination of the trip upon entering or leaving the Village.
- (b) No person shall be permitted to operate a vehicle exceeding the GVW of 30,000 kilograms on any residential street within the municipal boundaries of the Village, without the prior written approval of the Superintendent of Public Works.
- (c) Any applications or requests under this section for an exemption of these provisions shall be dealt with as follows:
 - i) Requests to operate a vehicle exceeding a GVW of 30,000 kilograms on any residential street shall require the written approval of the Superintendent of Public Works.

23. LOAD LIMITS

No person shall, without a permit issued under the authority of this bylaw and subject to the provisions of this bylaw, operate on a highway a vehicle or combination of vehicles and trailers having a weight not conforming to the requirements of the *Commercial Transport Act*.

24. VEHICLE SIZE

No person shall, without a permit, and subject to the provisions of this bylaw, operate on a highway a vehicle or combination of vehicles and trailers having a size not conforming to the requirements of the *Motor Vehicle Act* and the *Transportation Act*.

25. TRAFFIC AND LOAD RESTRICTIONS

Where, in the opinion of the Superintendent of Public Works, any highway is liable to damage through extraordinary traffic, he may regulate, limit, or prohibit the use of the highway to any person operating or in charge of the extraordinary traffic, owning the goods carried therein, or owning the vehicles used therein.

26. OVERLOAD OVERSIZE PERMIT

- (a) Overload and / or Oversize Permits may be issued to persons transporting extraordinary commodities.
- (b) Applications are processed through the Superintendent of Public Works and Public Works Department.
- (c) Permit cost – No charge, except for any direct costs incurred due to utility relocation.

27. HIGHWAY CLOSURE/USE PERMIT

- (a) Temporary Highway Closure / Road Use Permits may be issued to persons requiring partial or complete closure of a highway for the purpose of construction on or adjacent to a highway.
- (b) Applications are processed through the Superintendent of Public Works and Public Works Department.

28. RECREATIONAL APPARATUS INCLUDING GAME DEVICES

- (a) No person shall ride or operate any recreational apparatus upon or across any highway; or any other public place where traffic control signs or markings are displayed stating that the highway or other public place is for pedestrian traffic only.
- (b) Where any person rides or operates any recreational apparatus on any highway or designated public space they shall be deemed to be unlawfully occupying the highway or public space and the apparatus may be removed, detained or impounded by any Peace Officer or Enforcement Officer.
- (c) A Peace Officer or Enforcement Officer may remove, detain, or impound, or cause the removal, detention, or impound of any recreational apparatus which is in contravention of the bylaw. After such removal, the person entitled to the possession of the recreational apparatus shall be entitled to its release upon payment to the Village of the specified fee, including fee, fine and costs of detainment.
- (d) If the person entitled to the possession of any recreational apparatus impounded does not, within Thirty (30) Days of its impoundment or detainment, pay the fees, fines and costs required under subsection (c) of this Section, the Village shall, as soon as possible thereafter, cause it to be sold by public auction to the highest bidder, or shall otherwise cause it to be disposed of and placed in the Revenue Fund of the Village.
- (e) No person shall play or participate in any game or related activity on any highway or public amenity area without written approval of the Village.
- (f) A person operating a cycle must:
 - i) Ride as near as practicable to the right side of the highway;
 - ii) Keep at least one hand on the handlebars;
 - iii) Not ride other than on or astride a regular seat of the cycle; and

- iv) Not use the cycle to carry more persons at one time than the number for which the cycle was designed and equipped.
- (g) A person must not operate a cycle on a highway without due care and attention or without reasonable consideration for other persons using the highway.

29. EXEMPTIONS

- (a) The operator of any of the following classes of vehicles shall be exempt from the provisions of this bylaw;
 - i) Vehicles identified by the sign or insignia as belonging to the Village;
 - ii) Emergency vehicles, as defined by the *Motor Vehicle Act*;
 - iii) Vehicles operated by Peace Officer or Enforcement Officers engaged in the lawful execution of their duty;
- (b) It shall be unlawful for any person to display on any vehicle any permit, card, sticker, or certificate purporting to provide for any exemption from the provisions of this bylaw that is not authorized by this bylaw.

30. PARKING PERMITS

- (a) The Chief Administrative Officer and Superintendent of Public Works are hereby authorized and empowered to issue parking permits in accordance with the provisions of this section.
- (b) Upon receipt of payment of the required fee, the designated Officers in section 30 (a) may issue a parking permit or permits to any person or agency providing the person or agency is:
 - i) the owner of one or more vehicles used by such person or agency; or
 - ii) the lessor of one or more vehicles used by such person or agency, providing documentation is submitted to the designated Officers in section 30 (a) outlining contractual arrangements for such leased vehicles and is engaged in a repair or maintenance business and regularly must carry out this business to premises located in areas which have parking restrictions.
- (c) Where, in the opinion of the Chief Administrative Officer, a parking permit issued under this section should be suspended or cancelled, the Council may, by resolution, suspend such permit and all rights of any person thereunder for such period of time as the Council may see fit, or the Council may, by resolution, cancel such permit. Upon notice of suspension or cancellation of a parking permit, the person to whom the permit was issued shall forthwith deliver up the permit to the Chief Administrative Officer and no refund shall be allowed for the remaining period of time of such permit.
- (d) The expiry date of a parking permit issued under the provisions of this section shall be at midnight on the last day of December in the year of issuance of the permit.
- (e) A parking permit shall not be valid until such permit has been placed on the inside, left-hand side of the dashboard clearly visible through the windshield of the vehicle in respect of which such permit is issued.

(f) The Chief Administrative Officer and Superintendent of Public Works are hereby authorized and empowered to issue parking permits as follows:

- i) **Guest Permit** - A Complimentary parking permit may be issued if application is made for:
 - 1) an event,
 - 2) a sports activity,
 - 3) other meeting or function

Where persons residing outside the Village will be in attendance. The authorization shall not be valid for a period longer than seven (7) days without a resolution of Council.

- ii) **Special Use Permit** - A Special Use permit may be issued if application is made by:

- 1) an Individual,
 - 2) a Government Agency; or
 - 3) an organization outlining the necessary use and need for such a permit.

If the permit is deemed necessary, a charge for such permit may be levied by Council policy.

- iii) **Complimentary Residential Permit** - Providing application is made by the resident of a residential dwelling unit which:

- 1) has no off-highway parking; and
 - 2) abuts on a highway with time restricted parking.

A maximum of two complimentary parking permits per residential dwelling unit may be issued for the designated block at or near where the resident in question resides.

30. REMOVAL OF BYLAW NOTICE

No person, other than the owner or operator of a vehicle, shall remove from a vehicle any bylaw notice issued under the authority of this bylaw.

32. IMPOUNDMENT OF VEHICLES

(a) The Chief Administrative Officer, Superintendent of Public Works, Fire Chief, Peace Officer or Enforcement Officer may remove, detain, or impound a vehicle, and subsequently cause it to be taken to a place of storage; or take the vehicle into custody and cause it to be detained after finding a vehicle standing or parked in any of the following manners:

- i) In violation of any provision of this bylaw;
- ii) In a position that causes it to interfere with removal of snow, ice or sand from a highway or boulevard;
- iii) In a position that causes it to interfere with firefighting;
- iv) In a position that causes it to interfere with the normal flow of traffic on a highway;
- v) With a tire parked on any paved portion of any municipal road, street, lane or highway. If the road shoulder is paved, the white painted line separating the municipal road, street, lane or highway from the road shoulder shall be considered the paved portion of a road.
- vi) In a position that causes it to interfere with the construction, improvement, alteration, extension, widening, marking repair or maintenance of a highway;

- vii) In a position that causes it to interfere with a bona fide General Special Event authorized by the Village;
 - viii) Apparently abandoned on a highway;
 - ix) Without valid permit where a permit is required; or
 - x) Without proper or valid license plates displayed as required by the *Motor Vehicle Act*.
- (b) All costs and charges for the removal, care, or storage of a motor vehicle removed under this bylaw shall be paid by the owner of the motor vehicle, and shall be a lien thereon in favour of the keeper of any repair shop, garage or storage place in which that motor vehicle is stored, and the same may be enforced in the manner provided by the *Repairers Lien Act* or the *Warehouse Lien Act*.
- (c) Notwithstanding the costs outlined in Section 32 (b), the owner of the impounded vehicle shall pay an administration fee.
- (i) Subject to the *Community Charter*, if a chattel, obstruction or vehicle is removed, detained or impounded, and not claimed by its owner within one (1) month from date of seizure, the chattel, obstruction or vehicle may be sold at public auction at the direction of the Chief Administrative Officer.
 - (ii) Despite any other provision of this bylaw, if in the opinion of the Chief Administrative Officer a chattel, obstruction or vehicle removed, detained, or impounded is a perishable article, has an apparent market value of less than \$2,000.00 or if its custody involves unreasonable expense or inconvenience, the Chief Administrative Officer may decide not to proceed to public auction, and may dispose of the chattel, obstruction or vehicle in any manner deemed expedient.

33. REGULATED PARKING ZONES

All highways in the Village are hereby designated as regulated parking zones and traffic control devices may be placed from time to time to indicate such regulations or restrictions.

34. STUNTING

A person, whether as a pedestrian, passenger, or driver, and whether or not with the use of aid of any animal, vehicle, or other thing, must not perform or engage in any stunt or other activity on a highway that is likely to distract, startle, or interfere with other users of the highway.

PART 5 - PEDESTRIAN REGULATIONS

35. CROSSING HIGHWAYS

No pedestrian shall stand on the travelled portion of a highway while waiting to cross a highway.

36. ENTERING HIGHWAY

No pedestrian shall walk or run into the path of a vehicle that is so close that it is impractical for the driver to stop.

37. BUS STOP

No pedestrian shall cross a highway in front of a bus which has stopped to load or unload passengers except at an intersection controlled by a traffic control device.

38. WALKING ON HIGHWAY

No pedestrian shall walk on the travelled portion of a highway if a shoulder or other space is available as a walking area.

39. CROSSWALKS

No pedestrian crossing a highway where marked crosswalks exist shall cross outside the limits of the markings.

40. TRAFFIC CONTROL DEVICE

No pedestrian shall cross a highway in a crosswalk in contravention of a traffic control device.

41. HITCHHIKING

No pedestrian shall stand upon or walk along a travelled portion of the highway for the purpose of soliciting a ride.

42. WALKING ON HIGHWAYS

Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall give the right of way to all vehicles on the highway.

PART 6 - PARKING REGULATIONS**43. UNLAWFUL PARKING**

- (a) No person shall park a vehicle in any public place unless such person shall comply with all conditions of this bylaw and other regulations posted by traffic control devices.
- (b) Where a motor vehicle or trailer is left, without the consent of the occupier of private property on such private property in the Village, the owner of a motor vehicle or trailer shall be deemed to have authorized and empowered the occupier to be their agent for the purpose of towing the motor vehicle or trailer to a place of storage and of storing it.
- (c) The agent shall be deemed to have a lien against the motor vehicle or trailer for all reasonable advances made or charges incurred in connection with the towing and storing of the motor vehicle or trailer in the course of the agency.
- (d) The procedure respecting enforcement of the lien shall be governed by the *Warehouse Lien Act*.

44. TIME LIMITS

Notwithstanding any other provisions of this bylaw:

- (a) No village resident shall park a vehicle on any highway for more than seventy-two (72) hours continuously; and
- (b) No non-resident shall park a vehicle on any highway for more than six (6) hours continuously.

45. LANE PARKING

- (a) Whenever access can be had to any laneway, all deliveries or collections of goods to or from any residential building shall be made from there.

- (b) No person shall park a vehicle in a laneway unless they are actively engaged in the loading or unloading of goods from a vehicle in which case parking will be permitted for a period of up to fifteen (15) minutes.
- (c) No person shall park a vehicle in a laneway for the purpose of loading and unloading where a loading zone is provided on site.

46. PROHIBITED PARKING

- (a) Except when necessary to avoid conflict with traffic or to comply with the directions of a Peace Officer or Enforcement Officer or traffic control device, no person shall stop, stand, or park a vehicle:
 - i) in front of nor within one (1) meter of a public or private driveway
 - ii) within an intersection; except in designated loading and bus zones;
 - iii) within two and one-half (2.5) meters of a fire hydrant measured from a point in the curb or edge of the highway which is closest to the fire hydrant;
 - iv) on a crosswalk;
 - v) within six (6) meters of a crosswalk or an intersection or any flashing beacon, stop sign, or traffic control signal located at the side of a highway;
 - vi) Except with the prior written approval of Council, upon any highway for the purpose of:
 - 1) displaying a vehicle for sale;
 - 2) advertising, greasing, painting, wrecking, storing, loading, cleaning, or repairing any vehicle, except where repairs are necessitated by an emergency;
 - 3) displaying signs;
 - 4) selling any product;
 - vii) alongside or opposite a highway excavation or obstruction when stopping, standing, or parking obstructs the traffic;
 - viii) on a highway in such a manner as to obstruct or impede the normal flow of traffic or on a marked lane of a highway;
 - ix) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking is thereby prohibited or restricted;
 - x) in such manner as to obstruct the visibility of any standard traffic sign;
 - xi) on any portion of a highway where lines, markings or other signs are placed indicating the manner in which vehicles shall be parked, except in accordance with such lines, markings or other signs;
 - xii) obstruct access to, including the area of (1) metre radius surrounding, any Private Hydrant, Curb Stop, Water Meter or other component of the Waterworks by placing, covering, or burying or allowing brick, gravel, lumber, sand, stone, vegetation growth, vehicles, timber, wood, or other material or thing.

47. DOUBLE PARKING

No person shall double park a vehicle on a highway.

48. TRAILER PARKING

No person shall park any trailer unattached upon any highway unless in emergency situations or the trailer is attached to a vehicle by which it may be propelled or drawn.

49. PERSON WITH DISABILITIES (PWD) PARKING ZONE

- (a) No driver shall stop or park a vehicle in a Parking Space designated for use by a PWD, unless such vehicle displays a valid PWD parking permit pursuant to the *Motor Vehicle Act*.
- (b) Permitted vehicles may remain parked at a designated PWD Parking Space up to a maximum of four (4) continuous hours.
- (c) The holder of a valid PWD parking permit pursuant to the *Motor Vehicle Act* may apply to the Superintendent of Public Works for an exemption to section 52(b).

50. RESIDENTIAL PARKING PERMIT

No person shall park a vehicle on a highway in a residential area contrary to a traffic control device unless such person has:

- (a) Acquired an authorized Residential Parking Permit;
- (b) The permit is displayed face up on the dashboard of the vehicle, visible through the front windshield; and
- (c) The vehicle is parked in accordance with the conditions of the permit.

51. LENGTH AND WEIGHT RESTRICTIONS

Notwithstanding any other provisions of this bylaw,

- (a) No person shall park any vehicle having a GVW exceeding 5,500 kilograms, or a length in excess of seven and one-half (7.5) meters on a local highway within a residential area for a consecutive period longer than two (2) hours.

52. HAZARDOUS MATERIALS

- (a) No person shall park or leave unattended, a vehicle or trailer loaded or unloaded and used for the conveyance of hazardous materials;
- (b) Temporary parking within the Village is permitted for a period of time not exceeding two (2) hours when making deliveries only.

PART 7 - USE OF HIGHWAYS REGULATIONS**53. SNOW REMOVAL**

- (a) No person shall deposit, pile, or spread snow or ice cleaned from roofs, parking lots, or garages or any other surface or property, on any highway, boulevard, or other public place, except the place designated therefore by the Superintendent of Public Works.
- (b) Nothing herein contained shall be construed as prohibiting the Village from plowing snow to the property line of any highway or from removing such plowed snow.

54. DRAINAGE

No person shall alter or stop the flow of water through any drain, sewer, ditch or culvert on any highway.

55. LITTERING

- (a) No person shall operate on a highway, a vehicle, or combination of vehicle and trailer, unless it is so constructed, loaded, or covered as to prevent any of its load from dropping, shifting, leaking, or otherwise escaping there from.
- (b) Should any material, due to any cause whatsoever, fall from the vehicle, the operator shall take all reasonable precautions to safeguard traffic from the consequences thereof and shall remove such material from the spillage area.
- (c) No person shall place, throw, deposit or discard on any highway any rubbish, litter, vegetation or waste material of any description.

56. CONSTRUCTIONS

- (a) No person shall excavate, construct any works or occupy the highway for the purposes of construction adjacent to the highway unless otherwise authorized by permit.
- (b) Where authorized works are carried out on, over, or under any highway, appropriate signs, flashers, barricades or other warning devices shall be provided around the construction zone to the satisfaction of the Village.

57. IMPEDING TRAFFIC, DAMAGE TO HIGHWAYS

- (a) No person shall cut, saw, break, split, place, or pile firewood, lumber, blocks, stone, debris or other material or mix mortar upon any highway.
- (b) No person shall use any highway for any purpose other than that of lawful traffic, except with the permission of Superintendent of Public Works.
- (c) No person shall coast or slide on any highway, or boulevard with sleds, toboggans, skis, skates, skate boards, roller skates, or other like apparatus except on highways, or boulevards expressly closed to vehicular traffic by Council for such purposes.
- (d) No person shall ride a cycle, skateboard, coaster, roller skates, play vehicle, sled, toboggan, skis or other like apparatus when attached by any means to any vehicle.

58. NOISES AND ADVERTISING

No person shall operate upon a vehicle any calliope, loudspeaker or other noise making device upon the highways of the Village for advertising or other purposes unless a permit has been applied for and granted by Council.

59. TREES OVER HIGHWAYS

Every person being the owner or occupier of real property shall cause all trees, shrubs or other vegetation to be properly trimmed and cut back a minimum of one point eight (1.8) meters from the edge of asphalt to prevent physical obstruction and visibility impairment to pedestrian and vehicle traffic on the boulevard or highway.

60. STRUCTURES OVER HIGHWAYS

- (a) No person shall, except as provided herein, or by any other bylaw, or unless otherwise authorized by Council, erect or maintain any structure which encroaches on or over any highway or public land.
- (b) Approved structures overhanging the highway shall have a minimum clearance of five (5) meters above any highway.

- (c) No person shall place, erect, remove or alter any sign, structure or other device on or over a highway or land without the express consent of Council.
- (d) Every owner or occupier of real property, or their agents or any other person who shall in any way require to drive, pull or propel any vehicle, equipment or trailer across any pavement, boulevard or curb and gutter for the purpose of entering their property or when leaving the travelled portion of the highway, or for any other reason, shall first construct across the pavement, boulevard, curb and gutter, a protection sufficient to prevent the same from being damaged and shall not obstruct the drainage of surface water on or in any ditch, highway or storm drain within the Village.
- (e) Every person who in any way damages any pavement, curb or gutter while leaving the travelled portion of the highway, shall be liable to the Village and shall pay for the cost of repairing such damage to the satisfaction of the Village.

61. PROPERTY ACCESS

- (a) No person shall alter an existing access to a property or construct a new access to a property without obtaining an access permit from the Superintendent of Public Works.
- (b) Every means of access to and from a highway for any parcel of land or real property abutting thereon shall require the approval of the Village. The location and extent of such access shall be within the discretion of the Village. The cost of constructing any such approved access shall be borne by the owner of the property abutting on the highway from where the access is taken.
- (c) Where the approval of any access under this section involves the construction of any public property, the owner of the property requiring the access shall be responsible for the construction and on-going maintenance and repair of such access, and shall indemnify and save harmless the Village against all liability, suits, actions, claims, accidents, injuries or damages which may occur to persons or property as a result of the access being constructed and maintained on public property and the Village may require that such approval of access over public property be in the form of an easement or statutory right-of-way agreement between the Village and the abutting owner.

62. HIGHWAYS

No person shall light, water, oil or otherwise treat any highway or portion thereof without the express permission of the Superintendent of Public Works.

63. PUBLIC UTILITIES

- (a) No person or telephone, gas, electrical, pipeline company, radio or television broadcasting company or closed-circuit television company shall use the highways in the Village for the construction and installation of the aforementioned utilities until they have first supplied the Village with complete plans and specifications of the proposed work to be constructed or installed and have in turn received written permission from the Village.
- (b) All construction undertaken by any utility company under the provisions of this section shall be in accordance with applicable Village Bylaws and all applicable Federal and Provincial Statutes.
- (c) Where a utility is granted a permit under this section, the utility shall erect and maintain a good and sufficient fence, railing or barricade around every excavation, construction or installation in such a manner as to prevent accidents, and shall place and keep upon such fence, railing or barricade, suitable and sufficient lights

during the night and shall take such further care and precaution as the Village may deem necessary for the safety of the public.

64. BOULEVARDS

Every owner or occupier of (a) a business or (b) a residential premise shall be responsible for the general maintenance, including but not limited to grass cutting and removal of accumulation of leaves, on the boulevards abutting the residential lands or premises.

65. DEFAULTS

In addition to any other penalty which may be incurred, anyone failing to comply with the provisions of this Part within the time specified or within a reasonable time upon notice to that effect by the Village, shall be subject to:

- (a) The Village carrying out any such work at the expense of the offender along with any charges or costs incurred by the Village for such work performed.

PART 8 – ENFORCEMENT AND PENALTIES

- 66.** Enforcement Officers may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Village to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act.
- 67.** Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000. and not less than \$2,500 and is guilty of a separate offence each day that a violation continues or exists.
- 68.** Without limiting the enforcement options under Sections 66 and 67, a person who commits an offence under this Bylaw will be liable to a penalty established under the Bylaw Notice Enforcement Bylaw No. 520, 2018.
- 69.** No person may obstruct an Enforcement Officer in the fulfillment of their duties under this Bylaw.

Read a First Time on

Read a Second Time on

Read a Third Time on

ADOPTED by the Council on

Ralph Drew
Mayor

Lorna Dysart
Chief Administrative Officer

This is a certified true copy of Village of Belcarra
Traffic and Parking Regulation Bylaw No. 518, 2018

Chief Administrative Officer



VILLAGE OF BELCARRA
Bylaw Notice Enforcement
Bylaw No. 520, 2018
(Bylaw Notice Dispute Adjudication Registry)



5.2 4)

**A bylaw respecting the enforcement of bylaw notices in conjunction with
Village of Belcarra Bylaw Adjudication Registry**

The Council of the Village of Belcarra enacts as follows:

Part 1 Citation

- 1.1 This Bylaw may be cited as Village of Belcarra Bylaw Notice Enforcement Bylaw No. 520, 2018 (Bylaw Notice Dispute Adjudication Registry).

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Definitions

- 3.1 In this Bylaw:

"**Act**" means the *Local Government Bylaw Notice Enforcement Act*;

"**Municipality or Village**" means the Village of Belcarra;

"**Registry**" means the Village of Belcarra Bylaw Notice Adjudication Registry established pursuant to Part 8 of this Bylaw.

Part 4 Terms

- 4.1 The terms in this Bylaw have the same meaning as the terms defined in the *Act*.

Part 5 Bylaw Contraventions

- 5.1 The bylaw and bylaw contraventions designated in Schedule A may be dealt with by bylaw notice.

Part 6 Offence and Penalty

- 6.1 The penalty for a contravention referred to in Part 5 is as follows:

6.1.1 Subject to subsection 6.1.2 and 6.1.3 is the penalty amount set out in column A1 of Schedule A.

6.1.2 If received by the Municipality within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Penalty set out in column A2 of Schedule A.

6.1.3 If more than 28 days after the person received or is presumed to have received the bylaw notice, is subject to a late payment surcharge in addition to the penalty under subsection 6.1.1, is the Late Payment Penalty set out in column A3 of Schedule A.

Part 7 Period for Paying a Disputed Notice

- 7.1 A person who receives a Bylaw Notice must, within 14 days of the date on which the person received or is presumed to have received the Bylaw Notice:
- 7.1.1 Pay the penalty, or
 - 7.1.2 Request dispute adjudication by filling in the appropriate portion of the Bylaw Notice form indicating either a payment or a dispute and delivering it, either in person during regular office hours, by mail, or pay on-line to the Belcarra Village Hall.
- 7.2 A person may pay the indicated penalty after 14 days of receiving the notice, subject to the applicable surcharge for late payment accordance with Subsection 6.1.3, but no person may dispute the notice after 14 days of receiving the Bylaw Notice.
- 7.3 Pursuant to the requirements of Section 25 of the *Act*, where a person was not served personally with a Bylaw Notice and advises the Municipality that they did not receive a copy of the original notice, the time limits for responding to a bylaw notice under Part 6 and Section 7.1 of this bylaw do not begin to run until a copy of the Bylaw Notice is re-delivered to them in accordance with the *Act*.

Part 8 Bylaw Notice Dispute Adjudication Registry

- 8.1 The Registry is established as a Bylaw Notice Dispute Adjudication System in accordance with the *Act* to resolve disputes in relation to Bylaw Notices.
- 8.2 Every person who is unsuccessful in a Dispute Adjudication in relation to a Bylaw Notice or a compliance agreement under the Dispute Adjudication System established under this section must pay the Municipality an additional fee of \$25 for the purpose of the Municipality recovering the costs of the adjudication system.

Part 9 Screening Officers

- 9.1 The position of Screening Officer is established pursuant to the *Act*.
- 9.2 The following are designated classes of persons that may be appointed as Screening Officers:
- 9.2.1 Chief Administrative Officer
 - 9.2.2 Public Works Superintendent
 - 9.2.3 Bylaw Enforcement Officers
 - 9.2.4 Bylaw Ticket Screening Contractor
- and Council may appoint Screening Officers from these classes of persons by name of office or otherwise.

Part 10 Powers, Duties and Functions of Screening Officers

- 10.1 The powers, duties and functions of Screening Officers are as set out in the *Act*, and include the following powers:
- 10.1.1 Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the Bylaw Notice Dispute Adjudication system and the fee or fees payable in relation to the Bylaw Notice enforcement process;
 - 10.1.2 To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the notice;
 - (c) the complainant or their representative;
 - (d) the municipal staff and records regarding the disputant's history of bylaw compliance.
 - 10.1.3 To prepare and enter into compliance agreements under the *Act* with persons who dispute Bylaw Notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
 - 10.1.4 To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in column A4 of Schedule A; and
 - 10.1.5 To cancel Bylaw Notices in accordance with the *Act* or Village policies and guidelines.
- 10.2 The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in column A4 of Schedule A.
- 10.3 The maximum duration of a Compliance Agreement is one year.

Part 11 Bylaw Enforcement Officers

- 11.1 Persons acting as any of the following are designated as Bylaw Enforcement Officers for the purposes of this bylaw and the *Act*:
- 11.1.1 A designated member of the Royal Canadian Mounted Police;
 - 11.1.2 Bylaw enforcement officers appointed pursuant to the *Police Act* and *Community Charter*;
 - 11.1.3 Local assistants to the Fire Commissioner under Section 6 of the *Fire Services Act*;

- 11.1.4 Bylaw Enforcement Officers, Licensing Inspectors, Building Inspectors, Animal Control Officers or other persons acting in another capacity on behalf of a municipality for the purpose of enforcement of one or more of its bylaws.

Part 12 Form of Bylaw Notice

- 12.1 The Municipality may from time to time provide for the form or forms of the bylaw notice, provided the Bylaw Notice complies with Section 4 of the Act.

Schedules

Schedule A - Designated Bylaw Contraventions and Penalties

Read a First Time on

Read a Second Time on

Read a Third Time on

ADOPTED by the Council on

Ralph Drew
Mayor

Lorna Dysart
Chief Administrative Officer

This is a certified a true copy of
Village of Belcarra Bylaw Notice Enforcement
Bylaw No. 520, 2018

Chief Administrative Officer

Schedule A – Designated Bylaw Contraventions and Penalties

(Bylaw Notice Enforcement Bylaw 520, 2018)

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available <small>(*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is shown as "Yes")</small>
Animal Control Bylaw No. 431, 2010						
431	3	Number of Dogs	\$75.00	\$50.00	\$100.00	YES
431	4 & 5	Nuisance Dogs	\$100.00	\$75.00	\$150.00	YES
431	6 & 7	Dog Defecation	\$100.00	\$75.00	\$150.00	NO
431	8 to 11	Aggressive Dogs	\$200.00	\$150.00	\$250.00	YES
Building and Plumbing Code Regulation No. 355, 2003, as Consolidated						
355	13 (1)	Traffic Management Plan	\$150.00	\$100.00	\$200.00	YES
355	29	Contravention of Order	\$150.00	\$100.00	\$200.00	YES
355	32	Contravention of Building Code	\$150.00	\$100.00	\$200.00	YES
355	33	Refuse Entry	\$150.00	\$100.00	\$200.00	NO
355	34	Failure to Obtain Permit	\$150.00	\$100.00	\$200.00	YES
355	35	False Information	\$150.00	\$100.00	\$200.00	NO
355	38	Fail to Post Permit	\$150.00	\$100.00	\$200.00	NO
355	39 & 40	Construct to Building Code	\$150.00	\$100.00	\$200.00	YES
355	41	Damage to Municipal Works	\$150.00	\$100.00	\$200.00	YES
355	42	Post Civic Address	\$150.00	\$100.00	\$200.00	NO
355	42 (1) & (2)	Transportation Management Plan	\$150.00	\$100.00	\$200.00	YES
355	43 to 48	Failure to give Proper Notice	\$150.00	\$100.00	\$200.00	YES
355	49	Uncovered Works	\$150.00	\$100.00	\$200.00	YES
355	50	Security Deposit	\$150.00	\$100.00	\$200.00	NO
355	51	Requirement of Permit	\$150.00	\$100.00	\$200.00	NO
355	52	Occupancy Permit	\$150.00	\$100.00	\$200.00	NO
355	53	Unsafe Condition	\$150.00	\$100.00	\$200.00	NO
355	54 to 56	Demolition Procedures	\$150.00	\$100.00	\$200.00	NO
355	57 to 59	Obligations of Contractor	\$150.00	\$100.00	\$200.00	YES
355	63 to 65	Requirements of Registered Professional	\$150.00	\$100.00	\$200.00	YES
355	66 to 68	Professional Plan Certification	\$150.00	\$100.00	\$200.00	NO
355	113 to 118	Stop Work Orders	\$150.00	\$100.00	\$200.00	NO

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available <small>(*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is shown as "Yes")</small>
355	119 & 120	Do Not Occupy	\$150.00	\$100.00	\$200.00	NO
355	131	Occupancy Permit	\$150.00	\$100.00	\$200.00	YES
355	141	Retaining Wall	\$150.00	\$100.00	\$200.00	NO
355	142	Swimming Pool	\$150.00	\$100.00	\$200.00	NO
355	146	Building Move	\$150.00	\$100.00	\$200.00	NO
355	147 to 151	Building Numbering	\$150.00	\$100.00	\$200.00	NO
355	156	Conformity to Building Code	\$150.00	\$100.00	\$200.00	YES
355	158	General Provisions	\$150.00	\$100.00	\$200.00	YES
Business License Bylaw No. 227, 1995, as Consolidated						
227	2 (a)	License Required	\$100.00	\$50.00	\$150.00	YES
227	7	Post License	\$75.00	\$50.00	\$100.00	NO
227	11	Direct Selling	\$150.00	\$100.00	\$200.00	NO
Recycling and Refuse Collection and Removal Regulation Bylaw No. 422, 2010						
422	3 to 15	Owners Responsibility	\$100.00	\$50.00	\$150.00	NO
422	42	Contravention of Bylaw	\$100.00	\$50.00	\$150.00	NO
Traffic and Parking Regulation Bylaw No. 518, 2018						
518	14	Parking Conformity	\$80.00	\$50.00	\$120.00	NO
518	15	Damage to Device	\$100.00	\$75.00	\$150.00	NO
518	16	Obey Commands	\$100.00	\$75.00	\$150.00	NO
518	17 to 19	Speed Limit	\$100.00	\$75.00	\$150.00	NO
518	21	Vehicle Wheels on Highways	\$200.00	\$150.00	\$250.00	YES
518	23	Load Limits	\$200.00	\$150.00	\$250.00	NO
518	24	Vehicle Size	\$200.00	\$150.00	\$250.00	NO
518	28 a - g	Recreation Apparatus	\$60.00	\$40.00	\$100.00	NO
518	31	Removal of Notice	\$60.00	\$40.00	\$100.00	NO
518	43 a - d	Unlawful Parking	\$80.00	\$50.00	\$120.00	NO
518	44 a - b	Time Limits	\$80.00	\$50.00	\$120.00	NO
518	45 a - c	Lane Parking	\$60.00	\$40.00	\$100.00	NO
518	46 i - xii	Prohibited Parking	\$80.00	\$50.00	\$120.00	NO
518	47	Double Parked	\$80.00	\$50.00	\$120.00	NO
518	48	Trailer Parking	\$80.00	\$50.00	\$120.00	NO
518	49 a - c	Disability Parking Zone	\$80.00	\$50.00	\$120.00	NO

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available <small>(*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is shown as "Yes")</small>
518	50	Residential Parking	\$80.00	\$50.00	\$120.00	NO
518	51 a	Length / Weight Restrictions	\$100.00	\$75.00	\$150.00	NO
518	52 a - b	Hazardous Material	\$100.00	\$75.00	\$150.00	NO
518	53 a - b	Snow Removal	\$100.00	\$75.00	\$150.00	NO
518	54	Drainage	\$100.00	\$75.00	\$150.00	NO
518	55 a - c	Littering	\$100.00	\$75.00	\$150.00	NO
518	56 a - b	Construction	\$100.00	\$75.00	\$150.00	NO
518	57 a - d	Impeding Traffic	\$100.00	\$75.00	\$150.00	NO
518	58	Noise / Advertising	\$100.00	\$75.00	\$150.00	NO
518	59	Trees Over Highway	\$100.00	\$75.00	\$150.00	NO
518	60 a - c	Structures Over Highway	\$100.00	\$75.00	\$150.00	NO
518	61 a - c	Property Access	\$100.00	\$75.00	\$150.00	NO
518	62	Highway Damage	\$300.00	\$250.00	\$400.00	YES
518	63 a - c	Public Utility	\$200.00	\$150.00	\$250.00	YES
518	64	Boulevards Maintenance	\$100.00	\$75.00	\$150.00	YES
Water Well Regulation Bylaw No. 455, 2012, as Consolidated						
455	3 a - b	Well Disconnection	\$200.00	\$150.00	\$250.00	YES
455	4 a - d	Non-Domestic Purpose	\$200.00	\$150.00	\$250.00	YES
455	5 a	Introduce Water System	\$200.00	\$150.00	\$250.00	YES
Water Works Regulation Bylaw No. 456, 2012, as Consolidated						
456	5 a - g	Prohibitions	\$100.00	\$75.00	\$150.00	NO
456	18	Require Connection	\$200.00	\$150.00	\$250.00	YES
456	58	Approval of System	\$200.00	\$150.00	\$250.00	YES
456	62	Air Conditioners	\$100.00	\$75.00	\$150.00	NO
456	68	Water Meter	\$200.00	\$150.00	\$250.00	YES
456	75	Prohibition of Contamination	\$200.00	\$150.00	\$250.00	NO
456	83 a - e	Maintenance Responsibility	\$200.00	\$150.00	\$250.00	YES
456	84	Leaks	\$200.00	\$150.00	\$250.00	YES
456	86	Water Restrictions	\$100.00	\$50.00	\$150.00	NO
456	91 and 97	Use of Hydrant / Open	\$200.00	\$150.00	\$250.00	NO



VILLAGE OF BELCARRA
CORPORATE POLICY NO. 208



5.2 5)

Title: Screening Officer Bylaw Notice Policy

ISSUED BY: CAO	APPROVED BY: Council	DATE:
REVISED BY:	APPROVED BY:	DATE:

1. Purpose

WHEREAS the Village of Belcarra has passed a Bylaw designating certain Bylaw contraventions that may be dealt with by Bylaw Notice pursuant to the *Local Government Bylaw Enforcement Act*;

AND WHEREAS the Village of Belcarra has established Screening Officer positions who must review all disputed Bylaw Notices before dispute adjudication in respect of the Bylaw Notice may be scheduled;

AND WHEREAS the Screening Officer has the power to cancel a Bylaw Notice on the grounds of cancellation authorized by the Village pursuant to Section 10(2)(1)(iii) of the *Local Government Bylaw Enforcement Act*;

AND WHEREAS the Village of Belcarra finds it expedient to provide for grounds of cancellation of a Bylaw Notice in certain circumstances;

NOW THEREFORE the Village of Belcarra resolves to authorize the Screening Officer to cancel Bylaw Notices in the described circumstances set out in this policy.

2. Policy

2.1 The Screening Officer is authorized to cancel a Bylaw Notice where they are satisfied that one or more of the following reasons exist and a compliance agreement is not appropriate or available:

2.1.1 Identity cannot be proven, for example:

- (a) The Bylaw Notice was issued to the wrong person; or
- (b) The vehicle involved in the contravention had been stolen.

2.1.2 An exception specified in the Bylaw or a related enactment is made out, for example;

- (a) Vehicle of a person with disabilities in time zone or pay lot.

2.1.3 There is a poor likelihood of success at Adjudication for the Village, for example:

- (a) The evidence is inadequate to prove a contravention on a balance of probabilities;
- (b) The Officer relied on incorrect information in issuing the Bylaw Notice;
- (c) The Bylaw Notice was not completed properly;
- (d) The Bylaw provision is unenforceable or poorly worded.

- 2.1.4 The contravention was necessary for the preservation of health and safety, for example:
 - (a) The contravention was the result of a medical emergency.
- 2.1.5 The Bylaw Notice is one of a number of Notices arising out of the same incident, in which case the Screening Officer may cancel all but the most appropriate Bylaw Notice.
- 2.1.6 It is not in the public interest to proceed to Adjudication for one of the following reasons:
 - (a) The person who received the Bylaw Notice was permitted or entitled to take the action, but the issuing officer was not aware of this entitlement or permit;
 - (b) The person receiving the Bylaw Notice was undergoing a personal tragedy at the time of the contravention such that it is not in the public interest to proceed;
 - (c) The Bylaw has changed since the Bylaw Notice was issued, and now authorizes the contravention.
- 2.1.7 The person exercised due diligence in their efforts to comply with the Bylaw, for example:
 - (a) As a result of mechanical problems, the person could not comply with the Bylaw; or
 - (b) The sign indicating the Bylaw requirement was not visible.



VILLAGE OF BELCARRA

"Between Forest and Sea"

4084 BEDWELL BAY ROAD, BELCARRA, B.C. V3H 4P8

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May 7, 2018

Overview of the Bylaw Dispute Adjudication System

In 2003, the Province of British Columbia enacted legislation providing an alternative approach for processing and resolving minor bylaw infractions described as the *Local Government Notice Enforcement Act*.

The Bylaw Notice Enforcement system is designed to simplify the process for initiating bylaw enforcement disputes by transferring minor bylaw infractions from the Provincial Court to a less formal venue. The enactment of the legislation arose from frustration expressed by local governments regarding the time, expense and procedural burdens in prosecuting minor bylaw infractions in Provincial Court. The goal of the legislation is to create a "simple, fair and cost-effective system" to deal with minor bylaw infractions.

Bylaw infractions are a common occurrence in any local government that enacts regulatory bylaws. Prior to the new legislation, there were three main strategies used by local governments to deal with a problem:

- Seek voluntary compliance;
- Issue a traffic "offence notice" for parking infractions seeking voluntary payment of a prescribed fine; or
- Initiate formal court proceedings by issuing a Municipal Ticket Information (MTI) or swearing information and issuing a summons.

Initiating formal court proceedings can be very costly, and some local governments choose to avoid these enforcement costs by abandoning enforcement if voluntary compliance is not forthcoming. When bylaws are not enforced in a consistent manner there is a tendency for the general public to lose confidence and accountability with the local government.

Goal of New Adjudication Model

The goal of the new adjudication model is to create simple, fair, and cost-effective systems for dealing with minor bylaw infractions. To meet this goal, the adjudication model:

- Eliminates the requirement for personal service;
- Establishes a dedicated forum for resolving local bylaw enforcement disputes;
- Uses a dispute resolution-based approach to obtaining independently adjudicated decisions;
- Avoids the unnecessary attendance of witnesses;
- Avoids the need to hire legal counsel; and
- Promotes the timely resolution of bylaw enforcement disputes.

Legislation

Under the Act, local governments may establish a local government Bylaw Dispute Adjudication System, more simply known as an adjudication system, which replaces the Provincial Court as the venue for resolving disputes of minor bylaw breaches.

The Act, and the authority it provides to establish an Adjudication System, applies to both municipalities and regional districts by regulation. In order to proceed, a local government must make application to the Ministry of Attorney General to have a regulation enacted, in order to make the Act applicable to them.

The legislation is designed to enable the creation of simple, cost-effective administrative systems for enforcing minor bylaw infractions, ranging from parking tickets to dog licensing and minor zoning infractions. The two main features of an Adjudication System are a simple “front-end” ticket process for initiating enforcement, and a locally managed “back-end” venue for a non-judicial adjudicator to hear ticket disputes.

Compliance Agreements

For infractions where compliance is a goal, the local government may also authorize a Screening Officer to enter into a compliance agreement with a person who has received a Bylaw Notice. A Compliance Agreement will include acknowledgement of the contravention of the bylaw and will typically set out remedies or conditions on future behaviour to be performed within a designated period of time, and reduce or waive the fine at the conclusion of that period.

Disputes

If the Screening Officer determines that cancellation or compliance agreement is not possible and the person still wishes to dispute the allegation, the disputant must confirm this and indicate whether they plan to appear at the Adjudication Hearing in person, in writing or by telephone. The Screening Officer or a clerk will then schedule a day and time for the Adjudication, notify the disputant of these details, and request presence of an Adjudicator. The person named in the Bylaw Notice may choose to pay the applicable fine at any time, although the payment after the deadline may result in a higher fine amount.

Adjudication of the Dispute

At the Adjudication Hearing, an Adjudicator will hear from both the disputant and the local government and decide whether they are satisfied that the contravention occurred as alleged. When considering a matter, the Adjudicator can review documents submitted by either party, or hear from the parties or witnesses over the telephone. All adjudications are open to the public. The appointment, training and management of the Adjudicator roster occur at arms-length from the local government. Adjudicators are appointed by the Deputy Attorney General. If the Bylaw Notice is confirmed, the fine amount noted on the face of the notices is payable to the local government. In addition, the locally established fee to recover a portion of the cost of the dispute may be imposed but cannot exceed \$25.

Appeals

The decision of the Adjudicator is final and the Act does not allow for appeals. If a failed disputant or the local government feel that the Adjudicator exceeded their authority, or made an error at law, the person or local government may seek relief in the Supreme Court of British Columbia under the *Judicial Review Procedure Act*. A challenge to the validity of the local government bylaw or a claim that enforcement of the bylaw infringed on the Charter of Rights, the disputant must be initiated as a separate matter in the Supreme Court of BC.

Pilot Project Results

In 2004 the Adjudication model was piloted in the three north shore municipalities (City of North Vancouver, District of North Vancouver and District of West Vancouver). These municipalities maintained independent ticketing processes to enforce their individual regulatory bylaws, but shared administrative costs related to the adjudication registry.

An evaluation of the first year of the pilot showed reductions in the time from ticket issuance to ticket disposition and the rate of disputed tickets and an improvement in direct fine payments and also those referred to collection agencies. The impact of the reduced dispute rate and ability to attend hearings in writing or by phone significantly reduced the time Bylaw Enforcement Officers spent attending court. Further potential to reduce the costs associated with personal service of enforcement documents was also demonstrated.

As a result of the successful pilot, the Attorney General has now expanding the authority for use of the Adjudication System to interested local governments across the province.

Mayor's Report

Asset Management Planning – The Next Phase

[Asset Management Planning](#) is an iterative process that integrates information about a community's physical assets (roads, water system, drainage infrastructure, buildings, vehicles, etc.) with long-term financial planning so that informed decisions can be made in support of sustainable service delivery, as illustrated by the following graphic:



A holistic understanding of the long-term costs of providing services and the infrastructure required is a critical element of asset management. Proactive asset management results in fewer service disruptions, more predictable results, and lower total lifecycle costs than a reactive approach to repair and replacement. Detailed information regarding a municipality's assets is needed to support decisions that are cost effective, manage risks, and support long-term service delivery.

Over the past three years, Belcarra staff have been compiling detailed inventories of the municipality's assets, and that phase of the project is almost complete. Now that the drainage system infrastructure has been mapped and the [drainage study](#) concluded, an inventory of the drainage system infrastructure will now be prepared.

The next phase of the project is to analyse the asset inventories and develop a 25-year financial plan that integrates the scheduling of asset renewal and replacement within a 25-year financial plan that incorporates estimates of the future costs. In keeping with past practice, Belcarra staff will be seeking grant funding to undertake this next phase of work. The availability of grants for asset management planning will determine the timeline for completion of this next phase of the project. Regardless, this iterative process of analysis and forecasting will be an integral part of Belcarra's annual budgeting and long-term financial planning.

Ralph Drew
Mayor

May 3, 2018



VILLAGE OF BELCARRA
2018 Annual Tax Rates
Bylaw No. 523, 2018



7.1

A bylaw to set Tax Rates for 2018

WHEREAS pursuant to the provisions of the Community Charter a municipality must, by bylaw adopt a financial plan, before the 15th of May in each year;

AND WHEREAS the Municipal Council caused to be prepared a Five-Year Financial Plan for the period 2018 – 2022 inclusive;

AND WHEREAS pursuant to the provisions of the Community Charter, a Council must, by bylaw, and before the 15th of May in each year, impose property value taxes for the year by establishing tax rates for:

- a) municipal funding for the Year 2018 of the Five-Year Financial Plan; and
- b) to meet taxing obligations for the Year 2018 in relation to the Greater Vancouver Regional District;

NOW THEREFORE, the Council of the Village of Belcarra enacts as follows:

1. This Bylaw may be cited for all purposes as “Village of Belcarra 2018 Annual Tax Rates Bylaw No. 523, 2018”.
2. Council does hereby impose and levy the rates for the Year 2018 for each property class appearing on Schedule “A”, attached to and forming part of this bylaw.
3. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

READ A FIRST TIME on April 23, 2018

READ A SECOND TIME on April 23, 2018

READ A THIRD TIME on April 23, 2018

ADOPTED by the Council on

Ralph E. Drew, Mayor

Lorna Dysart
Chief Administrative Officer

This is a certified a true copy of
2018 Annual Tax Rates Bylaw 523, 2018

Lorna Dysart, Chief Administrative Officer

SCHEDULE “A”

2018 Rates Established by Council
(Dollars of Tax/\$1000 assessed value)

Taxation Class	General Municipal Purposes	Regional District Purposes
Class 1 Residential	1.03450	0.21419
Class 2 Utilities	3.62075	0.74977
Class 6 Business/Other	2.53453	0.52477
Class 8 Recreational/Non-Profit	1.03450	0.21419

Child Find BC

BRITISH COLUMBIA

FILE NO. 0630-01

Serving British Columbia Since 1984
Provincial Toll Free: 1.888.689.3463 www.childfindbc.com

April 20, 2018

Victoria Office
2722 Fifth Street, 208
Victoria, BC V8T 4B2
~ (250) 382-7311
Fax (250) 382-0227
Email:
childvicbc@shaw.ca

"A charitable non-profit organization working with searching families and law enforcement to reduce the incidence of missing and exploited children."

*A Missing Child is
Everyone's
Responsibility*



Dear Mayor and Councilors,

Re: Proclamation for National Missing Children's Month and Missing Children's Day

I write today on behalf of Child Find British Columbia. Child Find BC requests that your local government proclaim May as Missing Children's Month and May 25th as missing Children's Day.

Child Find BC provides "ALL ABOUT ME" ID Kits with child finger printing and photos, to at no cost to families and Child Find BC hosts these Child Find ID Clinics throughout BC. Child Find BC provides education, including public speakers, literature and tips for families to assist them in keeping all of our children safe.

We hope that you will raise this proclamation for consideration to your Council and your community at your next meeting.

Most recent reporting from the RCMP (2017) show that 7,459 cases of missing children were reported in British Columbia. Through the support of municipal governments like yours we are able to educate and bring awareness to thousands of BC families on this important issue.

Thank you so much for your consideration of this request and your continuing commitment to Community Services in BC and the children and families of BC. If you have any questions regarding this request please contact the Child Find BC office at 1-888-689-3463.

Yours truly,

Crystal Dunahee
President, Child Find BC

If you or your organization would like to host an "All About Me" ID clinic, have an idea for an event in your community or would like literature and information on becoming a member and supporter of Child Find BC, please call us at 1-888-689-3463.

Subject: FW: District of Houston Letter of Support for a Human Trafficking Task force

Importance: High

File No. 0230-01

From: Cathy Peters

Sent: Sunday, April 29, 2018 11:01 AM

Subject: RE: District of Houston Letter of Support for a Human Trafficking Task force

Importance: High

Dear Houston City Council and BC City Councils,

Thank you to the District of Houston for writing this support letter and I ask that other City Councils please do the same thing.

Thank you to those who have done so already.

I received this email when I was presenting at the AKBLGA in the Kootenays at the invitation of Fernie mayor Mary Guiliano.

This past Thursday I met many MLA's in Victoria from every corner of the Province.
MLA Jane Thornthwaite spoke to this issue in the Legislature.

Please view the compelling video by aboriginal MLA Ellis B Ross from Skeena.

His message must get out Nation wide.

<https://www.facebook.com/ellisb.ross.9/videos/382022898943643/>

Since BC is the best place to traffick human beings (buy and sell them for sex), sex buyers act with impunity here and sex traffickers are scouring every corner of this Province for "product" for the sex industry (ages 9-14 years). **Vancouver is a port city and entry point into Canada and has become a global sex tourism destination.** The target is now our youth and children and anyone who is vulnerable (ie. aboriginal).

Please share with all of your contacts, frontline service providers, victim services, doctors, health care providers, teachers, leaders and your local MLA's and MP's.

We have a pandemic on our hands and we must stop it.

I hope to hear from more City Councils and mayors,

Most Sincerely and with deep appreciation,

Cathy Peters BC's anti-human trafficking educator, speaker and advocate

#302-150 W. 15th St., North Vancouver, BC V7M 0C4

From: Corporate Officer

Sent: April-19-18 5:02 PM

Subject: District of Houston Letter of Support for a Human Trafficking Task force

Greetings Honorable John Horgan and Honorable Mike Farnworth,

Please find attached a copy of the District of Houston Letter of Support for a Human Trafficking Task force.

If you have any questions about this submission please feel free to contact me directly.

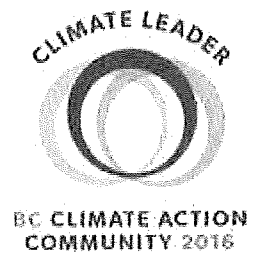
Sincerely,

Jessica Bagnall
Corporate Officer



District of Houston

Phone: 250-845-2238 | Fax: 250-845-3429
3367 12th Street | PO Box 370 | Houston, BC V0J 1Z0
corporate@houston.ca | www.houston.ca





OFFICE OF THE MAYOR

March 29, 2018

FILE NO. 0450-01

Honorable John Horgan
Premier of British Columbia
PO BOX 9041
STN PROV GOVT
Victoria, BC
V8W 9E1

Honorable Mike Farnworth
Minister of Public Safety and Solicitor
General
Room 128 Parliament Buildings
STN PROV GOVT
Victoria, BC
V8V 1X4

Dear Premier Horgan and Minister Farnworth,

RE: Human Trafficking Task Force

At the Regular Meeting on March 6th, 2018 the District of Houston received the attached email from Cathy Peters, BC's Anti-Human Trafficking Educator, Speaker, and Advocate, dated February 26th, 2018.

At that meeting Council passed the following resolution:

"That Council resolves to issue a letter to the Minister of Public Safety requesting the establishment of a Human Trafficking Task Force and the enforcement of the federal Protection of Communities and Exploited Persons Act."

Thank you for your attention to this matter.

Sincerely,

Shane Brien
Mayor

Attach: Email from Cathy Peters dated February 26th, 2018 Re: Child Sex Trafficking in BC Municipalities and How to Stop it.

cc: Cathy Peters, BC's Anti-Human Trafficking Educator, Speaker and Advocate
All UBCM member municipalities



April 13, 2018

File: 0400-20

Honourable Carole James
Minister of Finance
PO Box 9048 Stn Prov Govt
Victoria, BC V8W 9E2

FILE NO. 0450-01

FILE COPY

Re: Employer Health Tax

Dear Minister James:

District of Clearwater Council understands that implementing an Employer Health Tax is administratively more efficient and replaces a "regressive tax" for Medical Services Premiums (MSP) which are not tied to income. An example noted in a recent press release notes that "a person earning \$45,000 a year pays the same as a person earning \$250,000".

It is understood that the new tax will be phased in over the next couple of years. Using the example of how this will be calculated whereby employers with payroll over the \$500,000 threshold will pay double, will put undue hardship on the District. Based on the information provided for 2019 we will pay half the Medical Services Premiums, plus the new tax. Based on the District's 2018 payroll of \$1,490,351. it will cost approximately \$38,661.85 (2019 Payroll Tax plus 2019 premiums \$9,600) for 2019. This works out to approximately a 1.5 percent increase on property taxes. The District of Clearwater is a small municipality of just over 2,400, and has limited ability to generate revenues outside taxation.

We ask that you consider options for an easier transition to the implementation of the Employer Health Tax. Thank you for your time and consideration to this matter of urgent concern to all B.C. municipalities.

Sincerely,

John Harwood
Mayor

cc: UBCM Municipalities

DISTRICT OF CLEARWATER
P 250.674.2257
F 250.674.2173
E admin@docbc.ca
PO Box No. 157
209 Dutch Lake Road
Clearwater BC V0E 1N0
districtofclearwater.com



file no. 0450-01



April 20, 2018

Lorna Dysart
Chief Administrative Officer
Village of Belcarra
4084 Bedwell Bay Road
Belcarra, BC V3H 4P8

Dear Ms. Dysart:

**Re: Village of Anmore Official Community Plan Amendment Bylaw
No. 576-2018**

The Village of Anmore is considering amending its Official Community Plan (OCP) to allow for infill development on some of the existing developed parcels in the Village. The OCP amendment establishes criteria for the parcels that would be eligible, and allows for an increase in density for eligible lots to 2.04 parcels/acre. The Village estimates that there are approximately 80 properties that would meet the proposed criteria.

The Municipal Council, at its meeting held on April 17, 2018, passed the following resolution to give first reading to the OCP Amendment Bylaw with request that it be distributed to your organization for comments. To provide context, the staff report with accompanying proposed bylaw and draft infill development policy is attached.

"THAT VILLAGE OF ANMORE OFFICIAL COMMUNITY AMENDMENT BYLAW NO. 576-2018 BE READ A FIRST TIME; AND THAT A COPY OF THE BYLAW BE PROVIDED TO NEIGHBOURING MUNICIPALITIES AND TO THE SCHOOL DISTRICT FOR COMMENTS."

You are requested to direct your comments and questions regarding the proposed Village of Anmore Official Community Plan Amendment Bylaw No. 576-2018 to the Village by May 14, 2018.

Should you have preliminary questions or require clarification, please do not hesitate to contact Jason Smith, Manager of Development Services, at 604-469-9877 or jason.smith@anmore.com.

.../2

Sincerely,

A handwritten signature in cursive script that reads "C. Baird".

Christine Baird
Manager of Corporate Services
T 604-469-9877
christine.baird@anmore.com

Attachment: Report to Council dated April 13, 2018

Cc: Jason Smith, Manager of Development Services



VILLAGE OF ANMORE

REPORT TO COUNCIL

Date: April 13, 2018

Submitted by: Jason Smith, Manager of Development Services

Subject: Infill Development – OCP Amendment 1st Reading

Purpose / Introduction

The purpose of this report is to provide Council the opportunity to give first reading to an Official Community Plan amendment bylaw that would enable infill development and to address some of the issues raised at the public information meeting held on April 5, 2018.

Recommended Option

That Village of Anmore Official Community Amendment Bylaw No. 576-2018 be read a first time; And That a copy of the bylaw be provided to neighbouring local governments and to School District No. 43 for comments.

Background

Infill development has considerable history with this Council and the Village has been actively considering this issue for two years. Most recently Council, at its March 6, 2018 Regular Council meeting, was presented with a draft Official Community Plan (OCP) amendment and accompanying Infill Development Policy. At that meeting, Council directed staff to hold a public information meeting and then return to Council with an OCP amendment bylaw for consideration of first reading. The public information meeting on infill development was held on April 5, 2018.

Discussion

If infill development is to be enabled it will need an amendment to the Village's OCP through an amendment bylaw (**Attachment 1**) and staff are recommending that Council also adopt an Infill Development Policy (**Attachment 2**) further outlining community expectations.

OCP Amendment

Staff have prepared a draft OCP amendment and it outlines the intent of infill development, defines the criteria for which parcels will be considered for infill development and increases the permitted density to allow further development of infill parcels at sizes less than 1 acre.

Report/Recommendation to Council

Infill Development – OCP Amendment 1st Reading

April 13, 2018

Policy Intent

The intent of infill development is to allow the creation of new residences that maintain and enhance the semi-rural nature of Anmore that is serviced by the existing infrastructure. The policy reflects much of the effort and recommendations from the Mayor's Task Force on Land Use ("Task Force").

Criteria for Eligibility

Staff have included a series of criteria for parcels to be eligible for infill development. These criteria are based on the Task Force's recommendations and valuable input from the Advisory Planning Commission ("APC").

The proposed criteria for eligible parcels are as follows:

1. Not have been created through a previous comprehensive development plan.
The intent is that parcels eligible for infill development will not be ones that were created through a previous comprehensive development plan.
2. Be between 3925 m² and 8094 m² in area.
The range was based on the minimum size of parcel that could create a second lot based on the proposed density increase and the maximum parcel size that cannot currently subdivide under existing zoning regulation. The rationale for setting the maximum parcel size is that for larger parcels, development proposals would be best considered under the comprehensive development policies of the OCP.
3. Have an average slope, as determined by a registered surveyor, equal to or less than 20%.
Developing on steep slopes is a challenging endeavour and that challenge is heightened on smaller parcels sizes. To avoid those challenges, infill development should be limited to parcels that are more level. Having a surveyor conduct this work is the most accurate means for determining average slope.
4. Can identify a building site(s) that are equal to or less than 20% slope.
This criteria builds off of the rationale of the previous one and requires a more level building site.

Report/Recommendation to Council

Infill Development – OCP Amendment 1st Reading

April 13, 2018

5. Not require the extension or expansion of any Village road or water infrastructure.
To ensure and improve the financial sustainability of the Village, no expansion of public infrastructure will be permitted for infill development.
6. Have at least 50 meters of frontage on a public highway.
The 50m requirement is intended to ensure the semi-rural character is preserved and that there is adequate spacing between homes, as well as to prevent long driveways and foster tree retention.
7. Have been in existence for a least 10 years.
This requirement is included to discourage larger parcels that would not otherwise be eligible for infill development from subdividing off a parcel and then applying for infill development. This would encourage larger parcel owners to pursue a comprehensive development plan should they want to redevelop their property beyond current development rights.

Density Increase

The OCP amendment proposes that the permitted gross density for infill development proposals be increased to 2.04 parcels per acre. The intent of this increase is to permit half acre parcels to be included as part of an infill development proposal. The number is slightly higher than 2 parcels per acre to account for historical surveying errors in Anmore and to allow for the Village to widen road right of ways to a uniform 20 m throughout the Village.

Staff have conducted an analysis given the proposed criteria and density increases. This analysis shows that there is approximately 80 parcels that would be eligible and staff believe that there may be 35 to 40 parcels that could proceed with infill development, if permitted as proposed, without having to demolish a relatively new existing home or overcoming environmental constraints. As was concluded in the original February 2017 staff report on the potential impacts of infill development, this increase in density would not have a significant impact on the projected growth scenarios in the current OCP.

Infill Development Policy

Staff have recommended that the proposed OCP amendment for infill development also be accompanied by a standalone policy. The purpose of this policy is to outline more specific expectations for infill development proposals – giving both potential applicants and the community greater certainty as to what might be an acceptable infill development proposal. A

Report/Recommendation to Council

Infill Development – OCP Amendment 1st Reading

April 13, 2018

standalone policy is also more easily amended should Council's or the community's expectations change. It should be noted that this policy is not binding on Council and meeting all of the policy does not guarantee an approval for the infill development proposal.

The policy addresses the following items:

1. Parcel Sizes

The maximum density is established in the OCP but the policy is proposing that there be a range of parcel sizes permitted, as small as 1/3 of an acre, to ensure optimal community benefits.

2. Road Frontage

It is proposed that parcels created through infill development have at least a 25 m road frontage in order to protect the semi-rural character.

3. Setbacks and Parcel Coverage

New parcels will have the same setback and parcel coverage requirement as the existing RS-1 zone.

4. House Sizes

The policy addresses how to maintain the semi-rural character and appropriate house sizes when there is an existing home that will be maintained.

5. Community Amenity Contributions

An outline of the key amenities that the community is expecting from infill development is provided and a CAC target is established based on the analysis provided by GP Rollo and Associates and endorsed by Council. The intent of CAC is to ensure that the community as a whole benefits, in addition to the land owner, through the Village permitting increased development.

6. Tree Retention

Enhanced tree retention beyond the requirements of the current regulations is encouraged.

Report/Recommendation to Council

Infill Development – OCP Amendment 1st Reading

April 13, 2018

7. Infrastructure

Further articulation of the importance of financial sustainability for the Village and that no new public infrastructure will be supported for infill development.

April 5, 2018 Public meeting

Staff held a public information meeting on the draft OCP amendment and Infill Development Policy. It was attended by approximately 60 people on the evening of April 5, 2018. There were many questions and comments made.

Some of the key issues raised at the meeting were:

1. The proposed Community Amenity Contribution (CAC) Target

There continued to be questions about how the CAC target was arrived at and concern that it was too high. The CAC target has been the subject of much discussion and its own public meeting, staff continue to recommend that Council follow the recommendation of the land economist hired to analyze the value that would be created through an infill development proposal.

2. The size of properties eligible for Infill Development

There was some questions about the size of properties that would be eligible for infill development. The size of properties that would be eligible for infill development was established through the recommendations of the Task Force and are predicated on not having a density much higher than 2 units/acre and encouraging larger lots (lots greater than 2 acres) to pursue either subdivision under the existing zoning or a comprehensive development rezoning process that is more appropriate for larger parcels.

3. The length of time parcel must exist

There was some questioning of the requirement that a parcel be in existence for 10 years prior to being eligible for infill development. This requirement was inserted to discourage larger properties subdividing into smaller parcels that would be eligible for rezoning under infill development and then pursuing infill development to create more parcels. This is being discouraged as it is staff's view that the Village's interests would best be realized through considering larger parcels as part of a comprehensive development process and not piece meal.

Report/Recommendation to Council

Infill Development – OCP Amendment 1st Reading

April 13, 2018

Next Steps

The next steps, should Council choose to give 1st reading to the OCP amendment bylaw, would be to consider who should formally be consulted, beyond the public and residents of Anmore, on the proposed OCP amendment. Staff recommend that the bylaw be forwarded to all neighbouring local governments and School District No. 43 for comment. Staff have prepared the necessary correspondence and will be in a position to send the draft bylaw out promptly if 1st reading is given.

The intent would be to give these groups four weeks to provide comments and provide Council with any comments received at their May 15, 2018 regular Council meeting. At that time, staff will also present Council with the opportunity to read the OCP amendment bylaw a 2nd time and set a date for the public hearing sometime in early June. The intent would be for Council to potentially consider adoption at the June 19, 2018 Regular Council meeting.

Other Options

The following options are provided for Council's consideration:

1. That Village of Anmore Official Community Amendment Bylaw No. 576-2018 be read a first time; And That a copy of the bylaw be provided to neighbouring local governments and to School District No. 43 for comments.; [Recommended]

Or

2. That Council advise staff of any changes that they would like to see made to the Official Community Plan Bylaw amendment and/or Infill Development Policy.

Or

3. That Council advise staff that it does not wish to proceed with consideration of infill development.

Financial Implications

There are no financial implications for any of the options presented.

Attachments:

1. Village of Anmore Official Community Plan Amendment Bylaw No. 576-2018
2. Infill Development Policy (draft)

Report/Recommendation to Council

Infill Development – OCP Amendment 1st Reading

April 13, 2018

Prepared by:

C. Band

ph Jason Smith

Manager of Development Services

Reviewed for Form and Content / Approved for Submission to Council:

Chief Administrative Officer's Comment/Concurrence

[Signature]

Chief Administrative Officer

VILLAGE OF ANMORE

BYLAW NO. 576-2018

A bylaw to amend the Official Community Plan

WHEREAS the *Local Government Act* authorizes a municipality to amend its community plan from time to time;

AND WHEREAS the Municipal Council of the Village has determined that it would be in the best interest of the Village to provide provision for infill development;

NOW THEREFORE the Municipal Council of the Village of Anmore, in open meeting assembled, enacts as follows:

- 1) That this bylaw may be cited for all purposes as "Village of Anmore Official Community Plan Amendment Bylaw No. 576-2018".
- 2) That Village of Anmore Official Community Plan Bylaw No. 532, 2014 be amended by inserting the following text after Policy RLU-15:

"Policy RLU-16

The Village supports infill development and subsequent creation of new residences that maintain the existing semi-rural nature of Anmore. Infill development is the creation of new parcels within the existing developed area of the Village of Anmore that are serviced by existing infrastructure. The intent of infill development is that it will enhance and not take away from the look and feel of the neighbourhood – it is expected that any new infill homes will blend into the existing neighbourhood, minimize the disturbance to natural environment and will adhere to the same setbacks as the existing neighbourhood. Infill development should be guided by an Infill Development Policy that outlines the specific requirements that the community expects from infill development to ensure that it meets the intent of this policy.

The maximum density allowed for infill development is 2.04 parcels per acre.

Parcels that are eligible for consideration under this policy must:

1. Not have been created through a previous comprehensive development plan;
2. Be between 3925 m² and 8094 m² in area;
3. Have an average slope, as determined by a registered surveyor, equal to or less than 20%;
4. Be able to identify a building site(s) that are equal to or less than 20% slope;
5. Not require the extension or expansion of any Village road or water infrastructure;

6. Have at least 50 m of frontage on a public highway; and
7. Have been in existence for a least 10 years."

READ a first time the day of, 2018

READ a second time the day of, 2018

PUBLIC HEARING HELD the day of, 2018

READ a third time the day of, 2018

ADOPTED the day of, 2018

MAYOR

MANAGER OF CORPORATE SERVICES

Certified to be a true and correct copy of the "Village of Anmore Official Community Plan Amendment Bylaw No. 576-2018" adopted by the Municipal Council of the Village of Anmore the [DATE] day of [MONTH, YEAR].

Manager of Corporate Services

Infill Development Policy

Infill development is the creation of new parcels and homes within the already developed area of Anmore. To ensure that this new development maintains and enhances the semi-rural character of the Village the Infill Development Policy has been developed. The policy is intended to provide guidelines and to articulate the community's expectations as to how infill development should take shape. It should be noted that the policy is a framework for determining possible public benefits related to development and does not limit Council's ability to reject or approve such applications.

1. Parcel Sizes

- The maximum density that is permitted in the Official Community Plan (OCP) for infill development is 2.04 parcels per acre. The expectation is that most new parcels created through infill development will be approximately ½ acre in size. Parcels as small as 1/3 of an acre will be considered in compelling circumstances such as to enhance tree preservation, the provision of public trails or other community benefit.

2. Road Frontage

- To maintain the semi-rural character and to maintain green space between homes, all parcels created through infill development must have a 25 m frontage on a public highway.

3. Setbacks and parcel coverage

- To maintain the Village of Anmore's semi-rural character and to ensure that new development is consistent with the existing development in the neighbourhood, the RS-1 setbacks and parcel coverage requirements must be maintained for all parcels.

4. House sizes

- House size shall be associated to parcel size and homes built on an acre can be twice the size of a half-acre. If an existing principal dwelling and accessory buildings are to be maintained on one of the new parcels, the floor area that is in excess of the requirements for the new parcel containing the existing structures should be subtracted from the permitted floor area on the newly created parcel(s) that do not contain existing structures to help ensure that the semi-rural character is maintained and that the landscape not be dominated by large buildings that are not in keeping with the parcel size. The restriction on floor area for the newly created parcel should be covenanted and kept in place for 10 years. After 10 years then the current zoning restrictions would come into full effect (currently 25% of parcel size). If more than two parcels are being created through infill development and there is a circumstance where existing buildings

are being maintained on one of the parcels the floor area restriction should be divided equally amongst the new parcels.

5. Community Amenity Contributions

- To ensure that infill development enhances the larger community, amenities will be expected, the following amenities are seen as particularly desirable for the community:
 - o Trails – provision of trails, dedicated as part of a public right of way, will be considered to enhance connectivity throughout the Village;
 - o Riparian Areas – Protection of the natural environment is an important value for the Village and preserving riparian areas in public ownership is an important component of protecting this valuable resource; and/or
 - o New Community Space/Municipal Hall – The Village needs a community gathering space and a new municipal hall. This is a costly project for a Village with limited financial means.

To realize these amenities a community amenity contribution target of \$150,000.00 has been established based on an analysis provided by G.P. Rollo and Associates. A combination of land and financial contribution will be considered where feasible and it is in the community's interest.

6. Tree Retention

- Trees and green space are an important component of the semi-rural character of the Village. Infill development proposals should pursue tree retention and protection plans that exceed to current 20% retention requirement in the Tree Cutting Bylaw for both parcels. Trees along the road frontage and between homes are particularly important in maintain the semi-rural character.

7. Infrastructure

- Financial sustainability is imperative for the Village, therefore any proposed infill development must not require the expansion of public infrastructure, in particular new roads and water lines.

March 15th, 2018

FILE NO. 0460-01

Dear Sponsor,

We are the Odyssey of the Mind team from **Port Moody Secondary School** and we are going to represent British Columbia and Canada in this year's Odyssey of the Mind World Finals competition to be held at Iowa State University on May 23th to May 27th, 2018.

Over the next few month, our team will be fundraising and looking for corporate sponsorship to assist with the travel expenses to attend Odyssey World Finals at **Iowa State University**. If you are interested in making a donation to assist our team, we have attached a Sponsorship Request Form. In appreciation of your generous support, we will recognize your business on our team uniform and in our school newsletter if requested¹.

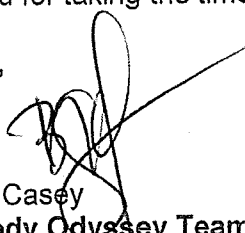
Odyssey of the Mind is a school-based, international program that promotes creative problem solving for students from kindergarten through college. Under the guidance of a coach, teams of five to seven students learn creative thinking and problem solving skills while finding innovative solutions to a variety of technical and performance problems.

Our team consist of very experienced members who are among the best in the province. This year, our team is working very hard and has confidence that we will place very well in competitions at World Finals.

To make a tax-deductible donation² please make checks to Creative Problem Solving Society (CPSS). If there are any questions, please contact our sponsor teacher, Veronika Casey at (604) 939-6655 or via email at vcasey@sd43.bc.ca.

Thank you for taking the time to review this request and please call if you have any questions.

Sincerely,



Veronika Casey
Port Moody Odyssey Teams
Coach & School Coordinator

¹A company or individual that makes a donation of value \$75 or more will be recognized In our school newsletter while a donation valued at \$300 or more will be recognized on our team T-shirt which we will be wearing to around the community and to World Finals.

²Tax receipts can only be made on donations above \$25

The City of North Vancouver
OFFICE OF MAYOR DARRELL MUSSATTO



May 3, 2018

Jonathan Wilkinson
MP North Vancouver
102 W 3 Street
North Vancouver, BC V7M 1E8

FILE NO. 0450-01

Dear Mr. Wilkinson:

Trans Mountain Pipeline Expansion Project

At its Regular Meeting of April 23, 2018, City of North Vancouver Council unanimously approved the following resolution:

WHEREAS the Trans Mountain Pipeline Expansion Project and the related seven-fold increase in tanker traffic in the Burrard Inlet will increase the risks to neighbouring municipalities of spills of diluted bitumen;

WHEREAS municipalities will bear the costs of damages in excess of that covered by the Federal Spill Response Program;

AND WHEREAS thousands of current jobs and millions of dollars of economic activity on the waterfront will be put at risk by these threats;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver support British Columbia's efforts to obtain clarity from the Supreme Court of Canada about the rights and jurisdiction to protect our waterfront and who will bear full responsibility for the costs of clean-up and related damages in the event of any spill;

AND THAT a copy of this resolution be forwarded to Metro Vancouver municipalities and local MLA's and MP's.

Council expressed its support as to the importance of efforts to ensure the protection of our valuable waterways and coastlines.

Yours sincerely,

Darrell Mussatto
Mayor

cc: Karla Graham, City Clerk, City of North Vancouver
Metro Vancouver municipalities