VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
May 20, 2025 - 7:00 PM
COUNCIL CHAMBERS

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

1. **Call to Order**
2. **Public Input (Maximum of 2 minutes per speaker, 15 minutes total)**

   Mayor: "Public input is for the purpose of permitting people in the gallery to provide feedback and shall be no longer than 15 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the agenda of the meeting. Each speaker may not speak for longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record, please state your name and address."
3. **Introduction of Late Items**
4. **Approval of Agenda**

   Recommended Resolution:

   THAT the agenda for the Regular Meeting of Council for **May 20, 2025**, be approved [as presented **or** as amended].
5. **Minutes of Previous Meetings**

   Recommended Resolutions:

   a) THAT the minutes from the Special Council Meeting held on **April 17, 2025**, be adopted [as presented **or** as amended].

   b) THAT the minutes from the Regular Council Meeting held on **May 6, 2025**, be adopted [as presented **or** as amended].

   c) THAT the minutes from the Special Council Meeting held on **May 6, 2025**, be adopted [as presented **or** as amended].

   d) THAT the minutes from the Special Council Meeting held on **April 23, 2024**, be adopted [as presented **or** as amended].

   e) THAT the minutes from the Special Council Meeting held on **April 25, 2024**, be adopted [as presented **or** as amended].

6. **Petitions and Delegations – None**
7. **Correspondence**
    a) **City of Enderby – Economic Stabilization (Tariff Response) Act**

    Recommended Resolutions:

    THAT Council receives this correspondence for information.

    b) **AVICC Advocacy Survey – Deadline May 31, 2025**

    Recommended Resolutions:

    THAT Council receives this correspondence for information.

    c) **Guide to Local Government Housing Framework**

    Recommended Resolutions:

    THAT Council receives this correspondence for information.

8. **Council Reports - None**
9. **Reports of Committees - None**
10. **Mayor's Report**

    Recommended Resolutions:

    THAT Council receives the Mayor's report for information.

11. **Unfinished Business**
    a) **Update – Grant Application to Canada Summer Jobs**
    Recommended Resolutions:

    THAT Council receives this report for information.

    b) **Update – Grant Application to TD's Friends of the Environment Foundation**
    Recommended Resolutions:

    THAT Council receives this report for information.

12. **Staff Reports**
13. **Emergency Services/Public Works/Recreation Department Reports - None**
14. **Bylaws - none**
15. **New Business**
    a) **291 MacMillan Drive**

    Recommended Resolutions:

THAT Council, pursuant to the authority provided in Section 74 of the Community Charter and after viewing the 291 MacMillan Dr council package, DECLARES the property at 291 MacMillan Dr having a legal description of: LOT 5 BLOCK M PLAN VIP21662 DSTLOT 305 LNDDST (Parcel Identifier: 003-428-141) as a nuisance that requires remedial action;

THAT Council IMPOSES the following remedial action requirement on the registered property owner at 291 MacMillan Dr with respect to the property described above in Recommendation 1 to remove all items from the land including:

i. Unpermitted 2006 Keystone Cougar RV and site built porch

ii. rubbish; trash; garbage; litter; debris; rubble; demolition waste; discarded or disused objects, materials or items; junk; filth; discarded or disused objects, materials, or items; unused or dismantled aircraft, electronic devices, or machinery; old, discarded or unused mechanical or metal parts; glass or plastic bottles or objects; tin cans or other metal container; paper; glass; pipes; dilapidated furniture; inoperative appliances or other similar things; unused wood or wood products and any other chattel;

In order to eliminate the declared nuisance.

Compliance and Reconsideration Notice Time Limit Recommendations
THAT Council, pursuant to Section 76 of the Community Charter, SETS THE TIME LIMIT for completion of all the remedial action requirements described in Recommendation 2, to be no later than 5:00 p.m. on July 31, 2025, which is greater than the 30 days required.

THAT Council, pursuant to Section 78 of the Community Charter, SETS THE TIME LIMIT for giving notice of a request for Council to reconsider the remedial action requirements described in Recommendation 2, to be no later than 5:00 p.m. on Friday, June 6 2024 which is greater than the 14 days required.

Municipal Action at Defaulters Expense

THAT Council AUTHORIZES Administration to take all appropriate action in accordance with Section 17 [Municipal Action at Defaulter's Expense] of the Community Charter, to ensure the subject property is brought into compliance with all the remedial action requirements described in Recommendation 2, including the Village of Sayward, or authorized agents, to go onto the subject property to complete the remediation, provided that:

i. the property owner has not fully completed the remedial action requirements on or before the time limit specified in this Council resolution; and

all costs incurred by the *Village of Sayward* to bring the property into compliance shall be at the expense of the property owner and, pursuant to Section 17 of the Community Charter, and such costs shall be recovered from the property owner as a debt owed to the *Village of Sayward.*

16. Public Question Period (maximum 15 minutes)

Mayor: "The purpose of the public question period is to enable citizens to ask questions of Council about issues that are important to the citizen asking the question. Speakers are asked to limit their questions to one each and, if time permits after everyone has had an opportunity to ask questions, speakers may ask a second question. Citizens will be asked to state their name and address."

17. In Camera

Recommended Resolution:

THAT in accordance with Section 92 of the *Community Charter,* this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with the following sections of the *Community Charter*:

1. 90(1)(c) labour relations or other employee relations.
2. 90(1)(d) security of the property of the municipality.
3. 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
4. 90(1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act.*
5. 90(2)(c) a matter that is being investigated under the Ombudsperson Act of which the municipality has been notified under section 14 (*Ombudsperson to notify authority*) of that Act.

18. Adjournment

VILLAGE OF SAYWARD
SPECIAL COUNCIL MEETING MINUTES
April 17, 2025
COUNCIL CHAMBERS

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Debbie Coates
Councillor Jason Johnson (via Teams)
Councillor Sue Poulsen (via Teams)

In Attendance: John Thomas, Acting CAO/Corporate Officer
Lisa Clark, Chief Financial Officer

1. **Call to Order**
2. **Public Input**
   a) Irene Callaghan of 230 Kelsey Way gave a survey to CAO Thomas and advised the due date is incorrect.

   CAO Thomas advised that there are two surveys. The Financial Plan survey is now closed as the deadline was April 11. The Kelsey Centre survey deadline is one month from when the survey was made available.
3. **Introduction of Late Items - None**
4. **Approval of Agenda**

   MOTION S25/3
   MOVED AND SECONDED
   THAT the agenda for the Special Council Meeting held on April 17, 2025, be approved.
   CARRIED
5. **Minutes of Previous Meetings - None**
6. **Petitions and Delegations**
   a. **Sayward Community Food Program – Susan Poulsen and Sheri Braun**

MOTION S25/4
MOVED AND SECONDED
THAT a grant in aid is approved for the use of the Multi-Purpose Room and the Kelsey Centre Gym once per month for a six month term; and,
THAT up to $500.00 is given in grant in aid towards electrical for the Kelsey Centre; and,
THAT the monthly power usage be provided in-kind for a 6 month term.

CARRIED

7. **Correspondence - None**
8. **Council Reports - None**
9. **Reports of Committees - None**
10. **Mayor's Report - None**
11. **Unfinished Business**
12. **Staff Reports - None**
13. **Emergency Services/Public Works/Recreation Department Reports - None**
14. **Bylaws**

    a. **2025-2029 Financial Plan Bylaw, No. 514, 2025**

    MOTION S25/5
    MOVED AND SECONDED
    THAT the Five-Year Financial Plan Bylaw, Bylaw No. 514, 2025 be adopted.

    CARRIED

    b. **Fees and Charges Amendment Bylaw, Bylaw No. 515**

    MOTION S25/6
    MOVED AND SECONDED
    THAT the Fees and Charges Amendment Bylaw, Bylaw No. 515 be adopted.

    CARRIED

    c. **Tax Rate Bylaw, Bylaw No. 516**

    MOTION S25/7
    MOVED AND SECONDED
    THAT the Tax Rate Bylaw, Bylaw No. 516, 2025 be adopted.

    CARRIED

15. **New Business - None**
16. **Public Question Period - None**
17. **In Camera – None**

18. Adjournment

MOTION S25/8
MOVED AND SECONDED
THAT the Special Council Meeting held on April 17, 2025, be adjourned.

CARRIED

The meeting adjourned at 1:50pm.

_____ _____

Mayor **Corporate Officer**

VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING MINUTES
May 6, 2025
COUNCIL CHAMBERS

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Debbie Coates
Councillor Jason Johnson
Councillor Sue Poulsen

In Attendance: John Thomas, Acting CAO/Corporate Officer
Lisa Clark, Chief Financial Officer
Jennifer Redshaw, Office Administrator

1. Call to Order

The meeting was called to order at 7:00pm.

2. Public Input

a) Irene Callaghan of 230 Kelsey Way stated that she wrote a letter to Council in February and has not received a written response.

CAO Thomas read the letter Ms Callaghan sent and explained that the content is all operational and that is why it did not come before council. Some of the requested data is more than 7 years old and may be difficult to determine. The top priority is scheduling the sewer work this summer which public works has been directed to do. Ms Callaghan acknowledged and agreed the priority was to get the work of flushing the sewer done first.

3. Introduction of Late Items

a) CAO Thomas requested that an additional In-Camera item be added to the agenda as 17.3 in accordance to the Community Charter Section 90(1)(c) labour relations or other employee relations.

4. Approval of Agenda

MOTION R25/153
MOVED AND SECONDED
THAT the agenda for the Regular Meeting of Council for **May 6, 2025**, be approved as amended.

CARRIED

5. Minutes of Previous Meetings

MOTION R25/154
MOVED AND SECONDED
THAT the minutes from the Regular Council Meeting held on **April 15, 2025**, be adopted as presented.

CARRIED

MOTION R25/155
MOVED AND SECONDED
THAT the minutes from the Special Council Meeting held on **April 9, 2024**, be adopted as presented.

CARRIED

MOTION R25/156
MOVED AND SECONDED
THAT the minutes from the Regular Council Meeting held on **March 5, 2024,** be adopted as presented.

CARRIED

MOTION R25/157
MOVED AND SECONDED
THAT the minutes from the Special Council Meeting held on **April 4, 2024**, be deferred until the next meeting.

Opposed Mayor Baker, Cllr Coates, Cllr Johnson **DEFEATED**

MOTION R25/158
MOVED AND SECONDED
THAT the minutes from the Special Council Meeting held on **April 4, 2024**, be adopted as presented.

Opposed Cllr Burchett, Cllr Poulsen **CARRIED**

6. Petitions and Delegations

a) Draft Audited Financial Statements – CNB – Gaby Martin and Travis Sapala

MOTION R25/159
MOVED AND SECONDED
THAT Council receives the 2024 Audited Financial Statements for information and discussion.

CARRIED

MOTION R25/160
MOVED AND SECONDED
THAT Council approves the 2024 Audited Financial Statements as presented.

CARRIED

MOTION R25/161
MOVED AND SECONDED
THAT Council approves the reappointment of Chan Nowosad Boates as the Auditor of record for the 2025 financial audit year, should they accept the invitation.

CARRIED

b) Mural Proposal Update – Sarah Levin, Member of the Community

MOTION R25/162
MOVED AND SECONDED
THAT Council approve the Kelsey Centre mural.

CARRIED

7. Correspondence

a) AVICC AGM Presentations and Videos

MOTION R25/163
MOVED AND SECONDED
THAT Council receives this correspondence for information.

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report - None

11. Unfinished Business

a) Housing Needs Assessment Project Plan Update

MOTION R25/164
MOVED AND SECONDED
THAT Council receives this report for information.

CARRIED

12. Staff Reports

a) 2024 SOFI Report

MOTION R25/165
MOVED AND SECONDED
THAT the Statement of Financial Information 2024 Staff Report be received for information and discussion; and,

THAT Council approves the 2024 Statement of Financial Information report.

CARRIED

b) Finance Variance Report

MOTION R25/166
MOVED AND SECONDED
THAT Council receives the Budget Variance Report from January 1 to April 30, 2025 staff report for information and discussion.

CARRIED

Direction to staff to break out all departments and administration on the next Budget Variance Report.

c) Meeting Management Software – Future Budget

MOTION R25/167
MOVED AND SECONDED
WHEREAS the Village of Sayward currently completes all Council meeting preparation, agenda packaging, minutes recording, and resolution/bylaw tracking manually, which is time-consuming and inefficient;

AND WHEREAS meeting management software can streamline administrative processes, improve coordination, support legislative tracking, enhance public access to Council information, and allow staff to focus on higher-value work;

NOW THEREFORE BE IT RESOLVED THAT Council direct the Acting Chief Administrative Officer to research appropriate meeting management software options and report back to Council with recommendations and potential cost implications for consideration during the 2026 operating budget discussions.

CARRIED

d) Facilities Rental Inquiry Process Reimagined

MOTION R25/168
MOVED AND SECONDED
THAT Council receives this report for information.

CARRIED

13. Emergency Services/Public Works/Recreation Department Reports - None

14. Bylaws - None

15. New Business - None

16. Public Question Period

a) Irene Callaghan of 230 Kelsey Way requested that something be done about the ongoing concern about dust from the log sort as it is very bad for our health. Ms Callaghan suggested the village get in touch with Gold River about the liquid used there that keeps the dust down.

Cllr Coates added that the dust generated from M-Branch also generates a lot of dust.

Cllr Johnson mentioned that alternative water solutions for the log sort should be looked at again.

CAO Thomas explained that complaints like this start at the front desk by submitting a complaint ensuring it can be properly documented so that it can be acted on.

b) Art Bowbrick of 77 Kelsey Lane inquired about fire protection this summer when the water reservoir tank gets low and if there are any plans to put in a second reservoir.

Mayor Baker advised they are looking for grants to install a second reservoir.

CAO Thomas advised that the issue of fire response readiness will be a concern for the village for the next few years. Drought levels are out of the village's control, and we will manage our current system as best we can. A project like this can take 5-10 years to plan, construct, commission and use safely.

c) Sheri Braun of 713 Ruby Road suggested removing timber from behind the village to create a fire break, minimizing risk of wildfires destroying the village's emergency equipment storage. Ms Braun suggested including this work in a fire protection grant.

CAO Thomas advised the forested area surrounding the community is managed forest and may be logged or developed as the owners see fit. Applying for FireSmart grants is ongoing and should be a top priority for council and the administration as well as filling the vacant Emergency Program Coordinator position.

17. In Camera

MOTION R25/169
MOVED AND SECONDED
THAT in accordance with Section 92 of the *Community Charter,* this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with the following sections of the *Community Charter*:

1. 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
2. 90(1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act.*
3. 90(2)(c) a matter that is being investigated under the Ombudsperson Act of which the municipality has been notified under section 14 (*Ombudsperson to notify authority*) of that Act.
4. 90(1)(c) labour relations or other employee relations.

CARRIED

18. Adjournment

The meeting adjourned at 10:30pm.

_____ _____

Mayor **Corporate Officer**

VILLAGE OF SAYWARD
SPECIAL COUNCIL MEETING MINUTES
May 6, 2025
COUNCIL CHAMBERS

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Debbie Coates
Councillor Jason Johnson
Councillor Sue Poulsen

In Attendance: John Thomas, Acting CAO/Corporate Officer
Lisa Clark, Chief Financial Officer

1. **Call to Order**

   The meeting was called to order at 6:00pm.

2. **Public Input - None**

3. **Introduction of Late Items - None**

4. **Approval of Agenda**

   Agenda item 6.a) was identified as an error so was removed from the agenda.

   MOTION S25/9
   MOVED AND SECONDED
   THAT the agenda for the Special Council Meeting held on May 6, 2025, be approved as amended.

5. **Minutes of Previous Meetings - None**

6. **Petitions and Delegations - None**

7. **Correspondence - None**

8. **Council Reports - None**

9. **Reports of Committees - None**

10. **Mayor's Report - None**

11. **Unfinished Business - None**

12. **Staff Reports - None**

13. Emergency Services/Public Works/Recreation Department Reports - None

14. Bylaws - None

15. New Business - None

16. Public Question Period - None

17. In Camera

MOTION S25/10
MOVED AND SECONDED
THAT in accordance with section 92 of the *Community Charter,* this Council meeting be closed to the public at this time in order that Council may give consideration to matters in accordance with the following sections of the *Community Charter:*

- Section 90(1)(d) the security of the property of the municipality.

CARRIED

18. Adjournment

The meeting adjourned at 6:53pm.

VILLAGE OF SAYWARD
SPECIAL COUNCIL MEETING MINUTES
APRIL 23, 2024
COUNCIL CHAMBERS

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Sue Poulsen
Councillor Tom Tinsley

In Attendance: Keir Gervais, CAO/Corporate Officer
Janice Aver, Acting CFO

1. Call to Order

The meeting was called to order at 7:00pm.

2. Public Input

a) Mark Agnew of 754 Sayward Road asked about the letter of engagement sent from Chan Nowosad Boates addressed to all those responsible for governance. Mr. Agnew said since the CAO is not responsible for governance it should go to Council.

Mayor Baker advised that all Council received a copy of the letter at tonight's meeting.

b) Lorna Agnew of 754 Sayward Road asked when Council will organize a meeting for rezoning their property at no charge as indicated in a meeting held March 6, 2024 with Mayor Baker and CAO Gervais.

CAO Gervais indicated that the noted request has been addressed previously, and that staff have corresponded with Mr. and Mrs. Agnew with the next steps for how they can rezone and subdivide their property with an applicable fee schedule.

Cllr Tinsley indicated that this matter has been addressed previously and that change of zoning requires a full application and requested that these presentations to council be ended if possible.

Cllr Burchett asked Mrs. Agnew to provide the witness statement of the previous meeting to Council for their consideration.

c) Milena Gradisar of 261 Ambleside Drive asked Council why the letter from the auditors was only provided to Council today. Ms Gradisar stated that taxpayers pay Council salaries, and she is questioning all the extra meetings and everything that is happening.

Mayor Baker clarified that the letter was provided to them at tonight's meeting.

Cllr Burchett advised that last year this letter was provided to them in February.

Cllr Tinsley added that auditing is standard practice and has no issue with the timing of receipt of the letter.

3. Introduction of Late Items

a) CAO Gervais requested that correspondence from CNB Chartered Professional Accountants RE: Audit Planning Report be added to the agenda as 7. a).

MOTION S24/6
MOVED AND SECONDED

THAT the correspondence from CNB Chartered Professional Accountants RE: Audit Planning Report be added to the agenda - added as 7. a).

CARRIED

4. Approval of Agenda

MOTION S24/7
MOVED AND SECONDED

THAT the agenda for the Special Meeting of Council for April 23, 2024, be approved, as amended.

CARRIED

5. Minutes of Previous Meetings - None

6. Petitions and Delegations - None

7. Correspondence

a) Chan Nowosad Boates Chartered Professional Accountants RE: Audit Planning Report

MOTION S24/8
MOVED AND SECONDED

THAT correspondence a) be received.

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report - None

11. Unfinished Business - None

12. Staff Reports

MOTION S24/9
MOVED AND SECONDED

THAT Council receive the Financial Plan 2024-2028 staff report for information and discussion.

Opposed Cllr Burchett **CARRIED**

13. Emergency Services/Public Works/Recreation Department Reports – None

14. Bylaws - None

15. New Business – None

16. Public Question Period

a) Mark Agnew of 754 Sayward Road stated that he would like to receive a legal opinion promised on March 6, 2024.

CAO Gervais reminded Council that the legal opinion was discussed In-Camera and is not for release.

b) Melina Gradisar of 261 Ambleside Drive asked about when a Rise and Report on an In-Camera matter will occur.

Mayor Baker indicated a Rise and Report will occur if/when Council decides.

Cllr Tinsley advised that government processes can take time.

Cllr Poulsen stated that she is looking for more clarity on budget expenditures.

Cllr Burchett agreed that more clarity on budget expenditures is required.

c) Karren McClinton of 281 Ambleside Drive stated she has been a resident of Sayward for many years and requested what all the legal costs are related to. Ms. McClinton said it should not take this long for a Rise and Report.

d) Mark Agnew of 754 Sayward Road inquired why he was not advised at the time that the requested legal opinion was not able to be provided.

17. In Camera – None

18. Adjournment

The meeting was adjourned at 8:42pm.

_____ _____

Mayor **Corporate Officer**

VILLAGE OF SAYWARD
SPECIAL COUNCIL MEETING MINUTES
APRIL 25, 2024
COUNCIL CHAMBERS

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Sue Poulsen

Absent Councillor Tinsley (with notice)

In Attendance: Keir Gervais, CAO/Corporate Officer
Janice Aver, Acting CFO

1. **Call to Order**

   Meeting was called to order at 6:00pm.

2. **Public Input**

   a) Mark Agnew of 754 Sayward Road asked what happened to the drainage surplus in 2023.

   CFO Aver advised that debt not incurred were transferred to sewer, water and general surplus accounts for use in future years.

   CAO Gervais advised that any unspent monies go into surplus and in 2023 there was a surplus.

3. **Introduction of Late Items - None**

4. **Approval of Agenda**

   MOTION S24/10
   MOVED AND SECONDED

   THAT the agenda for the Special Meeting of Council for April 25, 2024, be approved.

   CARRIED

5. **Minutes of Previous Meetings - None**

6. **Petitions and Delegations - None**

7. **Correspondence - None**

8. **Council Reports - None**
9. **Reports of Committees - None**
10. **Mayor's Report - None**
11. **Unfinished Business**

    a) **April 23, 2024 Staff Report: Financial Plan 2024-2028 - Janice Aver, Acting CFO**

    MOTION S24/11
    MOVED AND SECONDED

    THAT Council receive the Financial Plan 2024-2028 staff report for information and discussion up to page 13.

    CARRIED

12. **Staff Reports - None**
13. **Emergency Services/Public Works/Recreation Department Reports - None**
14. **Bylaws - None**
15. **New Business – None**
16. **Public Question Period**

    a) Melina Gradisar of 261 Ambleside Drive asked if Council can say what the tax increase will be.
    Mayor Baker replied that it has not been determined yet, but soon.

    b) Karren McClinton of 281 Ambleside Drive asked if the same information Council has will be provided to the public and requested that Council keep the public informed.
    Mayor Baker responded that all the information will be provided at the meeting next Tuesday.

17. **In Camera - None**
18. **Adjournment**

    MOTION S24/12
    MOVED AND SECONDED
    THAT the Special Meeting of Council for April 25, 2024 be adjourned.

    CARRIED

The meeting was adjourned at 8:04pm.

_____ _____

Mayor **Corporate Officer**

619 Cliff Avenue
P. O. Box 400
Enderby, B. C. V0E 1V0

The Corporation of the City of Enderby
Where the Shuswap Meets the Okanagan

Tel: (250) 838-7230
Fax: (250) 838-6007
Website: www.cityofenderby.com

April 23, 2025

MLA David Williams
Room 201 - Parliament Buildings
Victoria, BC V8V 1X4

Re: Bill 7 – 2025: Economic Stabilization (Tariff Response) Act

Dear Mr. Williams:

Council has resolved to express its concerns regarding *Bill 7 – 2025 Economic Stabilization (Tariff Response) Act*.

Council for the City of Enderby recognizes that the economic challenge posed by tariffs requires an effective government response. However, that response must flow from our shared commitment to transparency, accountability, and public participation.

Council respectfully requests that the Government of British Columbia makes the following changes to *Bill 7 – 2025 Economic Stabilization (Tariff Response) Act*, before it becomes law:

1. Modify Part 2 [Procurement Directives] of the Act to ensure that there is adequate provision for oversight, accountability, and performance measurement in government purchasing programs and policies under this part;

2. Define the intent, scope and limits of Part 3 [Tolls, Fees and Charges] of the Act and include a requirement for regular and ongoing consultation with British Columbian citizens, including indigenous persons, and businesses to understand and adapt to the consequences of measures taken under this part; and

3. Add a requirement to Part 5 [General Provisions] of the Act requiring regular public reporting of regulations made under the Act, including the objectives, performance measures, and impacts of those regulations upon British Columbian citizens, including indigenous persons, and businesses.

Moreover, we urge the Government of British Columbia to:

4. Commit to not reintroducing Part 4 [Lieutenant Governor in Council's Response Powers] of the Act whatsoever, including as a separate enactment.

When the intentions of a law enacted by the Legislative Assembly are not clearly expressed, regulations risk defining the law rather than following from the law. In this time of crisis, we urge the Government of British Columbia to legislate in a manner that upholds the rule of law, not the rule of regulation.

Thank you for your attention to this important matter.

Sincerely,



Huck Galbraith
Mayor

Cc: Local Governments of BC
British Columbia New Democratic Party
Conservative Party of BC
Green Party of British Columbia

From: Theresa Dennison
To: AVICC Info
Subject: 2025 AVICC Advocacy Survey - COMPLETE BY MAY 31, 2025
Date: May 13, 2025 10:14:14 AM
Attachments: image001.png

Please forward to elected officials, the CAO, and Corporate Officer

Hello AVICC Members,

One of the primary functions of AVICC is as an advocacy organization for its members, and at the 2022 AVICC AGM & Convention, a resolution was passed by members, defining the type of advocacy AVICC would provide. At the first meeting of the 2025/26 Term, the AVICC Executive will be discussing a plan for advocacy for the new term. We will review the resolutions endorsed at the Convention, as well as the results of a survey when determining the issues that are most important to AVICC Members. We will consider hosting virtual education session for members, as well as taking an active role in advocating on behalf of AVICC members to upper levels of government. We will also use the results to inform the session selections for next year's convention. Last year's survey resulted in 77 responses – we are grateful for your engagement and feedback!

Please complete the survey at the following link by May 31, 2025 (it should only take 10 minutes to complete):

2025 ADVOCACY SURVEY

Informed by last year's survey and resolutions analysis, AVICC hosted two virtual education and discussion sessions in the 2024/25 Term. The first session took place in November 2024, facilitated by Tracey Lorenson called "Finishing Strong: Confidence and Courage in Turbulent Waters". In February 2025, AVICC hosted a Joint Area Association Engagement Session on Regional District Legislative Reform facilitated by Don Lidstone, that was attended by almost 300 elected officials and staff from across the Province. AVICC also met with Provincial representatives and Staff at last year's UBCM convention on the matter of Land Conservation and Watershed Security in the region and followed this up with a Media Release. Updates on these and other AVICC Advocacy initiatives can be found on our website: https://avicc.ca/communications/advocacy/.

If you have any questions or additional comments, please do not hesitate to reach out directly. Thank you for your participation!

Theresa Dennison
Executive Director | Association of Vancouver Island and Coastal Communities
236.237.1202
tdennison@avicc.ca
www.avicc.ca

The AVICC acknowledges that we are grateful to live, work, and play on the traditional territories of the Coast Salish, Nuu-Chah-Nulth and Kwak-Waka'wakw Peoples

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Guide to the Local Government Housing Framework:

New Legislation for Community Planning, Zoning, Affordable Housing, Infrastructure, and Amenities

May 2025



Territorial Acknowledgement

The B.C. Public Service acknowledges the territories of First Nations around B.C. and is grateful to carry out our work on these lands. We acknowledge the rights, interests, priorities, and concerns of all Indigenous Peoples - First Nations, Métis, and Inuit - respecting and acknowledging their distinct cultures, histories, rights, laws, and governments.



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Introduction

THE HOUSING CHALLENGE

In many communities throughout British Columbia, historic zoning rules have made it difficult to build the types of housing that work for people. Many people, including young families, students and seniors, are struggling to find homes in their communities that meet their needs and that they can afford. This has often been coupled with lengthy development approvals processes that have led to increased delays, costs, and risk for housing projects. Housing experts have pointed to these out-dated zoning rules and processes as one of the factors contributing to the housing crisis many communities in B.C. face today. In other words, the housing needs of people don't match the realities of how homes are built and approved.

Many local governments in B.C. have been taking steps to address this by changing local bylaws to permit more units on a single property, creating local housing authorities and expediting development approvals.

Despite these efforts, the housing situation in B.C. called for further action and collaboration to ensure that British Columbia's local government housing system is modernized to better serve current and future generations.

HOW HAS THE PROVINCE TAKEN ACTION?

In response to these challenges, the Province introduced a comprehensive package of legislation in Fall 2023 and Spring 2024 to help address outdated zoning rules and deliver more of the right kind of homes that will help B.C. tackle the housing crisis, faster.

The changes include new requirements for local governments to support building more of the right types of housing in the right places, faster (Bills 44 and 47) and new and improved tools (Bills 46 and 16) that enable local governments to secure the affordable housing, amenities, and infrastructure needed to support growth.

Together, these actions create a **new local government housing framework** that combines parts of pre-existing housing policies that were working well with new requirements and tools to enable the supply and diversity of housing needed across B.C.

PURPOSE OF THIS DOCUMENT

This document describes the new local government housing framework in two parts:

Part A highlights the main changes and their objectives; and

Part B provides an implementation guide for local governments to meet the new requirements and integrate new and existing tools through a comprehensive planning approach.

Part A:

The New Legislative Framework



NEW REQUIREMENTS AND ENHANCED TOOLS

The new local government housing framework consists of two key components:

1. Foundational Requirements

New requirements for local governments to support building more of the right types of housing in the right places, faster:

a. **Housing Needs Report**: Prepare and regularly update a Housing Needs Report that estimates the need for new housing supply for 20 years in the future.

b. **Official Community Plan**: Adopt an Official Community Plan (OCP) that designates enough land for new housing development to meet at least 20 years of need. This planning process must include robust community consultation.

c. **Zoning Bylaws**: Revise Zoning Bylaws to ensure that there is enough land zoned in advance to meet the 20 years of housing need, consistent with the OCP. This will reduce reliance on time-consuming and costly site-by-site rezonings.

d. **Small-Scale Multi-Unit Housing**: Revise Zoning Bylaws to allow the development of Small-Scale Multi-Unit Housing projects in areas previously zoned for single family and duplex housing.

e. **Transit-Oriented Areas**: Designate Transit-Oriented Areas in which new minimum density and height regulations apply.

f. **Public Hearings**: Eliminate public hearings for residential rezonings that are consistent with OCPs.

2. New and Improved Tools

New and improved tools that enable local governments to secure the affordable housing, amenities and infrastructure needed to support growth within their local contexts:

a. **Affordable Housing:** New and improved zoning tools to require the inclusion of affordable housing in new projects.

b. **Infrastructure and Amenities:** New and improved tools to fund essential community infrastructure and amenities.

OBJECTIVES OF THE NEW FRAMEWORK

Changes to the local government housing framework seek to:

- Increase the amount and pace of new housing supply in the right locations in communities across BC.
- Increase the diversity and affordability of new supply to meet British Columbians' diverse needs.
- Enable higher-density, complete communities around key transit hubs to maximize investment in transit.
- Ensure local governments can fund the infrastructure and amenities needed for growing communities.

MODERNIZING THE LOCAL GOVERNMENT HOUSING FRAMEWORK

Together, these changes create a new approach to how housing is delivered. The new framework streamlines many current approaches and creates new tools that will better meet the housing needs of current and future generations in BC.

Old Approach	New Approach
Reliance on time-consuming and costly site-by-site rezonings	Proactive planning and zoning to facilitate long term supply of housing, in the right locations
Inconsistency in estimating housing needs	Standard method for estimating housing needs and setting targets for new supply
Uncertain and inconsistent approaches to securing affordable housing and public amenities	Predictable requirements for affordable housing and amenities; less risk, speedier approvals, greater transparency
Limited tools for funding essential community infrastructure and amenities	Expanded tools for funding community infrastructure and amenities
Large areas restricted for single family housing	Allowing small scale multi-unit housing throughout BC, providing more housing and more diversity
Under-use of lands served with transit	More housing and amenities near transit hubs
Lengthy approvals process, public input focused on individual projects	Streamlined process, public input focused on upfront, long term community vision and needs

How the new framework can deliver the types of homes and communities that work for people



Part B:
Implementing the New Framework



COMPREHENSIVE IMPLEMENTATION APPROACH

The new framework can be organized into five 'implementation tiers' and consists of two components: **Foundational Requirements** (Tiers 1, 2 and 3) and **New and Improved Tools** (Tiers 4 and 5).



There is a logical relationship between each tier based on how communities typically plan and zone for housing, transportation, infrastructure and amenities. It is essential to consider the interrelationships between each tier and align them as they are implemented to help ensure effective outcomes.

Each tier's corresponding requirements, timing and implementation considerations are outlined in detail in the sections below.

1 Planning

Why the Changes are Needed

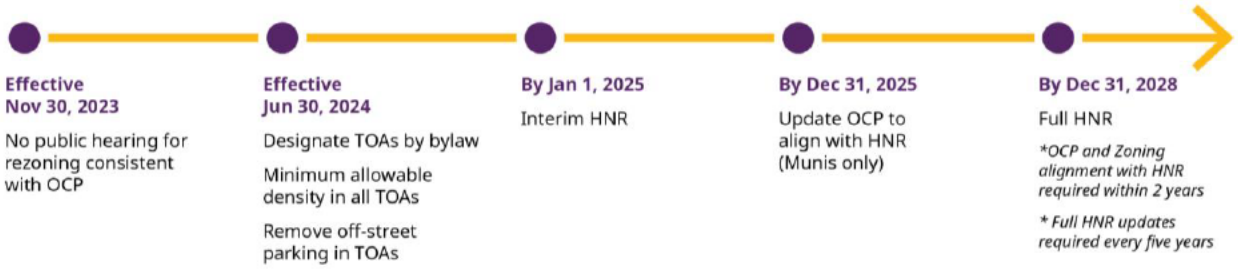
A limited supply of land for new housing and lengthy approvals processes exacerbate the housing affordability problem. The new framework requires local governments to be more proactive in forecasting long-term housing needs and ensuring there is enough land set aside for future development to meet those needs.

New Requirements to Plan for Housing Needs and Growth

There are four major changes:

1. Municipalities must prepare a Housing Needs Report (HNR), using a standardized methodology created by the Province. The HNR forecasts the number of housing units needed for the next 5 years and 20 years. The HNR must be updated every five years.
2. Municipalities must adopt an Official Community Plan[1] (OCP) and update it every five years. Regional Districts are not subject to this requirement, although most have adopted OCPs for their electoral areas.
3. A municipality's OCP must designate enough land to accommodate the 20-year housing needs identified in the HNR. Previously, an OCP only had to designate enough land to meet 5 years of housing needs. This requirement is part of the strategy to avoid delays and uncertainty in approvals and avoid reliance on individual OCP amendments for new projects.
4. Some municipalities must designate Transit-Oriented Areas (TOAs) by bylaw within 800m of passenger rail (e.g., SkyTrain) stations and 400m of bus exchanges and West Coast Express stations that are listed in the regulations. New requirements for residential height and density apply within TOAs. Moreover, municipalities cannot require off-street residential parking within TOAs.

Timing



[1] Previously, municipalities had the option of adopting an OCP but were not required to do so.

Implementation Considerations

The requirement to designate enough land for 20 years of housing need is new, but all the other requirements for the content and adoption of an OCP remain unchanged. For instance, an OCP is still required to contain policies regarding affordable housing, rental housing, and special needs housing.

There is greater importance for robust community consultation in the preparation of an OCP because rezonings that are consistent with the OCP will not be subject to public hearing.

When preparing or updating OCPs, municipalities may want to consider going beyond the new minimum requirements by:

- Designating land for more than the mandatory minimum 20-year housing requirement based on the HNR. Designations could include land to be rezoned for higher densities such as TOAs, lands suitable for density bonus zoning, and identification of large and complex sites suitable for residential development but needing future site-specific zoning.
- Adopting a policy objective to complete an area plan for each TOA, including anticipated zoning changes, estimated total population, requirements for affordable housing, requirements for infrastructure, requirements for amenities (including open space, recreation and community facilities, childcare space, and other needs), and strategies to achieve the infrastructure and amenities on a timely basis.
- Setting out the core elements of an affordable housing strategy, including anticipated uses of inclusionary zoning and density bonus zoning to secure affordable housing and anticipated use of rental tenure zoning.

Local governments should also consider including in their OCPs sufficient detail about land use and density to inform planning and funding strategies for future infrastructure and amenities.

On large sites within TOAs, it may be necessary to develop new road, walking, and cycling networks, or to ensure key amenities, like childcare or recreation facilities, are built on-site rather than elsewhere. Some possible strategies include:

- Using density bonus to allow higher densities than the prescribed minimums to secure on-site amenities.
- Early engagement with landowners to initiate collaborative, comprehensive planning.
- Preparing area plans for TOAs that set out requirements and strategies for obtaining all the necessary infrastructure and amenities for the entire area.



2 Zoning

Why the Changes are Needed

In the past, zoning bylaws have not been required to align with OCPs by any date. Consequently, rezonings tended to occur mainly on a site-by-site basis as development applications were received. This approach negatively impacts housing supply if the rezoning process takes too long, costs too much, creates too much uncertainty, or fails to consider whether development remains financially feasible.

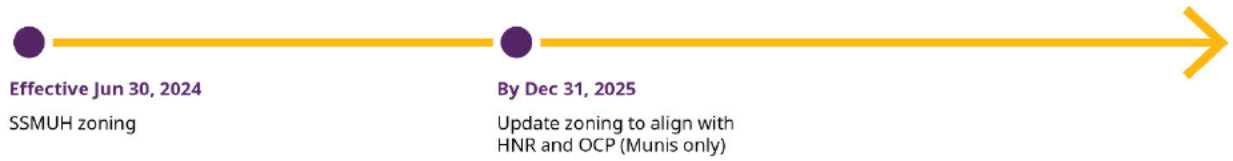
The new framework requires a more pro-active approach to zoning land for housing development with much less reliance on site-by-site rezonings and with changes to allow more housing diversity in single detached areas and more housing density near key transit hubs.

Immediate Changes to Zoning

There are two immediate changes to zoning for residential development:

1. Municipalities must revise their zoning bylaws so that there is enough pre-zoned land to accommodate the 20-year housing need identified in the HNR and designated in the OCP. This will increase the supply of development-ready sites and encourage less dependence on time-consuming and costly individual site rezonings.
2. Local governments must allow Small-Scale Multi-Unit Housing (SSMUH) (i.e., 3 – 6 units depending on lot size and location relative to transit) on single family and duplex lots in urban areas in BC. Allowing more units per lot will allow the development of more housing and greater diversity, as well as create units that cost less to buy or rent than a typical single detached home in the same area.

Timing



Implementation Considerations

When analyzing zoned capacity for development to meet the 20-year requirement, municipalities should ensure that the calculated housing capacity is based on realistic prospects for development, rather than "on paper" capacity[2] that might include lands unlikely to redevelop in the near future.

The 20-year zoned capacity must be calculated using only outright allowable density that imposes no conditions (via density bonus zoning or other means) that developers must meet to obtain the additional

[2] Generally, zoned housing capacity is calculated by multiplying zoned site area times allowable density and then subtracting existing floor space. A portion of this mathematical or "on paper" capacity may not be available for new development in the foreseeable future for various reasons. For instance, some sites may be "landlocked" by assemblies and therefore not large enough to be developable on their own. Some sites may already use a large proportion (but not all) of their allowable density, so it would not be financially viable to demolish/redevelop to use the unused portion of the density. The realizable zoned capacity nets out capacity that is not practical to develop except possibly in the very long term.

density. Local governments retain the ability to enter into a Phased Development Agreement (PDA) for large, complex, long-term developments and to obtain public benefits (e.g. affordable housing, amenities, and infrastructure) as part of the full approvals package. However, the calculation of capacity may only include areas covered by PDAs when the lands have already been rezoned.

When updating zoning bylaws to comply with the new requirements, municipalities should consider adopting new zoning for designated TOAs to accommodate the new minimum allowable heights and densities or higher to help them reach their 20-year capacity. Area-wide rezonings in TOAs not only can help achieve the 20-year capacity, but will also reduce the need for site-specific rezonings, and will assist in planning for necessary infrastructure, amenities, and complementary land uses (e.g. retail and office) that create complete and sustainable communities.

Local governments can still zone residential lands for rental tenure only to support the creation of permanent, purpose-built rental housing. The use of rental tenure zoning may become more important as local governments pre-zone more land for housing development.



3 Procedures

Why the Changes are Needed

Proactive zoning and planning to accommodate long-term housing needs can speed up development, but local governments must also move quickly to approve individual projects. While many parts of the approvals process are complex and cannot be rushed, one requirement that can unnecessarily delay development is holding public hearings for projects that already align with the OCP. If there has already been meaningful community consultation and a public hearing when a new or updated OCP is adopted, holding additional public hearings for rezonings that align with the plan is not efficient.

Revised Public Hearing Requirements

The new framework prohibits local governments from holding a public hearing for a rezoning for a housing-related project that is consistent with the OCP. Local governments are required to have comprehensive community engagement processes and public hearings when adopting new or amended OCPs (with updates now required on a regular basis). Any rezonings that are consistent with the OCP must not be required to go through public hearings.

Timing



Effective Nov 30, 2023

No public hearing for rezoning consistent with OCP

Implementation Considerations

It will be important for communities feel fully engaged during the preparation of OCPs.

This change also means that OCPs must contain enough detail about land use, density, height and other key development parameters so that it is clear when a rezoning application is (or is not) consistent with the OCP.

4 Affordable Housing

Why the Changes are Needed

Rising housing prices have made it harder for low- and moderate-income households to find housing they can afford. New and improved tools allow local governments to secure affordable housing without the need for a rezoning and help to build more housing supply and affordable units.

New Inclusionary Zoning Tool

A new inclusionary zoning tool[3] has been introduced that allows local governments to require developers to provide a certain portion of affordable housing units in new developments. When using this tool, local governments can decide where to apply affordable housing requirements, how they define affordability, how much affordable housing must be included (as a share of units or floor area), the tenure of the units, the sale prices or rents of the units, and how the units are to be owned and managed.

Inclusionary zoning can be applied anywhere, including inside TOAs where a portion of the minimum allowable density can be required to be affordable housing. However, this tool comes with constraints and obligations, including conducting a financial feasibility analysis to calculate the amount of increased density needed to offset the costs to the developer for providing the affordable housing, and to help ensure that the new affordability requirements do not deter needed housing supply.

Consultation with affected parties is required before adopting an inclusionary zoning bylaw. Providing cash-in-lieu of units is an option, and any funds collected by the local government must be kept in a reserve fund and must be spent on affordable housing.

Updated Density Bonus Tool

Density bonus is an existing zoning tool that enables local governments to approve extra (bonus) density in exchange for public benefits such as affordable housing or amenities. This tool enables higher densities, can make development more financially attractive, and achieves community benefits by channeling some of the land value created by the new density into affordable housing or community amenities. This density bonus zoning tool is still available, but there are changes.

There are new obligations related to transparency, financial feasibility, and accountability, including consultation with affected parties and undertaking a financial feasibility analysis to test economic impact. The practice of accepting cash-in-lieu of providing on-site amenities or affordable housing is now clarified in legislation and includes new rules for how cash can be collected and spent. Amendments also require annual reporting with content set out in legislation, including all contributions received through bonus density.

The intention is to apply the amended density bonus tool to area-wide zones to reduce the need for site-specific rezoning and to avoid the risk of inconsistency in the provision of bonus density to various sites, including built-out and site-specific zones.

[3] Referred to as an *affordable and special needs housing bylaw* in the legislation.

As of April 25, 2024, any changes to density bonus bylaws must comply with new legislation. Local governments must bring existing density bonus bylaws into compliance with legislative amendments[4] by a date set by Lieutenant Governor in Council regulation.

By the date set by regulation, local governments:

- Must update existing density bonus zoning bylaws so that they comply with new requirements, which include identifying required conditions that must be met for affordable housing units, having a financial feasibility analysis, and undertake consultation.
- Can only use density bonus zoning bylaws to obtain amenities and affordable housing on density levels set above minimum allowable densities in Transit-Oriented Areas.

Local governments will have to use other tools (e.g., Amenity Cost Charges and/or inclusionary zoning) to obtain affordable housing, amenities, and infrastructure within the minimum allowable density framework in TOAs.

Timing



Implementation Considerations

Local governments may use inclusionary zoning, density bonusing, or a combination to achieve affordable housing contributions in the form of units or cash-in-lieu. Determining which tool is best in which locations or circumstances will require market and financial analysis and engagement with private sector and not-for-profit housing developers.

In choosing an approach, local governments should consider these factors:

- Conditional density available via density bonus zoning cannot be counted toward the 20-year requirement as set out in the HNR and the OCP, while all density in an inclusionary zoning district counts toward the requirement.
- The use of density bonus zoning is at the option of the developer (who may instead choose to develop at the base density). In contrast, inclusionary zoning is not optional; market housing projects in the inclusionary zoning district must provide the required affordable housing contribution.
- Density bonusing can be used to achieve amenities, affordable housing, or a combination. Inclusionary zoning can only be used to obtain affordable housing contributions. One option is to use inclusionary zoning to obtain affordable housing and use a combination of density bonusing and Amenity Cost Charges (as described in the next section) to achieve necessary amenities.
- Because of the requirement to test potential negative impacts on financial viability, inclusionary zoning usually requires some additional density be provided to cover the cost of the affordable housing component.

[4] LGA 482 (1.1), (2.2), (2.3), (2.4); LGA 482.1 (1) and 482.2; *Vancouver Charter* 565.1 (1.1), (2.2), (2.3), (2.4); *Vancouver Charter* 565.11 (1) and 565.12.

- Local governments can still use density bonusing and site-by-site rezonings for large, complex, or unique sites where appropriate.

5 Amenities and Infrastructure

Why the Changes are Needed

Previously, local governments typically secured funding from new development for community infrastructure through Development Cost Charges (DCCs).[5] These are charges levied on new development for basic infrastructure like water, sewer, drainage, roads, and parkland. However, DCCs could not be collected for some important facilities such as fire halls, libraries, recreation centres, or police stations. Local governments were also limited in their ability to secure works and site-serving improvements that are near new developments, such as road widening, intersection improvements, or upgrades to services.

The new legislative framework provides an expanded and improved set of tools that local governments can use to obtain essential amenities and infrastructure.

Development Cost Charges and Development Cost Levies

The use of DCCs and DCLs has been expanded to include new eligible types of infrastructure. All types of development can now be required to contribute to facilities for fire protection, police, solid waste, and recycling, in addition to the existing eligible categories. The prescribed collection and management of funds established by the Province is unchanged.

Local governments have discretion regarding the timing and extent of changes to DCC bylaws.

Amenity Cost Charges

The new legislative framework introduces a tool called the Amenity Cost Charges (ACC), which helps local governments fund the capital costs of amenities in a similar way to DCCs. The ACC is a clear and predictable tool that can be used to collect funds or obtain amenities for things like community centres, recreation facilities, libraries, childcare spaces, or public open spaces. Local governments can charge ACCs to any new development that creates an increased need for these types of facilities.

The new ACC tool includes rules to ensure transparency and cost certainty for developers, local governments, and the public. Local governments must use a fair and transparent method to determine the need for amenities and calculate the appropriate charge. They must also manage the funds carefully, ensuring they are used only for stated purposes, and report annually on how much revenue was obtained and how it has been used. The charge should not be so high that it discourages new development, especially since ACCs are in addition to expanded DCCs and apply to developments that stay within existing zoning limits, not just those with increased density.

A major benefit of ACCs is that they can be applied to all new developments, even if there is no rezoning or density increase. ACCs also create greater certainty for developers, as the rates are set in advance and are not subject to negotiation.

[5] These are called DCCs in all local governments except for the City of Vancouver which uses Development Cost Levies (DCLs). DCCs and DCLs are the same in principle but apply to different forms of infrastructure.



Density Bonusing for Amenities

Density bonusing may continue to be used to collect amenities, however, there are new rules and requirements for its use including consultation, financial feasibility analysis, and annual reporting as well as clarifications for accepting cash-in lieu of on-site amenities. Please see Tier 4: Affordable Housing for a description of recent changes to density bonus legislation.

Local governments may use density bonusing to complement ACCs in a variety of ways, by applying both density bonus conditions and ACCs on the same or separate development, or in different areas. However, local governments cannot apply contributions collected through density bonusing to amenities already covered by an ACC bylaw. For example, if a specific amenity project is included in a local government's ACC bylaw, the local government cannot use density bonusing to secure that amenity.

Requirements for Works, Services, and Transportation Demand Measures

There are now more works and services that individual developments may be required to provide as a condition of obtaining a building permit or subdivision approval, even if no rezoning is involved, including:

- Road widening, sidewalks, boulevards, street lighting, transit bays, and underground wiring.
- On-site features such as benches, bicycle parking facilities, small open spaces, signage, lighting, transit shelters, and waste/recycling containers.
- Infrastructure that supports walking, cycling, and public transit.
- Sustainable design features for energy and water conservation, reduced greenhouse gas emissions, and climate resilience.
- Electric vehicle charging stations, end-of-trip facilities, secure bicycle and scooter parking facilities.
- Other measures to achieve Transportation Demand Management (TDM) goals.

Timing



Any time after Nov 30, 2023

Update DCCs

ACCs in force

Any time after Apr 25, 2024

Works and services in force

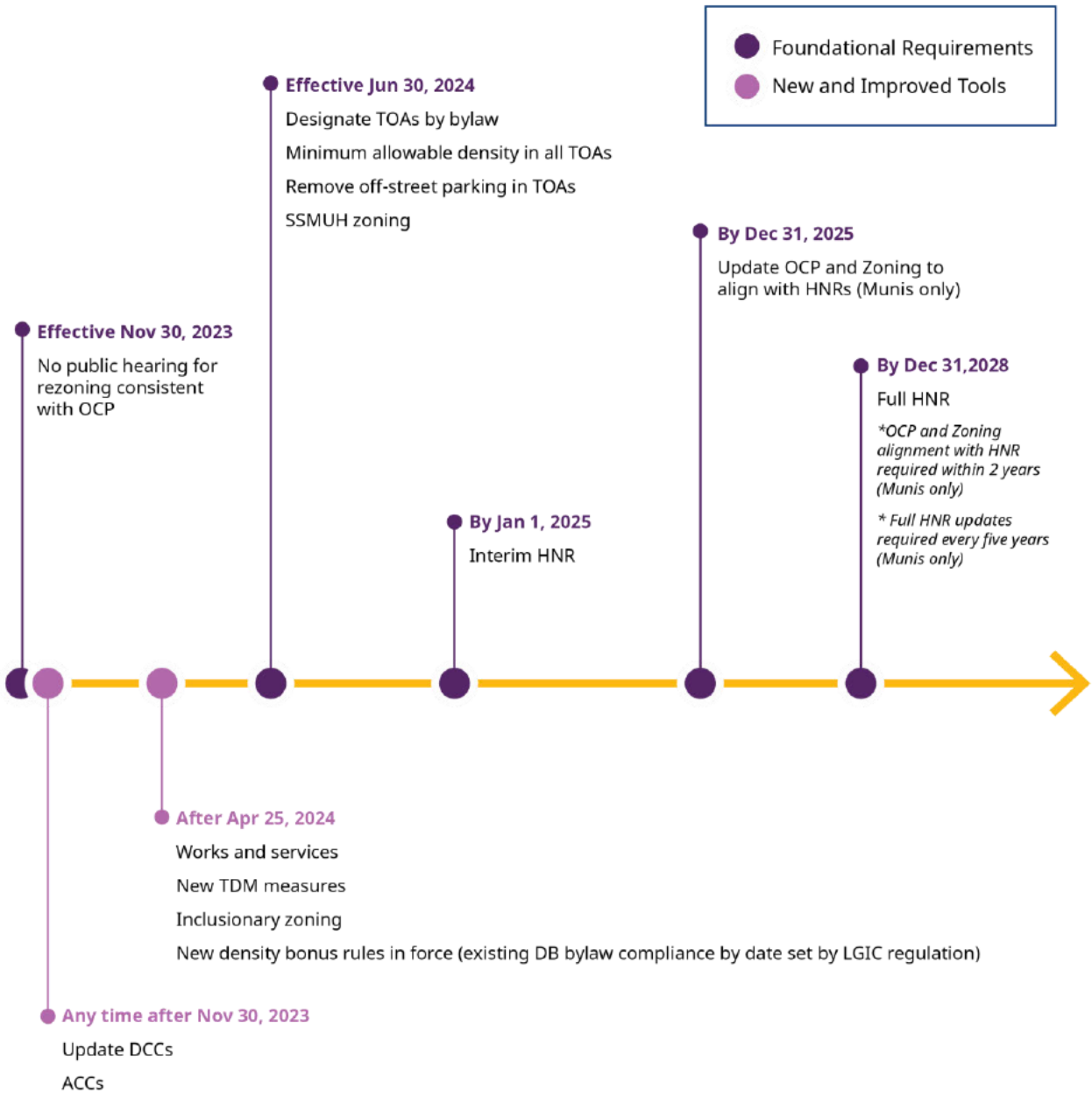
New TDM measures in force

Implementation Considerations

Local governments have discretion to decide if and when to adopt new DCC or ACC bylaws. However, it is in their best interest to do so quickly, especially since new zoning rules allow more density without conditions (e.g., SSMUH, minimum densities in TOAs, and pre-zoning to meet long term housing needs). Local governments can still use site-by-site rezonings for large, complex, or unique sites where appropriate.

Local governments may need to acquire public land to accommodate new facilities funded by new DCCs and ACCs, such as fire stations, police stations, recreation centres, or childcare facilities. They should consider land acquisition and construction costs in DCC and ACC rates. It may be difficult to find suitable sites and locations for these developments even with sufficient funding available. Comprehensive planning, collaboration with landowners and developers, and proactive early site acquisition can help to ensure sufficient land is obtained for community facilities.

INTEGRATED TIMELINE FOR THE NEW FRAMEWORK



Strathcona REGIONAL DISTRICT

14

STAFF REPORT

DATE: February 10, 2025 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: SAYWARD FIRE REGULATIONS

PURPOSE

To consider the extent to which the Regional District should establish regulations for the protection of persons and property within the Sayward fire protection area.

EXECUTIVE SUMMARY

Effective January 1, 2025 the Regional District assumed responsibility for the Sayward Fire Department which has operational responsibility within the Village of Sayward and the Sayward Valley. As a result of the service transitioning to the Regional District there is a need to consider the matter of fire regulations. Such regulations are authorized by the *Local Government Act* and usually address some or all of the following:

- inspections of property for conditions that may cause a fire, increase the danger of fire, or increase danger to persons or property from a fire.
- the authority for the fire department to take measures to prevent and suppress fires including, in an emergency, the authority to take extraordinary measures to protect the public.
- the requirement that owners of property remove fire hazards from their premises or that they dispose of debris resulting from lumbering, land clearing or industrial operations.
- other matters within the scope of the *Fire Safety Act* in a manner not contrary to that Act.

Since a regional district may, in relation to its regulatory powers, enact different provisions for different areas, classes, conditions or circumstances, it is possible to have different regulatory frameworks for properties that are within the Village of Sayward and those are within the unincorporated areas of the Sayward Valley.

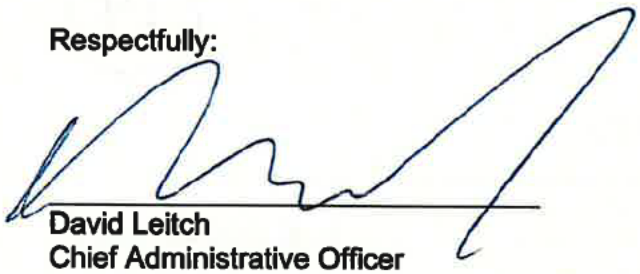
As a preliminary step, it is proposed that the Regional District first determine whether there are regulations applicable to the Village of Sayward that should be retained and whether any of those should also apply beyond the Village corporate limits. There is currently no fire regulations bylaw in place for the Sayward valley.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.

2. THAT a further report be prepared for the Board's consideration following the receipt and review of fire regulations currently in place for the Village of Sayward.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: *S. Koopman, Manager of Emergency Services*

Strathcona REGIONAL DISTRICT

20

STAFF REPORT

DATE: February 14, 2025 **FILE:** 0550-04 Board

TO: Chair and Directors
Regional Board

FROM: David Leitch
Chief Administrative Officer

RE: **MUNICIPAL SERVICES AGREEMENT – VILLAGE OF SAYWARD**

PURPOSE/PROBLEM

To consider entering into a new Municipal Services Agreement with the Village of Sayward.

EXECUTIVE SUMMARY

The attached report was considered at the December 11, 2024 Board meeting at which time the following resolution was passed:

> Sinnott/Rice: SRD 1075/24
>
> THAT the Regional District work with the Village of Sayward to develop a new municipal services agreement for the Board's consideration.

The attached agreement has been developed in conjunction with the Village of Sayward to reflect the full range of services that are potentially available from the Regional District and the protocol for engaging with the Village should a particular service offering be desired.

If the Board is satisfied that the attached agreement is in order a resolution to that effect is appropriate.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Vice Chair and Corporate Officer be authorized to execute the Sayward Municipal Services Agreement attached to the February 14, 2025 report from the Chief Administrative Officer.

Respectfully:

David Leitch
Chief Administrative Officer

Prepared by: *T. Yates, Corporate Services Manager*

Attachments: Proposed Municipal Services Agreement (Village of Sayward)
Copy of November 25, 2024 report to the Board

MUNICIPAL SERVICES AGREEMENT

THIS AGREEMENT made as of the 1st day of March, 2025

BETWEEN:

STRATHCONA REGIONAL DISTRICT
301 - 990 Cedar Street
Campbell River, BC V9W 7Z8

(the "Regional District")
OF THE FIRST PART

AND

THE VILLAGE OF SAYWARD
652-A H'Kusam Way
PO Box 29
Sayward, BC V0P 1R0

(the "Municipality")
OF THE SECOND PART

WHEREAS:

A. The Regional District, under section 176(1) of the *Local Government Act,* may enter into agreements with a municipality to provide activities, works or services to the municipality that are within the powers of the Regional District;

B. The Municipality may, pursuant to s.23 of the *Community Charter,* enter into agreements with a public authority respecting the undertaking, provision and operation of services within the powers of the Municipality;

C. The Municipality has requested services and the Regional District has agreed to provide services on a fee for service basis, as set out in Schedule 'A';

NOW THEREFORE in consideration of the covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the Municipality and the Regional District covenant and agree as follows:

ARTICLE 1 - TERM OF AGREEMENT

Term

1.1 The term of this Agreement shall be for five years (the "Term") commencing on February 1, 2025 (the "Commencement Date") and expiring on January 31, 2030, (the "Expiry Date").

Renewal/Early Expiration

1.2 Upon expiry of this Agreement, the parties may, by mutual agreement, renew this Agreement on the same or different terms.

1.3 Either party may terminate this agreement by providing written notice to the other party no less than sixty (60) days prior to the proposed termination. Such notice shall not result in any penalty or additional charges to the other party.

ARTICLE 2 - DEFINITIONS

2.1 'Services' mean the services set out in section 3.1 and Schedule 'A' to this Agreement, to be provided to the Municipality by the Regional District.

2.2 'Hourly Rate' means the base wage rate per hour plus the percentage increase in the cost of wages and benefits payable by the Regional District to its stated employees providing the Services under this Agreement.

ARTICLE 3 - SERVICES

3.1 Subject to the terms and conditions of this Agreement, the Regional District will make available, on a fee for service basis, the following Services:

a) Financial
b) Corporate/Legislative
c) Land Use Planning
d) Parks and Trails
e) GIS/Mapping
f) Civil Works and Engineering
g) Building Inspection
h) Bylaw Enforcement
i) Information Technology
j) Labour Relations/Human Resources
k) Media Relations
l) Protective Services

3.2 Should the Regional District terminate this Agreement in accordance with section 1.3, the Regional District shall, within sixty (60) days of the termination, rebate that portion of any prepayment received for the provision of such Service or Services.

3.3 The Regional District agrees that all monies calculated and paid by the Municipality will be used solely for the provision of one or more of the Services listed in Schedule 'A'.

3.4 The Regional District will provide the Services in its sole and unfettered discretion and **only if** the Regional District has sufficient personnel with sufficient capacity to provide and/or manage such Services.

3.5 The Municipality shall be responsible for providing requests in writing to the Regional District and for providing management and direction to support the service delivery.

ARTICLE 4 - COST OF SERVICE AND PAYMENT

4.1 In consideration of the performance by the Regional District of the Services, the Municipality shall pay the Regional District the fees set out in Schedule 'A'.

4.2 The Regional District shall invoice the Municipality on a monthly basis according to the fees stated in Schedule 'A'. Invoices will be due and payable within 30 days of invoice date.

ARTICLE 5 - NOTICE

5.1 Any notice, document, statement, report, demand or payment desired or required to be given or made pursuant to this Agreement will be in writing and may be given or made if delivered personally to the Party to whom it is to be given or made, delivered by electronic facsimile transmission or mailed in Canada with postage prepaid and addressed if to:

(a) the Regional District
990 Cedar Street
Campbell River, BC V9W 7Z8 (Attn: Corporate Officer)

(b) Village of Sayward
652-A H'Kusam Way
PO Box 29
Sayward, BC V0P 1R0 (Attn: Chief Administrative Officer)

5.2 Provided that a Party may change its address by giving the other Party prior notice of a change in address in accordance with this section and provided further that if there is a postal strike or other postal disruption, notice shall be personally delivered

ARTICLE 6- DESIGNATED REPRESENTATIVES

6.1 All requests for Services defined in Schedule 'A' will be requested by an authorized Municipal representative using the form in Schedule 'B' and authorized by a designated Regional District representative who will manage the work request process and account for the amount charged.

6.1 The designated representatives for each of the categories of Services of the Regional District are as follows:

Designated representative	Categories of services
Chief Financial Officer:	Financial
Senior Manager, Corporate Services:	Corporate/Legislative
Senior Manager, Community Services:	Land Use Planning Parks and Trails GIS/Mapping Building Inspection Bylaw Enforcement
Senior Manager, Engineering Services:	Civil Works and Engineering
Senior Manager, Human Resources	Labour Relations/Human Resources
Manager, Strategic Initiatives	Media Relations
Manager, Information Technology	Information Technology
Manager, Emergency Services	Emergency and Protective Services

If the Regional District designated representative is not available, service requests may be made to the designate of the above-mentioned positions.

6.2 The designated representatives for each of the categories of Services from the Municipality include the Chief Administrative Officer, any person serving in an acting capacity or their designate. For clarity, the Village is responsible for confirming its designated representative(s) before commencement of work.

ARTICLE 7 - RELEASE AND INDEMNITY

7.1 Each Party shall, except for the sole negligence of the other Party, release, discharge, indemnify and save harmless each other and their elected and appointed officers and employees from and against any claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever may arise out of:

(a) the provision of the Services by the Regional District; or

(b) failure by the Municipality to enforce the provisions of its Bylaws or any one of them.

ARTICLE 8 - INSURANCE

8.1 The Parties shall each maintain sufficient liability coverage to meet their indemnification obligations under section 7.1, and more particularly shall maintain liability insurance coverage in an amount not less than Five Million Dollars ($5,000,000.00) per single occurrence, with the Regional District to be added as an additional insured in the case of the Village.

8.2 Neither Party shall cancel or materially change its insurance coverage without first providing the other with thirty (30) days written notice thereof.

ARTICLE 9- CONTRACTOR STATUS

9.1 The Parties agree that the Regional District is an independent contractor engaged by the Municipality for the sole purpose of providing the Services. Neither the Regional District nor any of its personnel is engaged by the Municipality as an employee, servant or agent. The Regional District is solely responsible for payment of Workers Compensation premiums and compliance with all WCB Regulations, and shall bear sole responsibility for the safety of its officers and employees and any costs whatsoever arising out of employee injuries or claims records. The Regional District shall make all payroll payments or deductions required by law or contract of employment. Nothing in this Agreement shall be construed as creating an agency, partnership or joint venture between the Municipality and the Regional District.

ARTICLE 10 - INTERPRETATION

10.1 In this Agreement:

(a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;

(b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;

(c) the term 'enactment' has the meaning given to it under the *Interpretation Act* (British Columbia) on the reference date of this Agreement;

(d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;

(e) the provisions of Section 25 of the *Interpretation Act* with respect to the calculation of time apply; and

(f) time is the essence of the Agreement.

ARTICLE 11 - DISPUTE RESOLUTION

11.1 The Parties agree that during the term of this Agreement and in the performance of each of their responsibilities under this Agreement, each of them will:

(a) make bona fide efforts to resolve any disputes arising between them by amicable negotiations; and

(b) provide frank, candid and timely disclosure of all relevant facts, information and documents to facilitate those negotiations.

11.2 The Parties further agree to use their best efforts to conduct any dispute resolution procedure under this Agreement as efficiently and cost effectively as possible.

11.3 The Parties agree to attempt to resolve all disputes arising out of or in connection with this Agreement, or in respect of any defined legal relationship associated with it or from it, by mediated negotiation with the assistance of a neutral person mutually agreed upon, and should the Parties be unable to agree upon such person within 30 days of either Party serving notice of its intention of proceed to a mediation, a neutral person appointed by the British Columbia International Commercial Arbitration Centre administered under its Mediation Rules.

11.4 If the dispute cannot be settled within thirty (30) days after the mediator has been appointed or such lesser of longer period otherwise agreed to in writing by the Parties, the dispute will be referred to and finally resolved by arbitration administered by the British Columbia International Commercial Arbitration Centre, under its Rules. In the absence of any written agreement otherwise, the place of arbitration will be Campbell River, BC.

11.5 Except where otherwise specified in this Agreement, any and all disputes between or among the Parties to this Agreement arising under, out of or in any way relating to this Agreement will be determined under this section.

11.6 Subject to any ruling or recommendation to the contrary by the Arbitrator or Mediator respectively, the Parties agree that the costs of such mediation or arbitration, other than their own costs of preparation, shall be shared equally between them.

ARTICLE 12 – GENERAL

12.1 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

12.2 This agreement shall be governed and construed in accordance with the laws of the Province of British Columbia and the Government of Canada.

12.3 If any article or section of this Agreement is declared or held invalid for any reason, the article or section may be severed from the Agreement without affecting the validity of the remainder of the Agreement.

12.4 Nothing within this Agreement affects the Regional District's or the Municipality's rights

and powers in the exercise of their statutory functions under statutes, bylaws, resolutions, orders or regulations, all of which may be fully exercised as if this Agreement had not been executed and delivered by the Regional District and the Municipality.

12.5 The parties must do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement.

12.6 No amendment or waiver of any portion of this Agreement shall be valid unless rendered in writing and executed by the parties to this Agreement.

12.7 Waiver of any default by any party shall not be deemed to be a waiver of any subsequent default by that party.

12.8 The parties represent and warrant to each other that:

a) all necessary corporate actions and proceedings have been taken by each of the parties to authorize its entry into and performance of the Agreement;

b) upon its execution and delivery on behalf of each of the parties, this Agreement constitutes a valid and binding obligation on each of the parties;

c) this Agreement will not breach any other agreement or obligation or cause either of the parties to be in default of any other agreement or obligation with or to each other; and

d) each of the parties has the corporate capacity and authority to enter into and perform this Agreement.

12.9 The whole agreement between the Parties is set forth in this document and no representations, warranties or conditions, express or implied, have been made other than those expressed.

The parties have agreed to the terms and conditions herein as of the day and year first above written.

STRATHCONA REGIONAL DISTRICT

Chair

Corporate Officer

VILLAGE OF SAYWARD

Mayor

Chief Administrative Officer

SCHEDULE 'A'

Service Provision	Service Description	Cost
Hourly, Daily or Contract Based:	• Financial • Corporate/Legislative • Land Use Planning • Parks and Trails • GIS/Mapping Services • Civil Works and Engineering/Environmental • Building Inspection • Bylaw Enforcement • Information Technology • Media Relations • Labour Relations/Human Resources • Emergency/Protective Services	All costs incurred by the Regional District on behalf of the Municipality in providing the Services are actual wages of Regional District personnel used plus 28% for benefits (does not include sick/vacation time), plus 15% on that amount for administrative costs.
Enhanced or Project Based Services:	• Official Community Plan Review/Amendments • Zoning Bylaw Review/Amendments • Other Bylaw Review/Amendments/Creations • Public Hearings/Meetings • Review of an RFP or RFQ, or the evaluation thereof • Other, which could include any of the above-mentioned Services	Project specific and scope sensitive cost estimate provided by the Regional District upon the Municipality's request based on the expertise and level of involvement needed from various Regional District staff members. Following cost estimate a cost to be agreed upon by the Parties before the Services commence and to be set out in Schedule 'B' under "Agreed Upon Cost of Enhanced Services".
Travel:		Costs associated with travel by Regional District personnel in providing the Services will be calculated using the Canada Revenue Agency reasonable allowance rates.

Strathcona REGIONAL DISTRICT

SCHEDULE 'B'
REQUEST FOR SERVICE

NAME OF MUNICIPALITY	
VILLAGE OF SAYWARD	
NAME OF PERSON MAKING REQUEST	
Last name	First Name
Phone number	Email
Service Group ☐ **Hourly** ☐ **Daily** ☐ **Contract Based** ☐ **Enhanced, or Project Based**	Describe the Service Required
TERM	
Requested start date	Requested completion date
Details of request - scope of work (Could continue on a separate page)	
Agreed upon cost of providing enhanced Services $ _____	
Signature	Date of request

Strathcona REGIONAL DISTRICT

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STAFF REPORT

DATE: March 3, 2025 **FILE:** 0550-04

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: KELSEY CENTRE – INFORMATION REQUEST

PURPOSE/PROBLEM

To consider a recommendation from the Kelsey Centre Review Committee that the Regional District request additional information from the Village of Sayward regarding costs and user data in respect of the Kelsey Centre recreational facility.

EXECUTIVE SUMMARY

At its February 19, 2025 inaugural meeting the Kelsey Centre Review Committee considered the attached report and passed the following resolutions:

Whalley/Mawhinney: KCRC 6/25

THAT the Village of Sayward Council be requested to provide to the Kelsey Centre Review Committee an update as to the current status of the operability of the facility including boiler repairs, hot tub leaks, and any other known problems; and furthermore:

- An accounting of secured and appropriated grants for the Kelsey Centre including an itemized list of what these grants will be spent on.

- An accounting of Village reserve funds appropriated for the Kelsey Centre including an itemized list of what these appropriated reserves will be spent on.

- A copy of their 2025 to 2029 financial plan.

Whalley/Mawhinney: KCRC 7/25

THAT the Village of Sayward Council be requested to provide to the Kelsey Centre Review Committee an up-to-date asset management report for the Kelsey Centre which details needed maintenance and upgrades with cost estimates. And furthermore:

- The approved schedule for those maintenance and repair items to be undertaken,

- Any reports regarding long-term planning for the pool area including its anticipated lifespan,

- The most recent inspection results for earthquake resilience and code compliance, with special regard to potential liability issues.

Whalley/Mawhinney: KCRC 8/25

THAT the Village of Sayward Council be requested to provide to the Kelsey Centre Review Committee usage statistics for Village and Area A residents separately and by age category.

The following actions are offered in support of the Committee's recommendations.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.

2. THAT the Village of Sayward be requested to provide additional information regarding the Kelsey Centre including current and proposed operating and capital costs, grants and other revenue sources, inspection results and user data in accordance with resolutions KCRC 6/25, KCRC 7/25 and KCRC 8/25 of the Kelsey Centre Review Committee.

Respectfully:

Dave Leitch
Chief Administrative Officer

Prepared by: *T. Yates, Corporate Services Manager*

Attachments: Copy of February 14, 2025 report to the Kelsey Centre Review Committee

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STAFF REPORT

DATE: March 17, 2025

FILE: 0550-04 Board Reports

TO: Chair and Directors
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: REQUEST FOR FINANCIAL ASSISTANCE– SAYWARD FUTURES SOCIETY

PURPOSE/PROBLEM

To consider a recommendation from the Electoral Areas Services Committee regarding financial assistance applicable to Electoral Area A.

EXECUTIVE SUMMARY

The attached report concerning a request for financial assistance was considered at the Electoral Areas Services Committee meeting held March 11, 2025 at which time the Committee passed the following resolution:

> Mawhinney/Rice: EASC 50/25
>
> THAT the Committee recommend that a grant in aid for the Sayward Futures Society in the amount of $1,500 to assist with costs of the 2025 Canada Day celebrations be paid from the Electoral Area A grant in aid budget.

The actions outlined below are offered in support of the Committee's recommendation.

RECOMMENDATIONS:

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Board approve a grant for the Sayward Futures Society in the amount of $1,500 to assist with costs of the 2025 Canada Day celebrations to be paid from the Electoral Area A grant in aid budget.

Respectfully:

Dave Leitch
Chief Administrative Officer

Prepared by: *E. Watson, Manager, Corporate Operations*

Attachments: *20250305 report to the Electoral Areas Services Committee*

From: SV-SF-CSOS
To: CFO
Subject: Result of the assessment of your Canada Summer Jobs application
Date: Tuesday, May 13, 2025 11:25:35 AM

*****This is a system generated email. Please do not reply to this address. Contact information can be found in the email below.*****

2025/05/13

Lisa Clark
Village of Sayward
652 H'KUSAM WAY
SAYWARD BC V0P 1R0

Project Number: # 020465365

Constituency: North Island-Powell River

Subject: Result of the Assessment of Your Canada Summer Jobs Application

Service Canada would like to thank you for your application to the Canada Summer Jobs (CSJ) program.

After assessing your application, we regret to inform you that we are unable to offer you funding at this time.

Please note that due to a high volume of applications and limited funding, not all projects could be funded. However, if funds become available, we will contact you to proceed with next steps. If you do not want to be considered for funding if funds become available, please let us know at the email address below.

All projects approved for this program year will be posted on the Government of Canada website.

We appreciate your interest in the CSJ program and encourage you to apply next year. For information on future funding opportunities, please visit the Employment and Social Development Canada funding page.

If you have any questions, please contact us at the email address below.

Sincerely,

Tsang, Shirley
Service Canada
270 – 220 4TH AVENUE SE
CALGARY AB T2G 4X3
shirley.tsang@servicecanada.gc.ca

From: FriendsOfTheEnvironment, TD
To: CFO
Subject: TD FEF Grant application (Request #«Request_ID») has been declined.
Date: Monday, April 14, 2025 10:25:21 AM

Lisa Clark,

Re: Growing Green (Request ID: 96988263)

Your application to TD Friends of the Environment Foundation (TD FEF) on behalf Village of Sayward in the amount of $5000.00 has been reviewed by the CA: Vancouver Island Chapter Advisory Board.

Unfortunately, the Board is unable to support your request for funding at this time.

While we are unable to provide financial support for your current project, TD FEF is committed to working with organizations which share our passion for the environment. Below are some answers to Frequently Asked Questions (FAQs) that may help you prepare any future applications for TD FEF funding.

We wish you great success with your project, and we thank you for taking the time to submit an application.

Warm regards,

TD Friends of the Environment Foundation

Email tdfef@td.com

TD FEF Application FAQs:

Q) I've been declined, should I consider re-applying?

A) Yes! Applications are reviewed based on our funding focus areas and eligibility criteria (https://www.td.com/corporate-responsibility/fef-grant.jsp). Applications that meet basic eligibility criteria may be declined for a variety of reasons, including the following:

· Insufficient information in the application. Successful applications often have a clear overview of the project, including a detailed budget, plan specifics, and desired outcomes.

· Funds requested are budgeted for ineligible costs. (https://www.td.com/corporate-

responsibility/fef-grant.jsp)

Q) I've been declined for funding, I've reviewed the eligibility criteria/funding exemptions, and I still don't understand why. Can I talk to someone before I apply again?

A) Yes! If you've reviewed the funding criteria/exemptions online (https://www.td.com/corporate-responsibility/fef-grant.jsp), and still have questions, please contact your local TD FEF Regional Manager for additional feedback and counsel.

Q) I've been declined by a TD FEF Chapter within the past 12 months. When can I re-apply?

A) An organization can apply only once in a 12-month period for a specific project/program/initiative; however, an organization can apply to the same Chapter for a different project within a 12-month period. For example, a local school that applies for funding from the Vancouver Chapter for a garden project in January can also apply to the Vancouver Chapter for a recycling program in July.

Before you re-apply online, please ensure that you make any necessary changes to your application. For full details on TD FEF funding focus areas and eligibility criteria, visit (https://www.td.com/corporate-responsibility/fef-grant.jsp)

Internal

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STAFF REPORT

To: Mayor and Council
From: Jennifer Barber, Acting Bylaw Enforcement Officer & John Thomas, A/CAO
Subject: **291 MacMillan Drive Remedial Action**
Meeting date: May 20, 2025

BACKGROUND

This report provides Council with information pertaining to the compliance issues related to the property located at 291 MacMillan Drive within the Village of Sayward and seeks Council authorization to impose remedial action to bring the property into compliance. Administration is also seeking Council's authority to proceed with action on the property if compliance is not achieved by the property owner within the required time limit set by Council.

DISCUSSION

Property Values and the general welfare of the community are founded, in part, upon the appearance and maintenance of property, buildings and other structures in the Village. Unsightly, nuisance and hazardous conditions have been found to exist from place to place throughout the Village. The existence of such conditions is detrimental to the welfare of the community and contributes substantially and increasingly to the deterioration of neighborhoods. The abatement of such conditions will improve the general welfare and image of the Village.

The intent of the Village of Sayward Zoning Bylaw No. 309, Section 304 is to:

i. Provide temporary (3 month maximum) accommodation for property owners who do not have a principal dwelling on the land,
ii. Provide temporary (365 days maximum) accommodation for property owners, with valid and subsisting Building Permits, while their permanent dwelling is under construction.

In addition, a security of $1,000 is provided to help cover the enforcement costs of causing the cessation of use should the owner neglect or refuse to cease its use as a residence in accordance with Sections (i), and (ii) above.

BACKGROUND ON FILE:

On May 25, 2023, the *Village of Sayward* notified the property owners, Dan McIntyre and Misty Lounsbury, the 3 month temporary RV permit was set to expire on May 28, 2023 and sent a building permit package to the property owners for completion. The owners made a number of appeals to the Village, member of Council, and the contracted Building Inspector to have the RV permit extended; all appeals were denied.
On November 30, 2023, a set of construction drawings and a site plan were submitted for permit at the SRD office. The owners were notified the permit package was incomplete.

Subsequently, a number of compliance notices and emails were sent to the owner advising of the unpermitted occupation on the property.

To date, the property owner has made no effort to remove the trailer or submit a completed Building Permit package for review.

The recommended course of action for this property is to remove the RV and related chattel by means of Remedial Action.

COMMUNITY CHARTER REMEDIAL ACTION AUTHORITY AND PROCESS

Sections 72 through 80 of the Community Charter outline the process for remedial action requirements. These actions are imposed by Council and do not require the enacting of a new bylaw. The ability to impose remedial actions cannot be delegated to Administration.

Section 74 of the Community Charter authorizes Council to impose a 'declared nuisance' remedial action on a property. This section clarifies conditions required to declare a property a nuisance. This includes a building or other structure, an erection of any kind, or a similar matter or thing that is offensive to the community. The Village should exercise a standard of 'reasonableness' when assessing whether a matter or thing in relation to private property is declared a nuisance.

Section 76 of the Community Charter prescribes the minimum time Council can require for compliance is not to be less than 30 days from the date the affected property owner is notified.

Section 77 of the Community Charter outlines the process by which the Village must notify the affected
property owner. This section also references section 17 of the Community Charter which states that if
the remedial action is not completed by the compliance date, the Village is authorized to collect all related costs as a debt owed to the Village. This process is outlined within the Bylaw 502-Public Nuisance Bylaw Section 7.19 to 7.21. This debt, if unpaid, would be transferred to taxes as arrears at the end of the year.

Section 78 of the Community Charter allows the affected person to request in writing that Council reconsider their decision. It also provides the affected person with an opportunity to present to Council. This written request for reconsideration must be provided within 14 days of the date on which the notice was sent.

Sections 73, 75, and 79 are not relevant to the issues on the property that are the subject of this report.

REMEDIAL ACTION ORDER-PROCESS AND NEXT STEPS

Should it be declared that this property requires Remedial Action, a letter will be posted at the property and mailed to the property owners and those with an interest on the property outlining the same.

Should this Remediation not be completed by **July 31, 2025 at 5 PM**, the Village of Sayward, or authorized agents, will go onto the subject property to complete the remediation and the cost will be billed back to the property owner. This debt, if unpaid, would be transferred to taxes as arrears at the end of the year.

STAFF RECOMMENDATIONS

THAT Council, pursuant to the authority provided in Section 74 of the Community Charter and after viewing the 291 MacMillan Dr council package, DECLARES the property at 291 MacMillan Dr having a legal description of: LOT 5 BLOCK M PLAN VIP21662 DSTLOT 305 LNDDST (Parcel Identifier: 003-428-141) as a nuisance that requires remedial action;

THAT Council IMPOSES the following remedial action requirement on the registered property owner at 291 MacMillan Dr with respect to the property described above in Recommendation 1 to remove all items from the land including:

iii. Unpermitted 2006 Keystone Cougar RV and site built porch

iv. rubbish; trash; garbage; litter; debris; rubble; demolition waste; discarded or disused objects, materials or items; junk; filth; discarded or disused objects, materials, or items; unused or dismantled aircraft, electronic devices, or machinery; old, discarded or unused mechanical or metal parts; glass or plastic bottles or objects; tin cans or other metal container; paper; glass; pipes; dilapidated furniture; inoperative appliances or other similar things; unused wood or wood products and any other chattel;

In order to eliminate the declared nuisance.

Compliance and Reconsideration Notice Time Limit Recommendations
THAT Council, pursuant to Section 76 of the Community Charter, SETS THE TIME LIMIT for completion of all the remedial action requirements described in Recommendation 2, to be no later than 5:00 p.m. on July 31, 2025, which is greater than the 30 days required.

THAT Council, pursuant to Section 78 of the Community Charter, SETS THE TIME LIMIT for giving notice of a request for Council to reconsider the remedial action requirements described in Recommendation 2, to be no later than 5:00 p.m. on Friday, June 6 2024 which is greater than the 14 days required.

Municipal Action at Defaulters Expense

THAT Council AUTHORIZES Administration to take all appropriate action in accordance with Section 17 [Municipal Action at Defaulter's Expense] of the Community Charter, to ensure the subject property is brought into compliance with all the remedial action requirements described in Recommendation 2, including the Village of Sayward, or authorized agents, to go onto the subject property to complete the remediation, provided that:

i. the property owner has not fully completed the remedial action requirements on or before the time limit specified in this Council resolution; and

ii. all costs incurred by the *Village of Sayward* to bring the property into compliance shall be at the expense of the property owner and, pursuant to Section 17 of the Community Charter, and such costs shall be recovered from the property owner as a debt owed to the *Village of Sayward.*

Respectfully submitted,

Jennifer Barber
Original Signed
Acting Bylaw Enforcement Officer

John Thomas
Original Signed

_____
John Thomas, A/CAO

1

Village of Sayward

PERMIT TO OCCUPY AN RV FOR RESIDENTIAL PURPOSES

Dan McIntyre	WRA04H
Applicant Name	**License Plate #**
291 MacMillan Dr.	2006 Keystone Cougar
Site Address	**Vehicle Make and Model**
FOLIO: 00306000 PID: 003-428-141	Beige with decals
Folio number	**Colour of RV**

This permit authorizes the following:

___X__ ***Occupancy of recreational vehicle for recreational purposes, as an accessory use, for a period not to exceed 90 days from issue date of permit.***

_____ ***On-site accommodation during construction for a residential unit for a maximum of 365 days from the issue date of permit, subject to the conditions of section 304 (2) of Village of Sayward Zoning Bylaw No. 309, 2000***

Terms and Conditions:

1.) Limit of 1 vehicle per permit.
2.) Permit must be displayed on the vehicle's dashboard so as to be visible from the exterior of the vehicle.
3.) Permits are non-transferable between individuals and vehicles and are valid for use by the Applicant only.
4.) The applicant shall abide by all Village of Sayward bylaws.
5.) No person shall rely upon any permit as establishing compliance with the bylaw or assume or conclude that the bylaw has been administered or enforced according to its terms. The person to whom the permit is issued and his or her representatives are responsible for making such determination.
6) RV must be licensed, registered and insured.
6.) Failure to abide by Village of Sayward bylaws and these Terms & Conditions may result in the permit being revoked, suspended, or cancelled.
7.) By signing below, the Applicant agrees that they have fully read and understand all Terms & Conditions outlined above.

APPROVED BY	**Keir Gervais, CAO**	**1Mar23**
ISSUED BY	**Lisa Clark, Corporate Officer**	**1Mar23**
APPLICANT'S SIGNATURE		
FEE APPLICABLE AND PAID	**$1,000 (REFUNDABLE)**	YES____ NO____ N/A___
PERMIT NUMBER	**RVP 23-01**	

Permit Date: 1Mar2023
Expiry Date: 28May2023

Zoning Bylaw excerpt

304 Residential Occupancy of Recreational Vehicles

Occupancy of recreational vehicles for residential purposes shall be permitted subject to the following:

1) For recreational purposes, within any zone, for a period not to exceed 90 days in any 12 month period, or

2) In all zones, as on-site accommodation during the course of construction for a residential unit pursuant to, where applicable, an approved building permit issued by the Village of Sayward provided that:

a) Approval for hook-up to water and sewer services has been granted by the Village.

b) The period of occupancy of the recreational vehicle does not exceed 365 days. One additional extension of 365 days may be approved by the Chief Administrative Officer, at the request of the property owner.

c) The owner of the property or their agent has provided a notarized letter of undertaking wherein they agree to remove the recreational vehicle and/or cease its use as a residence within 365 days and has provided a negotiable security in the form acceptable to the Village in the amount of $1000.00. This security would be used to cover the enforcement costs of causing the cessation of use should the owner neglect or refuse to cease its use as a residence in accordance with Sections (a), and (b) above.

From: Lisa Clark <cfo@saywardvalley.ca>
Sent: Thursday, May 25, 2023 2:52 PM
To: [redacted]
Cc: Keir Gervais <cao@saywardvalley.ca>; Village of Sayward <village@saywardvalley.ca>
Subject: RV Permit/Building Permit 291 MacMillan Dr.

Good afternoon Dan and Misty, as requested attached is a Building Permit Application package for you to complete. As mentioned in our phone conversation this afternoon, your RV permit (RVP 23-01) for recreational purposes expires on May 28, 2023, with no extensions permitted as per the Village of Sayward Zoning Bylaw. However, since our CAO is away on holidays (I have cc'd him in this e-mail for when he returns), this can be dealt with in a week or so once you have had a chance to speak with him as requested.

Keir – Dan and Misty's phone number is [redacted], can you please touch base with them when you return to the office.

Thanks,

Lisa Clark, CPA, CGA
Chief Financial Officer/Corporate Officer
Village of Sayward
652 H'Kusam Way, PO Box 29
Sayward, BC V0P 1R0
250-282-5512 Ext. 3 (office)

From: Keir Gervais
Sent: Thursday, June 1, 2023 1:09 PM
To: [redacted]
Cc: Lisa Clark <cfo@saywardvalley.ca>
Subject: RE: RV Permit/Building Permit 291 MacMillan Dr.
Importance: High

Hello Dan & Misty,

Further to the voice message I just left for you, I am writing here to reiterate the same information I spoke about in my message.

At present, your RV Permit has expired and as such you are not permitted to remain living in your RV unless you are in the process of building a home and have an approved building permit from the SRD building inspector. My understanding is that you do not have approved building permit.

Prior to taking next steps with respect to enforcing the Village's bylaw, I'd like to speak with you and receive what information you may have about your building application. Please let me know when you have time to meet with me.

Regards,

Keir Gervais
Chief Administrative Officer
Village of Sayward
652 H'Kusam Way, PO Box 29
Sayward, BC V0P 1R0
250-282-5512 Ext. 2 (office)
cao@saywardvalley.ca

From: Jennifer Barber
Sent: December 13, 2023 3:13 PM
To: [redacted]
Subject: 291 MacMillan, Sayward

Hi Dan,

As just discussed, Keir is telling me you need a building permit prior to occupying the trailer.

In order for me to issue the permit, I need:

- BC Housing Owner builder authorization
- Energy Step Code preconstruction report

Jennifer Barber, RBO
Senior Building Official

Strathcona Regional District
990 Cedar St. Campbell River, BC V9W 7Z8
T: 250-830-6713 | C: 250-203-3625
E: jbarber@srd.ca

Strathcona
REGIONAL DISTRICT

990 Cedar Street
Campbell River, BC V9W 7Z8
250-830-6700 • 1-877-830-2990
info@srd.ca www.srd.ca

May 24, 2024

Daniel Joseph Macintyre
Misty Lynn Lounsbury
[redacted]

via email [redacted]

Dear Property Owner:

Re: NOTICE OF BYLAW CONTRAVENTIONS
Bylaw Enforcement File No: 24-SAY-02
Subject Property: 291 MacMillan Drive, Village of Sayward
Property Identifier: 003-428-141
Legal Description: Lot 5 Block M District Lot 305 Sayward District Plan 21662

The *Village of Sayward* (the Village) received complaints from the community regarding the unsightliness and use of the subject property.

The Village issued a 'Permit to Occupy an RV for Residential Purposes' for a 2006 Keyston Cougar at the subject property on March 1, 2023. This permit expired on May 28, 2023. The occupancy of the recreational vehicle (RV) did not cease after the expiry date. Village staff, including the Building Official, advised the property owner that the continued occupation of the RV on the subject property was no longer permitted.

On May 6, 2024, staff met Mr. Dan Macintyre, the property owner, and received consent to inspect and photograph the subject property (photographs attached). Mr. Dan Macintyre confirmed that he was residing in the RV on the property. The RV is a CSA Z240 Series Recreational Vehicle 'Cougar' model by Keyston (no visible licence plate) and is connected to services. Services include hook-up to municipal water and sewer. Multiple large propane cylinders were visible. A building is under construction beside the RV. Also located on the property was a shipping container, boat with trailer, construction tools and material, residential tools and materials, and other miscellaneous chattel. A dwelling unit is not sited on the property.

BUILDING

The Village regulates the construction, alteration, repair and demolition of structures 107.6 sq ft or more via *Village of Sayward Building Bylaw No. 334* (Bylaw No. 334); the Village does not have any record of an issued building permit at this location.

ZONING

The *Village* regulates the location and use of buildings, structures, and the land via the *Village of Sayward Zoning Bylaw No. 309, 2000* (Bylaw No. 309). The subject property is zoned Residential One (R-1). The primary use permitted is a 'single family dwelling' which is a building used for residential use consisting of one dwelling unit and excludes recreational vehicles.

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info@srd.ca www.srd.ca

Section 304 of Bylaw No. 309 permits the occupancy of an RV not exceeding ninety days in any 12-month period or with an issued building permit.
Section 401 of Bylaw No. 309 allows for one (1) accessory building on a parcel where accessory buildings are permitted (when a permitted principal use does not exist) provided that the building is not greater than 60.0m² (645.8ft²) in total floor area and used solely by the property owner for the storage of personal effects.

UNSIGHTLY PREMISES

The *Village* regulates nuisances and disturbances that threaten the quality of life desired by the population via the *Public Nuisance Bylaw No. 502, 2023* (Bylaw No. 502).

Section 7.13 within Bylaw No. 502 provides that a property owner is not to allow the property to become or remain unsightly or permit water, rubbish, discarded materials or noxious, offensive, or unwholesome matter to accumulate.

Section 7.15 within Bylaw No. 502 provides the property owner is to remove unsightly accumulations of filth, discarded materials, brush, trees, vines, Noxious Weeds or other growths when ordered to do so by the Village.

OUTCOME

The Village is ordering that the property owner remove all property, including RV, boat, boat trailer, trailers, discarded materials, and all other chattel from the subject property **prior to JUNE 24, 2024** except for one (1) accessory building no greater than 60.0m² (645.8ft²) in total floor area for the storage of personal effects. Please note that a building permit may be required if the accessory building triggers the requirement for a building permit.

We trust that we can count on your voluntary compliance but be aware that noncompliance may result in fines or referral to the Council to initiate increased enforcement action. Do not hesitate to contact me if you have questions regarding the content of this letter.

Respectfully,

JW

Jennifer Wells
Contracted Bylaw Compliance Officer
Village of Sayward
e. jwells@srd.ca | t. 250.830.6725

Encl:
Photographs taken May 6, 2024

Cc:
291 MacMillan Drive, Sayward

Strathcona
REGIONAL DISTRICT

990 Cedar Street
Campbell River, BC V9W 7Z8
250-830-6700 • 1-877-830-2990
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Photographs taken By Jennifer Wells on May 6, 2024





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Jennifer Barber

From: Jennifer Barber
Sent: April 14, 2025 11:12 AM
To: Dan MacIntyre; Misty Lounsbury
Subject: FINAL NOTICE TO COMPLY
Attachments: CC excerpt Remedial Action.docx

April 9, 2025

Daniel Joseph Macintyre
291 MacMillan Drive
Sayward, BC V0P 1R0

via email [redacted]
and [redacted]

Misty Lynn Lounsbury
[redacted]

Dear Property Owners:

Re: NOTICE TO COMPLY - FINAL
Bylaw Enforcement File No: 24-SAY-02
Subject Property: 291 MacMillan Drive, Village of Sayward
Property Identifier: 003-428-141
Legal Description: Lot 5 Block M District Lot 305 Sayward District Plan 21662
Encl: CC excerpt Remedial Action

The *Village of Sayward* (the Village) has continued to receive complaints from the community regarding the unsightliness and use of the subject property.

The Village regulates the construction, alteration, repair and demolition of structures 107.6 sq ft or more via *Village of Sayward Building Bylaw No. 334* (Bylaw No. 334). The Village does not have any record of an issued building permit at this location.

The *Village* regulates the location and use of buildings, structures, and the land via the *Village of Sayward Zoning Bylaw No. 309, 2000* (Bylaw No. 309). The subject property is zoned Residential One (R-1). The primary use permitted is a 'single family dwelling' which is a building used for residential use consisting of one dwelling unit and excludes recreational vehicles.
Section 304 of Bylaw No. 309 permits the occupancy of an RV not exceeding ninety days in any 12-month period or with an issued building permit.
Section 401 of Bylaw No. 309 allows for one (1) accessory building on a parcel when a principal use does not exist provided that the building is not greater than 60.0m² (645.8ft²) in total floor area and used solely by the property owner for the storage of personal effects.

The Village issued a 'Permit to Occupy an RV for Residential Purposes' for a 2006 Keyston Cougar at the subject property on March 1, 2023. This permit expired on May 28, 2023. The occupancy of the recreational vehicle (RV) did not cease after the expiry date. Village staff and the contracted Building Official advised the property owner that the continued occupation of the RV on the subject property was no longer permitted.

The *Village* regulates nuisances and disturbances that threaten the quality of life desired by the population via the *Public Nuisance Bylaw No. 502, 2023* (Bylaw No. 502).
Section 7.13 within Bylaw No. 502 provides that a property owner is not to allow the property to become or remain unsightly or permit water, rubbish, discarded materials or noxious, offensive, or unwholesome matter to accumulate.
Section 7.15 within Bylaw No. 502 provides the property owner is to remove unsightly accumulations of filth, discarded materials, brush, trees, vines, Noxious Weeds or other growths when ordered to do so by the Village.

The Village is ordering that the property owner remove all property, including the RV, porch and deck, discarded materials, and all other chattel from the subject property **prior to May 9, 2025** except for one (1) accessory building no greater than 60.0m² (645.8ft²) in total floor area for the storage of personal effects. Please note that a building permit will be required if the accessory building is over 10m².

Please be advised that failure to comply will result in referral to Council for a remediation action requirement. If the action required by the remediation action requirement is not completed by the date specified for compliance, the municipality may take action at the expense of the person subject to the requirement and may recover the associated costs from that person as a debt.

Your attention to this matter is urgently required. Do not hesitate to contact me if you have questions regarding the content of this letter.

Respectfully,

Jennifer Barber, RBO
Senior Building Official

Strathcona Regional District
990 Cedar St. Campbell River, BC V9W 7Z8
T: 250-830-6713 | C: 250-203-3625
E: jbarber@srd.ca

Community Charter excerpt

Division 12 — Remedial Action Requirements

Council may impose remedial action requirements

72 (1)A council may impose remedial action requirements in relation to

(a)matters or things referred to in section 73 *[hazardous conditions]*,

(b)matters or things referred to in section 74 *[declared nuisances]*, or

(c)circumstances referred to in section 75 *[harm to drainage or dike]*.

(2)In the case of matters or things referred to in section 73 or 74, a remedial action requirement

(a)may be imposed on one or more of

(i)the owner or lessee of the matter or thing, and

(ii)the owner or occupier of the land on which it is located, and

(b)may require the person to

(i)remove or demolish the matter or thing,

(ii)fill it in, cover it over or alter it,

(iii)bring it up to a standard specified by bylaw, or

(iv)otherwise deal with it in accordance with the directions of council or a person authorized by council.

(3)In the case of circumstances referred to in section 75, a remedial action requirement

(a)may be imposed on the person referred to in that section, and

(b)may require the person to undertake restoration work in accordance with the directions of council or a person authorized by council.

Hazardous conditions

73 (1)Subject to subsection (2), a council may impose a remedial action requirement in relation to any of the following:

(a)a building or other structure, an erection of any kind, or a similar matter or thing;

(b)a natural or artificial opening in the ground, or a similar matter or thing;

(c)a tree;

(d)wires, cables, or similar matters or things, that are on, in, over, under or along a highway;

(e)matters or things that are attached to a structure, erection or other matter or thing referred to in paragraph (a) that is on, in, over, under or along a highway.

(2)A council may only impose the remedial action requirement if

(a)the council considers that the matter or thing is in or creates an unsafe condition, or

(b)the matter or thing contravenes the Provincial building regulations or a bylaw under section 8 (3) (l) *[spheres of authority — buildings and other structures]* or Division 8 *[Building Regulation]* of this Part.

Declared nuisances

74 (1)A council may declare that any of the following is a nuisance and may impose a remedial action requirement in relation to the declared nuisance:

(a)a building or other structure, an erection of any kind, or a similar matter or thing;

(b)a natural or artificial opening in the ground, or a similar matter or thing;

(c)a drain, ditch, watercourse, pond, surface water, or a similar matter or thing;

(d)a matter or thing that is in or about any matter or thing referred to in paragraphs (a) to (c).

(2)Subsection (1) also applies in relation to a thing that council considers is so dilapidated or unclean as to be offensive to the community.

Harm to drainage or dike

75 A council may impose a remedial action requirement if a person has

(a)obstructed, filled up or damaged a ditch, drain, creek or watercourse that was constructed or improved under this Act or the *Local Government Act*, or

(b)damaged or destroyed a dike or other drainage or reclamation work connected with it.

Time limit for compliance

76 (1)The resolution imposing a remedial action requirement must specify the time by which the required action must be completed.

(2)Subject to section 79 *[shorter time limits in urgent circumstances]*, the time specified under subsection (1) must not be earlier than 30 days after notice under section 77 (1) *[notice to affected persons]* is sent to the person subject to the remedial action requirement.

(3)The council may extend the time for completing the required action even though the time limit previously established has expired.

Notice to affected persons

77 (1)Notice of a remedial action requirement must be given by personal service or by registered mail to

(a)the person subject to the requirement, and

(b)the owner of the land where the required action is to be carried out.

(2)In addition, notice of the remedial action requirement must be mailed to

(a)each holder of a registered charge in relation to the property whose name is included on the assessment roll, at the address set out in that assessment roll and to any later address known to the corporate officer, and

(b)any other person who is an occupier of that land.

(3)A notice under this section must advise

(a)that the person subject to the requirement, or the owner of the land where the required action is to be carried out, may request a reconsideration by council in accordance with section 78 *[person affected may request reconsideration]*, and

(b)that, if the action required by the remedial action requirement is not completed by the date specified for compliance, the municipality may take action in accordance with section 17 *[municipal action at defaulter's expense]* at the expense of the person subject to the requirement.

Person affected may request reconsideration by council

78 (1)A person who is required to be given notice under section 77 (1) *[notice to affected persons]* may request that the council reconsider the remedial action requirement.

(2)Subject to section 79 *[shorter time limits in urgent circumstances]*, a request under subsection (1) must be made by written notice provided within 14 days of

the date on which the notice under section 77 (1) was sent or a longer period permitted by council.

(3)If the council receives a notice that complies with subsection (2), it must provide the person with an opportunity to make representations to the council.

(4)After providing the opportunity referred to in subsection (3), the council may confirm, amend or cancel the remedial action requirement.

(5)Notice of a decision under subsection (4) must be provided in accordance with section 77 (1) and (2) *[notice to affected persons]*.

Shorter time limits in urgent circumstances

79 If the council considers that there is a significant risk to health or safety if action is not taken earlier, the resolution imposing the remedial action requirement may

(a)set a time limit under section 76 *[time limit for compliance]* that is shorter than the minimum otherwise applicable under subsection (2) of that section, and

(b)set a time limit for giving notice under section 78 *[persons affected may request reconsideration]* that is shorter than the limit otherwise applicable under subsection (2) of that section.

Recovery of municipal costs through sale of property

80 (1)This section applies to remedial action requirements in relation to the following:

(a)matters or things referred to in section 73 (1) (a) *[unsafe and non-complying structures]*;

(b)matters or things referred to in section 74 (1) (a) *[nuisances in relation to structures]*;

(c)matters or things referred to in section 74 (1) (d) *[nuisances in relation to things in or near structures]* that are in or about a matter or thing referred to in section 74 (1) (a).

(2)Subject to this section, if a remedial action requirement has not been satisfied by the date specified for compliance, the municipality may sell the matter or thing in relation to which the requirement was imposed or any part or material of it.

(3)The earliest date on which the municipality may sell property referred to in subsection (2) is the later of

(a)the date specified for compliance, and

(b)60 days after the notice under section 77 (1) *[notice to affected persons]* is given.

(4)If a municipality sells property under this section, it

(a)may retain from the proceeds

(i)the costs incurred by the municipality in carrying out the sale, and

(ii)if applicable, the costs incurred by the municipality in exercising its power under section 17 *[municipal actions at defaulter's expense]* that have not yet been paid by the person subject to the requirement, and

(b)must pay the remainder of the proceeds to the owner or other person lawfully entitled.

(5)For certainty, the authority under this section is in addition to that provided by section 17 *[municipal action at defaulter's expense]*.

Municipal action at defaulter's expense

17 (1)The authority of a council under this or another Act to require that something be done includes the authority to direct that, if a person subject to the requirement fails to take the required action, the municipality may

(a)fulfill the requirement at the expense of the person, and

(b)recover the costs incurred from that person as a debt.

(2)Division 14 *[Recovery of Special Fees]* of Part 7 *[Municipal Revenue]* applies to an amount recoverable under subsection (1) that is incurred for work done or services provided in relation to land or improvements.

TITLE SEARCH PRINT 2025-04-09, 10:06:55

File Reference: Sayward Requestor: Jennifer Barber

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District VICTORIA
Land Title Office VICTORIA

Title Number HB12191
From Title Number HB6727

Application Received 2025-03-07

Application Entered 2025-03-11

Registered Owner in Fee Simple
Registered Owner/Mailing Address: DANIEL JOSEPH MACINTYRE, HOME INSPECTOR
291 MACMILLAN DRIVE
SAYWARD, BC
V0P 1R0
MISTY LYNN LOUNSBURY, RETIRED
[redacted]
AS JOINT TENANTS

Taxation Authority Courtenay Assessment Area
Sayward, Village of

Description of Land
Parcel Identifier: 003-428-141
Legal Description:
LOT 5, BLOCK M, DISTRICT LOT 305, SAYWARD DISTRICT, PLAN 21662

Legal Notations NONE

Charges, Liens and Interests
Nature: RIGHT OF WAY
Registration Number: H43248
Registration Date and Time: 1979-05-29 11:45
Registered Owner: VILLAGE OF SAYWARD
Remarks: INTER ALIA
PART IN PLAN 1982 R.W.

Nature:	CERTIFICATE OF PENDING LITIGATION
Registration Number:	CB1874022
Registration Date and Time:	2025-02-13 14:54
Registered Owner:	MISTY LYNN LOUNSBURY
Remarks:	INTER ALIA

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

Date

Registered Mail, Email & Posted on Property

Daniel Joseph Macintyre
291 Macmillan Drive
Sayward, Bc
V0P 1R0
[redacted]

Misty Lynn Lounsbury
[redacted]

NOTICE OF HEARING

IN THE MATTER OF SECTION 74 OF THE COMMUNITY CHARTER SBC 2003 CHAPTER 26 AND AMENDMENTS

AND

IN THE MATTER OF LOT 5 BLOCK M PLAN VIP21662 DSTLOT 305 LNDDST 51 PARCEL IDENTIFIER 003-428-141

TAKE NOTICE that the *Village of Saywards* pursuant to Division 12 of Part 3 of the Community Charter, at 1:00 pm on Tuesday April 16, 2024 in the Council Chambers at the Village Office at 652-A H'Kusam Way, Sayward, British Columbia, will hear representations by the Bylaw Officer to determine whether lands described above are offensive to the community and should be declared a nuisance. If Council declares the property a nuisance, it may require the owner to remedy the nuisance.

AND FURTHER TAKE NOTICE that should the Council require the owner to take remedial action, and the owner defaults, the Council may direct its employees or authorized agents to enter onto the property and take remedial action at the expense of the owner. The charges for doing so, if left unpaid on December 31st, shall form part of taxes payable in respect of the real property in question, as taxes in arrears.

DRAFT

AND FURTHER TAKE NOTICE that should you wish to make representation to the Council regarding the lands described above, you should appear at that time and date to make your representation to the Council.

Please contact the Village office at 250-282-5512 or village@saywardvalley.ca to advise if you will address Council at this meeting.

Sincerely,

John Thomas
Chief Administrative Officer

Attachments:

Staff Report to Council
Council Report

DRAFT