

Re: U.B.C.M. Resolutions

Attached is a report from the Director of Planning regarding Resolutions which are submitted to Council for referral to the U.B.C.M. which will convene its Annual Meeting in Penticton on September 10, 1975.

Resolutions #5 to #8 have been submitted to the U.B.C.M. before and have been endorsed but the Province has not acted on them so we feel that they should be submitted again. Resolution #5 was before the Convention last year as #A5 (page 44 of the Resolution Book); Resolution #6 as #23 (page 14), Resolution #7 as #22 (page 13), and Resolution #8 as #56 (page 31).

On April 25, 1975, Council during a special meeting that had been convened for the purpose of discussing the Annual Budget, requested staff to prepare a Resolution to the effect that the cost of speech therapists, nutritionists and similar services be assumed by the appropriate departments of the Provincial Government. The following Resolution has been drafted in this regard:

WHEREAS the Provincial Government provides 100% funding to most Public Health Departments in British Columbia for ancillary services such as nutrition and speech therapy;

AND WHEREAS such funding for ancillary services is not extended to members of the Metropolitan Board of Health, namely, the City of Vancouver, the North Shore Union Board of Health and the Districts of Burnaby and Richmond;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to provide all Public Health Departments with sufficient funds to cover the salaries of speech therapists and nutritionists that are presently on staff, and that such funding be extended to cover any additional services of an ancillary nature as may be required in the future.

RECOMMENDATIONS:

1. THAT the subject Resolutions be referred to the U.B.C.M.; and
2. THAT the U.B.C.M. be sent a copy of this report; and
3. THAT the Resolution pertaining to funds for ancillary health services be also sent for endorsement to the Metropolitan Board of Health and the Associated Boards of Health (an organization which represents all Health Departments in the Province).

ITEM	19
MANAGER'S REPORT NO.	43
COUNCIL MEETING	June 16/75

Planning Department,
June 4, 1975
Our File #01.250

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
RE: U. B. C. M. RESOLUTIONS.

With reference to your memo of May 5, 1975, the following resolutions are recommended for consideration by the Council:

- (1) The Revision of Present Procedures for the Notification of Occupiers of Properties Located Within Zoning Districts in Cases Where Amendments Are Made to the Text of a Municipal Zoning By-law

WHEREAS the Municipal Act presently requires the sending of Public Hearing notices to all occupiers of properties located within areas, and 100 feet of the boundaries therefrom, where a proposed rezoning could result in the introduction of a new or different use of land;

AND WHEREAS this requirement performs the necessary function of ensuring that all occupiers of properties which could be directly affected by a proposed change in actual zone boundaries are provided with the opportunity of making their views known at a Public Hearing;

AND WHEREAS this all encompassing Public Hearing notification procedure has been interpreted in the courts as also applying in cases where amendments are proposed to the text of a municipal zoning by-law;

AND WHEREAS this involves a considerable amount of work, time and expense on the part of a municipality in the preparation and distribution of individual notices which may include thousands of occupiers who, in many instances, are not directly affected by the zoning by-law text amendment and which could,

Re: U. B. C. M. Resolutions... page 2.

conceivably, involve an entire municipality;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend the Municipal Act to remove this procedure, insofar as municipal zoning by-law text amendments are concerned, and replace it with a requirement that would be limited to the placing of notices in a newspaper published or circulating in a municipality.

(2) Provision for the Establishment of Building Lines along Major Streets

WHEREAS the Municipal Act empowers a municipality to regulate the siting of buildings within the various zoning districts included within its area of jurisdiction;

AND WHEREAS this authority does not presently extend to the establishment by a municipality of building lines along major streets and heavily travelled thoroughfares;

AND WHEREAS building lines provide an effective means of ensuring the maintenance of a reasonable separation between a building and a major street in order to preserve the traffic carrying function of the thoroughfare, protect the amenities of the building and allow for future right-of-way width extensions, where necessary;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend the Municipal Act to provide the necessary authority for a municipality to establish building lines along major traffic routes within its boundaries.

(3) The Requiring of Community Care Facility Developments to Conform with Municipal Electrical, Plumbing, Building and Zoning Regulations and By-laws

WHEREAS recent amendments to the Community Care Facilities Licencing Act have deleted the previous requirement for the meeting of municipal electrical, plumbing, building and zoning regulations and by-laws;

AND WHEREAS the present provisions make reference only to municipal by-laws relating to fire and health;

AND WHEREAS a community care facility is no longer subject to compliance with the same municipal regulations as other new developments and the degree of control that may be exercised by a municipality within which community care facilities are situated, has been considerably reduced by these amendments;

AND WHEREAS a community care facility may now locate anywhere in a municipality, regardless of zoning, which could frustrate the proper planning of an area or detrimentally affect adjoining land uses;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend the Community Care Facilities Licencing Act to make mandatory the compliance of such developments with municipal electrical, plumbing, building and zoning regulations and by-laws.

ITEM	19
MANAGER'S REPORT NO.	43
COUNCIL MEETING	June 16/75

Re: U. B. C. M. Resolutions...page 3.

(4) The Provision of a Trust Fund for Required Services as a Condition of Subdivision Approval

WHEREAS the Municipal Act does not presently include provision for a municipality to hold money in trust as a condition of subdivision approval for services that cannot be constructed at the time of subdivision;

AND WHEREAS, under these circumstances, a municipality is faced with expenditures for servicing which should rightly belong to the subdivider of land;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend Section 711 (Subdivision of Land) of the Municipal Act to provide the necessary authority for a municipality to hold money in trust to ensure the future provision of services by the developer involved in the subdivision of land.

(5) The Provision of Land or Funds for Public Use in Residential Subdivisions

WHEREAS the provision of adequate sites in new residential and apartment development subdivisions for public use is considered essential in the modern residential neighbourhood;

AND WHEREAS the occupants of residential and apartment development subdivisions will require space for public use which, if not provided, will place increasing demands upon established public facilities;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend Section 711 of the Municipal Act to provide that as a condition of apartment development or residential subdivision approval the owner of the land to be developed or subdivided shall convey to the municipality for public use, other than streets or public utility easements, an area equivalent to at least five percent of the gross area of the land to be developed or subdivided or, at the discretion of the Approving Authority:

- (a) pay, in lieu of such conveyance, a sum equivalent to the current market value of the required area immediately before development takes place; or
- (b) defer such conveyance until a further development is undertaken or subdivision made.

(6) The Provision of Underground Wiring and Boulevard Treatment as a Condition of Approval for New Development.

WHEREAS the Municipal Act makes provision for the installation of underground wiring for the distribution of electric power and the preparation and landscape treatment of boulevards on newly dedicated streets which are created by subdivision;

AND WHEREAS these provisions do not apply to new developments, which do not involve subdivision, on established streets or on previously dedicated streets when they are constructed;

AND WHEREAS the proper treatment of boulevards has become an expected standard in urban development and the current practice of providing electric power by overhead distribution defaces streets and clutters our municipalities

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend the Municipal Act to provide the necessary authority for a municipality to require a developer, at his own expense and at the time of development, to undertake the proper landscape treatment of boulevards and the provision of underground wiring from existing overhead services, thus preparing for the ultimate replacement of the overhead wires by underground services.

(7) Landscaping Covenants Providing for Earth Berms and Natural Screening between Areas of Incompatible Land Uses.

WHEREAS there are instances in many municipalities where incompatible land uses are developed in locations adjacent to one another;

AND WHEREAS the detrimental effects of such a situation would be considerably reduced by the provision of an effective separation comprised of landscaped earth berms and/or natural screening buffers between contrasting forms of development;

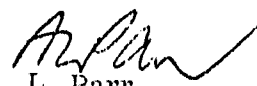
THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend the Municipal Act to provide the necessary authority for a municipality to require a developer, at this own expense and at the time of development, to prepare and maintain landscaped earth berms and/or natural screening along any boundary between a residential project and an adjoining commercial or industrial development.

(8) The Including of the Cost of Parking for Apartment Buildings in the Rent

WHEREAS many municipalities are experiencing excessive on-street parking in areas of apartment development, a situation which gives rise to problems of traffic congestion and increasing hazards to pedestrians;

AND WHEREAS the incentives to use the parking facilities provided by an apartment development are generally lacking due to the prevalent policy of requiring an additional fee, over and above the normal rental, for a parking space, a condition which leaves many parking spaces vacant;

THEREFORE BE IT RESOLVED that the Provincial Government be requested to amend the Municipal Act to provide the necessary authority for any municipality which wishes to do so to require that apartment owners include the cost of off-street parking in the rent in order to encourage the use of these facilities by the apartment tenants.


A. L. Parr,
DIRECTOR OF PLANNING.

RBC:ow

c. c. Municipal Clerk
Municipal Engineer
Municipal Solicitor
Assistant Director - Long Range Planning &
Research