

ITEM	8
MANAGER'S REPORT NO.	44
COUNCIL MEETING	June 28/76

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 Vancouver on September 15, 1976.

As noted in the report, Resolutions #4, 5 and 6 were previously submitted to the U.B.C.M. but the Provincial Government has not acted on them and we therefore feel that they should be submitted again.

Following is an additional Resolution which has been adopted by the U.B.C.M. and which is now under review by the Provincial Government:

"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."

It is proposed that this Resolution also be submitted again.

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 Metropolitan Board of Health and the Associated Boards of Health (an organization which represents all Health Departments in the Province) be advised of the resubmission of the resolution pertaining to funds for ancillary health service.

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Planning Department,
June 22, 1976.
Our File #01.250

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

Further to the official notice of the 73rd annual convention of the U. B. C. M., which was included on the agenda of the Council meeting on May 31, 1976, the following resolutions are proposed for consideration by the Council:

(1) 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;

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- (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.
- (2) 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 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.

- (3) 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 the 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 prepare and maintain landscaped earth berms and/or natural screening along any boundary between a residential project and an adjoining commercial or industrial development.

- (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 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.

- (6) 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 on any land abutting on any street or road, and for providing that no building shall be erected on such land at a lesser distance from the street or road than indicated by the building line;

AND WHEREAS building lines are an effective means of providing for necessary future street widenings, designating rights-of-way which have been planned but not yet developed, protecting the traffic carrying function of a thoroughfare, and preserving the amenities of buildings along major traffic routes;

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 on land abutting an existing and/or proposed major street within its boundaries.

(7) 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.

(8) Off-Street Recreational Vehicles - "All-Terrain Vehicles Act"

WHEREAS the operation of off-street recreation vehicles such as trail bikes, mini-bikes and similar machines on privately owned lands and rights-of-way is the source of much concern to various municipalities and the residents thereof;

AND WHEREAS it is deemed desirable to have this type of vehicle being governed as to registration, operation and prohibition for operation on private property without the consent of the owner;

AND WHEREAS the definition of "all-terrain vehicle" in the "All-Terrain Vehicles Act" provides:

"all-terrain vehicle" means any type of vehicle propelled by motorized power and capable of travel on or off a highway as defined in the Highway Act, and that is designated as an all-terrain vehicle by regulation;

AND WHEREAS if off-street recreation vehicles such as trail bikes, mini-bikes and similar machines were to be included in the definition of an "all-terrain vehicle" in the "All-Terrain Vehicles Act" this would then provide the necessary regulatory and enforcement powers:

THEREFORE BE IT RESOLVED that the "All-Terrain Vehicles Act" be amended so that the definition contained therein of "all-terrain vehicle" will include by designation of off-street recreation vehicles such as trail bikes, mini-bikes and similar machines.

All of the foregoing resolutions were submitted to the U. B. C. M. by this municipality in 1975. However, none of them have yet been enacted and have been included in this report to add emphasis to their further consideration. The delay in dealing with these resolutions has been primarily due to the recent change in governments.

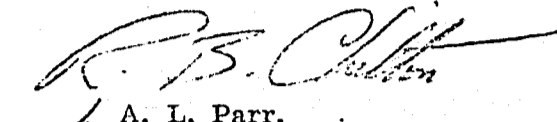
With regard to their current status, resolutions 1, 2, 3 and 4 are under study by the Department of Municipal Affairs following consideration by the U. B. C. M. Executive. Item 5 was endorsed by the U. B. C. M. and forwarded to the Department of Health. More information was recently requested on Item 6 by the U. B. C. M. Executive for discussion with provincial officials. This has since been provided and the matter is presently under review by the Province. Item 7 was endorsed

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by the U. B. C. M.. However, an opinion has been requested from the Department of Housing, before further study by the U. B. C. M. Executive. Item 8 was endorsed by the U. B. C. M. and will be forwarded to the Province for consideration in the near future.

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A. L. Parr,
DIRECTOR OF PLANNING.

RBC:ew

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