

ITEM	06
MANAGER'S REPORT #	15
COUNCIL MEETING	96/05/27

1996 MAY 21

TO: CITY MANAGER

FROM: DIRECTOR PLANNING AND BUILDING

OUR FILE: 01.250

SUBJECT: UPDATE - UBCM RESOLUTIONS

PURPOSE: To provide an update of active resolutions previously submitted by the City of Burnaby to the UBCM Convention resolution process.

RECOMMENDATION:

1. THAT this report be received for information purposes.

R E P O R T

1.0 INTRODUCTION

Each year, resolutions are considered for submission to the UBCM Convention to request amendments to the Municipal Act or other Provincial legislation and policies.

This report updates the status of those resolutions previously adopted by Council and the UBCM which are still active but not yet the subject of Provincial legislation.

2.0 STATUS OF ACTIVE PAST RESOLUTIONS

1995 Resolutions

3.1 (B10) Authority to Designate Buildings as Unsafe for Occupancy

This resolution requested that the Province enable municipalities, through the building inspector, to evacuate a building or portion of a building which the inspector considers to present and imminent or serious danger to life or property.

This resolution was endorsed by the UBCM and forwarded to the Provincial Government for comment. Provincial responses to 1995 resolutions are expected later this spring.

3.2 (B52) Mitigation Measures - Provincial Highway Improvements in Urban Areas

This resolution requested the Province to amend the legislation and guidelines governing the development of the Provincial highway system in the Lower Mainland to allow for Provincial funding of special off-road mitigation measures considered necessary in urban areas.

This resolution was endorsed by the UBCM Executive in 1995, and forwarded to the Provincial Government for comment. Provincial response to this 1995 resolution is also expected later this spring.

1994 Resolutions

3.1 (B25) Age Classification and Restriction of Video Games

This resolution requested the classification and regulation of video games based on violence, hatred or sexual exploitation. This resolution was endorsed at the 1994 UBCM Convention and was forwarded to the Provincial Government for consideration.

In response to this resolution, the Provincial Government has worked with the video game industry, and others, to implement a game rating system to provide consumers with information on the age suitability of games, as an alternative to industry regulation. The Attorney General has indicated that the Ministry would be prepared to re-examine the merits of amending legislation should self-regulation by the industry fail.

1993 Resolutions

3.4 (B29) Crossbows

This resolution was endorsed at the 1993 UBCM Convention and referred to the Federation of Canadian Municipalities, where it was endorsed at their September Board meeting. The Minister of Justice and Attorney General of Canada, The Honourable Allan Rock, on 1994 January 20, provided a response to the FCM in response to the resolution.

The Minister advised that while it may not be practical to use the existing Criminal Code authority to declare crossbows to be a "restricted weapons", he is examining this and other options with the hope of being able to respond to public concerns in the near future. The UBCM will apprise staff of any further responses from the Minister.

3.5 (C38) Recyclable Materials

This resolution requested the Federal and Provincial/Territorial governments to enact legislation requiring suitable percentages of recyclable materials in new products manufactured of paper, glass, plastic, metals and other recyclable materials in new products reclaimed from the waste stream. A similar resolution was adopted by the Federation of Canadian Municipalities in 1990.

This subject continues to be dealt with by the UBCM Environment Committee as part of its ongoing work program related to environmental issues.

3.6 (C50) Excessive Packaging

This resolution requested that the Provincial Government enact policies and/or legislation to require manufacturers and distributors of goods and materials to reduce the amount of packaging used for their products. It further requested that the Province also enact policies/legislation whereby all public agencies and corporations give preference to suppliers of goods and materials that employ reduced methods of packaging.

The UBCM has been advised by the Provincial Government that it is considering the establishment of a stakeholders committee to look at how a product and packaging stewardship program could be implemented.

1992 Resolutions

3.7 (B8) Disabled Parking Enforcement

This resolution was submitted in response to concerns regarding the enforcement of illegal parking in disabled parking areas. The Attorney-General's Ministry is still awaiting approval of legislative changes to clarify the role of local government bylaw enforcement officers in the enforcement of disabled parking.

3.8 (B50) Community Care Facilities/Group Homes

This resolution requested that the Province, notwithstanding the provisions of the Community Care Facilities Act, consult with local government regarding plans to establish group homes and other community based residential facilities. As well, it was requested that the Province develop a data base on all licensed residential care facilities and other residential institutional uses throughout the Province.

Through the establishment of an Inter-ministerial Committee on special needs housing, the Province has been making a greater effort to consult with local government officials on the planning of group homes and special needs housing. In 1994, the Inter-ministerial Committee worked with the G.V.R.D. Social Issues Committee in hosting a workshop on group homes and special needs housing for Lower Mainland officials. Discussions are taking place for a follow-up session for this fall.

4.0 OTHER ACTIVE RESOLUTIONS

4.1 (1991-B54) Revenue Sharing for Bicycle and Walkway Systems

This requested that the Provincial Government initiate a separate revenue sharing program to assist municipalities with the development of bicycle and walkway transportation projects within the context of an overall municipal system.

In July 1995, the Province announced a new \$2 million cycling infrastructure program for commuter cyclists in B.C. The new program is cost-shared on a 50/50 basis with local governments. Burnaby has received 1995/96 and 1996/97 cost sharing grants for three projects in our Cycle Network Program totaling \$475,000.

4.2 (1991-B58) Purchase of Factory Designed Alternate Fuel Vehicles

This resolution was based on the fact that in British Columbia, factory designed vehicles that utilize alternate fuels are not commercially available and therefore costly retrofits are required. It was proposed that the Province establish a Province wide purchasing pool for these vehicles to urge the automobile industry to produce factory alternate fuel vehicles for the B.C. market.

In 1995 November, the Provincial Government released a policy paper entitled 'Green House Action Plan' that contains a proposal for the promotion and demonstration of fuel efficient and alternative fueled vehicles. The Provincial Government has also established vehicle purchase guidelines for vehicle fleets to assist this proposal.

4.3 (1990-B53) Development Cost Charges for Social Amenities

This resolution requested an amendment to Section 985 of the Municipal Act to authorize municipalities to collect development cost charges for child care facilities and other social facilities and amenities as deemed necessary by the Municipality. Similar resolutions were also passed in 1991 and 1994.

The Ministry of Municipal Affairs has begun a comprehensive review of the system of development financing in B.C. The review process is in its early stages, however, a discussion document is expected to be circulated for comment prior to the 1996 UBCM convention.

4.4 Provision of Compensation to Municipalities for Street Closures

Endorsed by the UBCM in 1979 and 1983, this issue was brought up for consideration in 1987 at the Premier's Conference on decentralization. The Land Title Amendment Act 1993, eliminates the entitlement of landowners, other than the original subdivider, to annex adjacent dedicated roads without compensation. In such a case, the purchaser must pay market value. A proposal to assign municipalities title to municipal roads and allow road abandonments at the discretion of Municipal Councils remains in the hands of the Ministry of Municipal Affairs. The Ministry of Municipal Affairs has indicated that they are still looking at legislative changes regarding this issue.

4.5 All-Terrain Vehicles Act

First introduced by Burnaby, a renewed request from Tumbler Ridge was endorsed at the 1993 UBCM Convention calling for the Provincial and Federal governments to take action to control the misuse and improve safety, consider licensing and the establishment of operation and training and safety programs for operators of ATVs and snowmobiles.

The Province has indicated that the current Motor Vehicle (All Terrain) Act applies only to snowmobiles and not other all-terrain vehicles. While no decisions have been made in regard to possible expansion of the regulations pursuant to the Motor Vehicle (All-Terrain) Act, the Province has indicated that it will give further consideration to the request of the UBCM in regards to this matter.

4.6 Strata Plans for New and Unoccupied Buildings

This resolution was first sponsored by Burnaby in 1983 and again in 1987 to ensure that municipal bylaws are not made ineffective by excluding municipal approval of strata applications for new and unoccupied buildings.

The Ministry of Finance and Corporate Relations circulated in 1994 April a discussion draft of the proposed new Condominium Act. A review of the draft reveals that provision has not been made for municipal approval of strata applications for new and unoccupied buildings. Subsequently, staff submitted a letter to the Ministry of Finance and Corporate Relations requesting inclusion of this item within the Condominium Act revisions. The UBCM has been advised that the consultation is still ongoing with respect to the Condominium Act revisions.



D.G. Stenson, Director
PLANNING AND BUILDING



LP/db

- cc: Director Engineering
- Director Finance
- City Solicitor
- Chief Building Inspector

