REGULAR COUNCIL MEETING – AGENDA

Agenda for the Regular Council Meeting scheduled for Tuesday, December 4, 2018 at 7:00 p.m. in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC



1. Call to Order

2. Approval of the Agenda

Recommendation: That the Agenda be approved as circulated.

3. Public Input

Note: The public is permitted to provide <u>comments</u> to Council on any item shown on this meeting agenda. A two-minute time limit applies to speakers.

4. <u>Delegations</u>

5. Adoption of Minutes

page 4 (a) Minutes of the Regular Council Meeting held on November 20, 2018

Recommendation: That the Minutes of the Regular Council Meeting held on

November 20, 2018 be adopted as circulated.

6. <u>Business Arising from Minutes</u>

7. Consent Agenda

Note: Any Council member who wants to remove an item for further discussion may do so at this time.

Recommendation: That the Consent Agenda be adopted.

(a) Parks and Recreation Committee Recommendations of October 17, 2018 – Anmore Trail Connectivity

Recommendation: That the following recommendations from the Parks and

Recreation Committee Meeting held on October 17, 2018 regarding Anmore Trail Connectivity be referred to staff for inclusion in the 2019 5-Year Financial Plan and 2019 workplan.

"FOR THE STAFF TO PRODUCE AN UPDATED VILLAGE OF ANMORE PROPOSED TRAIL MAP (FIGURE 8) REFLECTING NEW DEVELOPMENT; BELLA TERRA DEVELOPMENT ETC."

"BRING FORWARD TO COUNCIL THROUGH STAFF A REQUEST THAT DISCUSSIONS BE HAD WITH BC HYDRO REGARDING THE RIGHT OF WAY AND POSSIBLE FINANCIAL CONTRIBUTIONS TO TRAIL NETWORK."

"BRING FORWARD TO COUNCIL TO ASK STAFF TO INVESTIGATE THE POTENTIAL OF PROVIDING INCENTIVES FOR LAND AND FINANCIAL DONATIONS TO TRAIL DEVELOPMENT INCLUSIVE OF NAME DEDICATION, ETC."

8. <u>Items Removed from the Consent Agenda</u>

9. Legislative Reports

page 10 (a) Tree Management Bylaw No. 587-2018

Recommendation: That Anmore Tree Management Bylaw No. 587-2018 be adopted.

page 26 (b) Highways Regulation Bylaw No. 586-2018

Report dated November 29, 2018 from the Manager of Development Services is attached.

page 55 (c) Fees and Charges Amendment Bylaw No. 588-2018

Report dated November 29, 2018 from the Manager of Development Services is attached.

10. <u>Unfinished Business</u>

11. New Business

12. Mayor's Report

13. Councillors Reports

14. Chief Administrative Officer's Report

15. <u>Information Items</u>

(a) Committees, Commissions and Boards – Minutes

page 59 - Finance Committee Meeting Minutes of May 28, 2018

page 62 - Parks and Recreation Committee Meeting Minutes of October 17, 2018

(b) General Correspondence

page 65 - Letter dated November 26, 2018 from School District No. 43

page 66 - Letter dated November 29, 2018 from the Auditor General for Local Government

16. <u>Public Question Period</u>

Note: The public is permitted to ask <u>questions</u> of Council regarding any item pertaining to Village business. A two-minute time limit applies to speakers.

17. Adjournment

REGULAR COUNCIL MEETING - MINUTES

Minutes of the Regular Council Meeting held on Tuesday, November 20, 2018 in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC



ELECTED OFFICIALS PRESENT

Mayor John McEwen Councillor Polly Krier Councillor Tim Laidler Councillor Kim Trowbridge Councillor Paul Weverink

OTHERS PRESENT

Juli Halliwell, Chief Administrative Officer
Jason Smith, Manager of Development Services

1. Call to Order

Mayor McEwen called the meeting to order at 7:03 p.m.

2. Approval of the Agenda

R217/2018

It was MOVED and SECONDED:

CARRIED UNANIMOUSLY

"THAT THE AGENDA BE APPROVED AS CIRCULATED."

3. Public Input

Nil

4. <u>Delegations</u>

Nil

5. Adoption of Minutes

(a) Minutes of the Regular Council Meeting held on October 16, 2018

It was MOVED and SECONDED:

R218/2018 "THAT THE MINUTES OF THE REGULAR COUNCIL MEETING

HELD ON OCTOBER 16, 2018 BE ADOPTED AS

CIRCULATED."

CARRIED UNANIMOUSLY

(b) Minutes of the Inaugural Council Meeting held on November 6, 2018

It was MOVED and SECONDED:

R219/2018 "THAT THE MINUTES OF THE INAUGURAL COUNCIL

MEETING HELD ON NOVEMBER 6, 2018 BE ADOPTED AS

CIRCULATED."

CARRIED UNANIMOUSLY

6. <u>Business Arising from Minutes</u>

Nil

7. Consent Agenda

It was MOVED and SECONDED:

R220/2018 "THAT THE CONSENT AGENDA BE ADOPTED."

CARRIED UNANIMOUSLY

(a) Advisory Planning Commission – Council Liaison

Recommendation: That Mayor McEwen be appointed as Council Liaison to the

Advisory Planning Commission.

(b) Community Engagement, Culture and Inclusion Committee – Chair

Recommendation: That Councillor Krier be appointed as Chair of the Community

Engagement, Culture and Inclusion Committee.

(c) Environment Committee – Chair

Recommendation: That Councillor Weverink be appointed as Chair of the

Environment Committee.

(d) Parks and Recreation Committee - Chair

Recommendation: That Councillor Trowbridge be appointed as Chair of the Parks

and Recreation Committee.

(e) Public Safety Committee – Chair

Recommendation: That Councillor Laidler be appointed as Chair of the Public Safety

Committee.

(f) School District No. 43 (Coquitlam) - Child Care Task Force

Letter dated October 9, 2018 from School District No. 43 (Coquitlam) is attached.

Recommendation: That Councillor Krier be appointed as the Village of Anmore

representative to the School District No. 43 (Coquitlam) – Child

Care Task Force.

(g) Federation of Canadian Municipalities – Change in "one-third" Federal Tax Exemption for Elected Officials

Recommendation: That Staff be directed to commence recruitment for a new Council

Remuneration Task Force with a mandate to review Anmore Council remuneration and expenses; And That the Federation of Canadian Municipalities guide regarding the change in one-third federal tax exemption for elected officials be referred to the Task Force for their review and report back on the implications for

Anmore.

(h) Invasive Species Council of Metro Vancouver – Report (2018)

Recommendation: That Council endorse the recommendations in the 2018 report

prepared by the Invasive Species Council of Metro Vancouver; and

that the report be referred to the Environment Committee for

information.

8. <u>Items Removed from the Consent Agenda</u>

Nil

9. Legislative Reports

(a) Works and Services Amendment Bylaw No. 584-2018

The Manager of Development Services provided a short overview of the amending bylaw.

It was MOVED and SECONDED:

R221/2018 "THAT ANMORE WORKS AND SERVICES AMENDMENT

BYLAW NO. 583-2018 BE ADOPTED."

CARRIED UNANIMOUSLY

(b) Tree Management Bylaw No. 585-2018

It was MOVED and SECONDED:

R222/2018 "THAT ANMORE TREE MANAGEMENT BYLAW NO. 587-2018

BE READ A FIRST, SECOND AND THIRD TIME."

CARRIED UNANIMOUSLY

10. Unfinished Business

Nil

11. New Business

(a) Schedule of Regular Council Meetings - 2019

It was MOVED and SECONDED:

R223/2018 "THAT COUNCIL ENDORSE THE SCHEDULE OF REGULAR

COUNCIL MEETINGS FOR 2019, AS FOLLOWS:

JANUARY 8, 22 APRIL 2, JULY 2, 16 OCTOBER 1, 15

16

FEBRUARY 5, 19 MAY 7, 21 AUGUST - NIL NOVEMBER 5, 19

MARCH 5, 19 JUNE 4, 18 SEPTEMBER 3, DECEMBER 3, 17."

17

CARRIED UNANIMOUSLY

(b) General Local Election 2018 – Results and Statistics

It was MOVED and SECONDED:

R224/2018 "THAT THE REPORT DATED NOVEMBER 12, 2018 FROM THE

CHIEF ELECTION OFFICER REGARDING GENERAL LOCAL ELECTION 2018 – RESULTS AND STATISTICS BE RECEIVED; AND THAT STAFF BE DIRECTED TO DRAFT AN UPDATE TO

THE LOCAL GENERAL ELECTION PROCEDURES BYLAW IN CONSIDERATION OF THE REPORT RECOMMENDATIONS."

CARRIED UNANIMOUSLY

12. Mayor's Report

Mayor McEwen reported that:

- On November 8th he attended the Port Moody Museum Remembrance Day service where he toured the museum and said a few words about the importance of Remembrance Day
- On November 11th he attended the Remembrance Day service in the Village of Belcarra which was a beautiful day and very well attended
- On November 15 he attended along with Councillor Weverink the former Village of Belcarra's Mayor, Ralph Drew's retirement party
- On November 15th he attended a Translink meeting where Doug McCallum, Mayor of Surrey announced his plan for Skytrain through Surrey
- On November 16th he attended the Metro Vancouver Inaugural Board meeting
- On November 19th he attended the Finance Committee meeting and noted council is moving forward with the schematic design for a Village Civic Centre
- On November 21st he will be attending former Port Moody's Mayor, Mike Clay's retirement party from 6:00 to 9:00 p.m. at the Old Orchard Hall
- Sadly, he will not be able to attend "Light Up Spirit Park" on December 2nd as he will be away
- On behalf of the 1st Anmore Scouts, he thanked Luke Guerin for doing such a great job of organizing space at the works yard for them

13. Councillors Reports

Councillor Krier reported that:

• She was sad to miss the Remembrance Day ceremony

14. Chief Administrative Officer's Report

Ms. Halliwell reported that:

 Light Up Spirit Park volunteers are needed for stringing lights this Sunday, November 25th from 9:00 to 12:00 pm

15. Information Items

(a) Committees, Commissions and Boards – Minutes

- Environment Committee Meeting held on September 20, 2018
- Parks & Recreation Committee Meeting held on February 7, 2018

(b) General Correspondence

- Thank you letter dated November 15, 2018 from the 1st Anmore Scouts

16. <u>Public Question Period</u>						
	Nil					
17. Adjournment						
	It was MO	VED and SECONDED:				
	R225/2018	"TO ADJOURN."				
			CARRIED UNANIMOUSLY			
The n	neeting adjourned a	t 7:54 p.m.				
Certified Correct:			Approved by:			
			Labor Ma-Francis			
Juli Halliwell			John McEwen			
Chief Administrative Officer			Mayor			

VILLAGE OF ANMORE

BYLAW NO. 587-2018

A bylaw to manage the cutting and retention of trees on private property

WHEREAS the Community Charter authorizes a local government to regulate the cutting and removal of trees in a Municipality;

AND WHEREAS the vision of the Village of Anmore as articulated in the Official Community Plan is to retain the semi-rural character of the area;

AND WHEREAS the Village of Anmore considers it in the public interest to avoid clear cutting of land and to provide for the preservation and protection of trees, and the regulation of their cutting and removal;

AND WHEREAS the Village of Anmore is desirous of instituting a permit system as a means of regulating the cutting and removal of trees;

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

1. <u>Citation</u>

This bylaw may be cited for all purposes as "Anmore Tree Management Bylaw No. 587, 2018".

2. <u>Interpretation</u>

(1) In this Bylaw:

"Administrator" means the Chief Administrative Officer of the Village of Anmore or a person designated to act in his or her place.

"Certified Arborist" means a person holding a current certification of "certified arborist" issued by the International Society of Arboriculture.

"Certified Tree Risk Assessor" means a Certified Arborist who has also completed the Tree Risk Assessment Course and passed the Tree Risk

Assessment Exam under the authority of the International Society of Arboriculture (ISA).

"Council" means the Council of the Municipality.

"Cut Down" means to kill, damage or remove a tree by any means and includes the topping of a tree, disruption or damage to the tree root system within the dripline of the a tree, poisoning a tree and the removal of any branch or trunk of a tree having a diameter of more than 10 cm (3.9") but does not include the normal pruning of a tree.

"Dangerous Tree" means a tree, identified in writing by a Certified Tree Risk Assessor, in such condition that there is a substantial likelihood that all or part of the tree will fail, resulting in the risk of personal injury or property damage.

"Diameter" means the diameter of the tree measured 1.4 m (4.5') above the ground, and in the case of a tree having multiple trucks, means the diameter described in section 4 (1).

Fees and Charges Bylaw means the Village of Anmore Fees and Charges Bylaw No. 557- 2016.

"Hedge" means a row of trees or shrubs that have been specifically planted closely together so that they form a line that serves as a solid barrier separating one space from another.

"Lot" means the smallest unit as shown on the records of the Land Title Office in which land is held and includes a strata lot created pursuant to the Strata Title Act

"Municipality" means the Village of Anmore

"Native Vegetation" means a combination of native to the Pacific Northwest trees, groundcover, shrubs and herbaceous plants

"Owner" means the registered owner of a lot as filed in the Land Title Office

"Permit" means a permit issued pursuant to this Bylaw allowing the permit holder to cut down one or more trees:

"Qualified Environmental Professional" means an applied scientist or technologist registered and in good standing with an appropriate professional organization constituted under a statute of the Province of British Columbia, providing services under that organization's code of ethics, and acting within the individual's area of expertise, and may include a certified arborist, professional forester, or a registered professional biologist

"Professional Forester" means a registered member or holder of a special permit granted under Section 14(1) of the Foresters Act.

"Real Property" means land, with or without improvements.

"Riparian Area" means an area adjacent to a stream that links aquatic to terrestrial ecosystems, the size of which is determined on the basis of an assessment report provided by a qualified environmental professional.

"Security" means a deposit of either cash or an irrevocable letter of credit, in a form acceptable to the Municipality, which is provided to the Municipality to guarantee performance of requirements of this Bylaw.

"Stream" means any of the following that provides fish habitat:

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook;
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

"Tree" means any living, erect, woody plant which is 20 cm (7.8") or more in diameter measured 1.4 m (4.5') above the ground, and for the purpose of this Bylaw does not include a hedge.

"Tree and Natural Vegetation Management Plan" means a written plan prepared by a Qualified Environmental Professional identifying tree retention and replanting areas within a lot or parcel of land, and including recommendations for implementation, tree protection and maintenance.

"Wetland" means land that is inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries, and similar areas that are not part of the active floodplain of a stream.

(2) Except as otherwise defined herein, words and phrases in this Bylaw are to be construed in accordance with their meanings under the Community Charter, the Local Government Act and the Riparian Areas Regulation, BC Reg. 376/2004, as the context and circumstances may require. A reference to an Act, regulation or bylaw refers to the enactment as it may be amended or replaced from time to time. Headings in this Bylaw are for convenience only and do not define or limit the scope or intent of this Bylaw. If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, that portion is severed and the remaining portions of this Bylaw continue to be valid and enforceable.

3. Prohibition

(1) A person must not cut down, or cause, suffer or allow any tree to be cut down, except in accordance with this Bylaw and a valid permit issued under this Bylaw, or as directed by Council.

4. <u>Measurement</u>

- (1) The diameter of a tree having multiple trunks at 1.4 m (4.5') above the ground shall be the sum of:
 - (a) 100% of the diameter of the largest trunk; and
 - (b) 60% of the diameter of each additional trunk.
- (2) The location of a tree shall be measured at the point at which the trunk of the tree meets the ground.
- (3) The percent area of a lot covered by trees will be determined by taking the amount of area within the drip line of all trees, dividing that area by the total lot area, and multiplying that number by 100.

5. Tree Cutting on Lot Sizes of 0.2 Ha (1/2 Acre) or Less

- (1) For a permit to cut down trees on a lot that is 0.2 hectares (1/2 acre) or less in size, the owner must demonstrate to the satisfaction of the Administrator that not less than 10% of the lot will be covered with existing or replanted trees following the proposed tree cutting.
- (2) Subject to subsection (3), where the replanting of trees is necessary to meet the minimum coverage requirements of subsection (1), an owner must, as a condition of a permit, replant three (3) trees, in accordance with the requirements of Section 13, for every tree that is cut down, until the minimum coverage requirement is met.
- (3) Where less than 10% of the lot is covered with existing trees prior to removal, for every tree that is cut down or removed, three (3) trees in combination with native vegetation shall be replanted subject to the requirements of Section 13.

6. <u>Tree Cutting on Lot Sizes Greater than 0.2 Ha (1/2 acre) and less than or equal to 0.4 Ha (1 Acre)</u>

- (1) For a permit to cut down trees on a lot with a lot size greater than 0.2 hectare Ha (1/2 acre) and less than or equal to 0.4 hectare Ha (1 Acre), the owner must demonstrate to the satisfaction of the Administrator that not less than 20% of the lot will be covered with existing or replanted trees following the proposed tree cutting.
- (2) Subject to subsection (3), where the replanting of trees is necessary to meet the minimum coverage requirements of subsection (1), an owner must, as a condition of a permit, replant three (3) trees, in accordance with the requirements of Section 13 for every tree that is cut down, until the minimum coverage requirement is met.
- (3) Where less than 20% of the lot is covered with existing trees prior to removal, for every tree that is cut down or removed, three (3) trees shall be replanted subject to the requirements of Section 13.

7. Tree Cutting on Lots Size of More than 0.4 Ha (1 Acre)

- (1) For a permit to cut down trees on a lot with a lot size greater than 0.4 ha. (1 acre), the owner must demonstrate to the satisfaction of the Administrator that not less than 20% of the lot will be covered with existing or replanted trees.
- (2) The 20% minimum coverage requirement established in subsection (1) shall increase by 5% for every 0.4 hectare (1 acre) that a lot exceeds 0.4 hectare (1 acre), to a maximum coverage requirement of 75% of the lot.
- (3) Where the replanting of trees is necessary to meet the minimum coverage requirements of this Section 7, an owner must, as a condition of permit, replant three (3) trees, in accordance with the requirements of Section 13 in combination with native vegetation, for every tree that is cut down, until the minimum coverage requirement is met.

8. <u>Tree Cutting on Land to be Subdivided</u>

- (1) Every applicant for approval of a subdivision, after the Municipality's Approving Officer has issued a Preliminary Layout Review (PLR) letter and prior to final approval of the proposed subdivision, submit to the Village for approval a Tree and Natural Vegetation Management Plan relating to the proposed subdivision, prepared by a Qualified Environmental Professional in accordance with subsection (2) at the owner's cost.
- (2) The Tree and Natural Vegetation Management Plan referred to in subsection (1) must identify:
 - (a) tree retention and replanting areas such that each lot created by the subdivision shall have not less than 20% or 10% if the lots are less than 0.2 hectare (1/2 acre) of its area covered by trees; and
 - (b) the methods in which the Tree and Natural Vegetation Management Plan will be implemented including tree

protection during the construction stage and tree management post construction.

9. Trees within Riparian Areas or a Wetland

- (1) In this section, a "tree" means any living, erect, woody plant.
- (2) The Administrator may only issue a permit to cut down a tree within a riparian area or a wetland:
 - (a) where the tree removal has been approved pursuant to any relevant federal and provincial regulations and if:
 - (b) the tree is a dangerous tree; or
 - c) it is necessary to cut down the tree to carry out works in or about a stream or a wetland, where the proposed works have been authorized by a federal or provincial permit.

10. Removal of Dangerous Trees

- (1) For certainty, a permit is required to cut down a dangerous tree but the permit fee is waived.
- (2) Subject to subsection (3), every person who intends to cut down a dangerous tree must submit, along with an application for a permit, a report from a Certified Tree Risk Assessor, confirming that each tree to be cut down is a dangerous tree and outlining the reasons for its removal.
- (3) In circumstances where a tree must be cut down to avert a significant and imminent threat to the safety of persons or property before a report from a Certified Tree Risk Assessor can be obtained, the owner or an authorized representative must notify the Administrator as soon as possible, and at the request of the Administrator, must promptly provide, in writing, accurate information about the circumstances and reasons for cutting the tree down. If the Administrator is not satisfied that the action taken was

- warranted in the circumstances, the Administrator may require the owner to replace the trees and in that case, section 13 (1) applies.
- (4) A person who cuts down a dangerous tree must not remove the stumps or roots of the tree without the specific written permission of the Administrator.
- (5) Council may, by resolution, require that an owner cause a dangerous tree to be trimmed or removed, or any tree, hedge, bush or shrub on the owner's lot to be trimmed, removed or otherwise dealt with if Council considers that it is
 - (a) a hazard to the safety of persons;
 - (b) likely to cause or result in damage to municipal property; or
 - (c) otherwise is in or creates an unsafe condition.
- (6) Division 12 of Part 3 of the Community Charter [remedial action requirements] applies to notice of a resolution under subsection (5) and related procedures.
- (7) An owner who is subject to a resolution under subsection (5) may request reconsideration by Council by providing written notice of the request to the corporate officer for the Village within 14 days of the date on which the notice was sent or such longer period permitted by Council. On receiving the request the corporate officer will arrange for an opportunity for the owner or a representative appointed by the owner to make representations to the Council. If a requirement of Council under this Section is not completed by the date specified for compliance, the Municipality may fulfill the requirement at the expense of the owner and recover the costs incurred from that person as a debt.

11. Tree Removal on Steep Land

(1) In cases where trees are proposed to be removed on land with a slope greater than 20%, irrespective of lot area, the Administrator may require, as a condition of a permit, the preparation of a report from a

qualified professional geotechnical or hydrological engineer certifying that the proposed tree removal will not create a danger from erosion, flooding, or landslip. If the report includes conditions or recommendations for preventing erosion, flooding or landslip:

- (a) those conditions or recommendations, as applicable, must be observed as a condition of a permit that is issued, and the owner must provide to the Municipality security in the amount of 150% of the cost of the works as estimated by the engineer responsible for the report.
- (2) The owner of land subject to a permit under this Section shall be responsible for and must, at their own expense, ensure the execution of all work required by the qualified professional engineer in his or her report in order to prevent erosion, flooding, or landslip and to ensure the stability of the slope.
- (3) Upon completion of the required works and certification by the qualified professional engineer that the works satisfy their requirements to prevent erosion, flooding, or landslip, or to maintain the stability of the slope, the security will be released.
- (4) The owner must ensure that works are completed within the period specified on the permit. Should the works not be completed within the stated period or not be completed according to the qualified professional engineer's recommendations, the Administrator may draw upon the security to complete the works, and any related costs or expenses incurred by the Municipality that are not covered by the security must be paid upon receipt of an invoice by the Municipality, and become a debt owing to the Municipality by the owner.

12. Annual Tree Cutting Allowance Permit

An owner may apply for an Annual Tree Cutting Permit, to allow the owner to cut down a maximum of two (2) trees per lot per calendar year. A permit issued for this annual allowance does not carry the requirement to replace trees cut down. The owner must pay the fee for a permit prescribed in the Fees and Charges Bylaw.

13. Replacement Trees

- (1) Where tree replacement is either proposed by an owner or required by this Bylaw or by the Administrator as a condition of issuance of a permit, the owner shall within a time period prescribed by the Administrator, plant two (2) replacement trees for every tree removed in accordance with the following conditions:
 - (a) Each replacement tree must be planted within one month of the cutting down or removal of the original tree, except as otherwise authorized by the Administrator;
 - (b) Notwithstanding the definition of tree, each replacement tree must be a minimum height of 3 metres if coniferous or a minimum of 7 centimetres in diameter if deciduous, unless otherwise authorized by the Administrator;
 - (c) plant the tree at the spacing prescribed by the arborist, water, fertilize and maintain the replacement tree in accordance with sound horticultural practice; and
 - (d) provide the Municipality with a security of \$500 per replacement tree to a maximum amount of \$10,000 per parcel in order to ensure the replacement trees are maintained in good health and to replace any replacement trees should any not survive during the initial three (3) year period. The security will be returned to the owner of the property after 3 years and confirmation by the Administrator that all of the replacement trees have survived. If the replacement trees are not in good health or have not survived, the Administrator may draw upon the security to consult with a certified arborist, and bring the trees into a healthy state or remove and replace the trees, as the Administrator considers practical and appropriate in the circumstances.
- (2) Where any person cuts down a tree in contravention of this Bylaw or a permit issued pursuant to this Bylaw, that person must replant five (5) trees for every tree unlawfully removed in accordance with recommendations contained in the report of a Qualified

Environmental Professional, prepared for the Municipality at the expense of the owner, and shall:

- (a) replant the trees within a time period prescribed by the Administrator:
- (b) water, fertilize and maintain the replacement trees in accordance with sound horticultural practice; and
- (c) provide the Municipality with a security of \$500 per replacement to ensure the replacement trees are maintained in good health and to replace any replacement trees should any not survive during the initial three (3) year period. The security will be returned to the owner of the property after 3 years and confirmation by the Administrator that all of the replacement trees have survived. If the replacement trees are not in good health or have not survived, the Administrator may draw upon the security to consult with a certified arborist, and bring the trees into a healthy state or remove and replace the trees, as the Administrator considers practical and appropriate in the circumstances..

14. Application for Tree Cutting Permits

- (1) Every application for a permit shall be made in writing to the Administrator in a form approved by the Administrator.
- (2) The following information must accompany every permit application, other than for an Annual Tree Cutting Allowance Permit:
 - (a) A site plan showing the location, species, and diameter of all the trees on the lot and identify those proposed for removal;
 - (b) the location of any watercourses, wetlands, or steep slopes; and
 - (c) a report from a Certified Arborist, Professional Forester, or Registered Professional Biologist that confirms that not less than 20% of the lot or 10% for lots less than 0.2 Ha will be covered with existing or replanted trees

- (3) Upon receiving an application for a permit, the Administrator will consider and assess the following factors relating to the proposed application:
 - (a) compliance with the requirements of this Bylaw,
 - (b) the need for replacement trees,
 - (c) the need for drainage, noise or dust control measures,
 - (d) significant topographic and hydrographic features and other site information:
 - (e) compliance with Provincial bird nesting regulations;
 - (f) risk of contamination of watercourses;
 - (g) risk of flooding, erosion and landslip; and
 - (h) other factors that the Administrator believes to be relevant to the proposed action,
- (4) No application for a permit is complete unless the application contains all required information in accurate and complete form, and the prescribed fee established in the Fees and Charges Bylaw has been paid.
- (5) A permit is valid for the period specified on the permit up to a maximum of 90 days.

15. Permit Conditions

- (1) The Administrator may, as a condition of issuance of a permit, require, among other things, that:
 - (a) replacement trees be planted as specified in Section 13;

- (b) stumps remain in place in order to assist in the prevention of erosion in areas where trees were cut that are over 20% slope;
- (c) that the owner notify the Village when the work is complete so that a final inspection can be made to ensure that the work was completed in compliance with the permit; and/or
- (d) that in circumstances where fifteen (15) or more trees are cut down that the certified arborist overseeing the project provide a letter of assurance that all works were undertaken as recommended or directed.
- (2) Where the Administrator considers that cutting down trees creates a risk of flooding, erosion, landslip, or contamination of a stream, the Administrator may require an applicant for a permit to submit, at the owner's expense, a report prepared by a Qualified Environmental Professional or a qualified professional geotechnical or hydrological engineer.
- (3) The Administrator may, by written notice, refuse, suspend or cancel a permit if he or she considers that work or activity being carried out is or will be in violation of any of the terms, restrictions, requirements, or conditions of the permit or any provision of this Bylaw, or that injury to persons or damage, whether or not intentional, has occurred or is likely to occur to the remaining trees, vegetation or to adjacent properties.
- (4) A person who has been refused a permit, or whose permit has been suspended or cancelled, or to another decision of the Administrator under this Bylaw, may request that Council reconsider the decision by providing written notice of the request to the corporate officer for the Village within 14 days of the date of notice the decision was . On receiving the request the corporate officer will arrange for an opportunity for the owner or a representative appointed by the owner to make representations to the Council.

16. <u>Municipal Works</u>

Nothing contained in this Bylaw shall apply to a tree growing on a highway, park, right of way or easement belonging to the Municipality nor to any public utility works where the works are carried out by or under the authority of the Municipality.

17. <u>Inspection and Authority to Enter Upon a Property</u>

- (1) Every officer and employee of the Village is authorized to enter onto any property at all reasonable times and upon reasonable notice in order to ascertain whether the requirements of this bylaw are being met and regulations observed.
- (2) A person must not obstruct or attempt to obstruct any person from enforcing this bylaw, including any person enforcing this bylaw by inspected a property pursuant to section (1) of this bylaw.
- (3) Where the Administrator considers that a contravention to this Bylaw, or any permit, the Administrator may notify the owner in writing of the contravention and require that measures be taken to remedy the contravention within a certain time period.
- (4) A person to whom a notice is delivered under subsection 16(3) must fully comply with any requirements stated in the notice, within the time period stated therein, or if not stated, within 30 days of the date of the notice.

18. Cost Recovery

(1) In addition to any fees, requirements or penalties imposed for non-compliance with this Bylaw, If a requirement under this Bylaw, or a permit issued under this Bylaw, is not met within the established time period, the Administrator may cause the required work to be carried out by the Municipality or a contractor to fulfill the requirement at the expense of the person subject to the requirement, and may recover the costs incurred by the Municipality from that person as a debt.

(2) If a debt owing to the Municipality is due and payable by December 31st and remains unpaid on that date, the amount may be collected in the same manner as for property taxes in arrears.

19. Offence and Penalty

- (1) Any person who contravenes any provision of this Bylaw by doing, causing, suffering or permitting any act which it forbids or by failing to carry out any action which is required to be done, is guilty of an offence and is liable on summary conviction to a fine of not less than \$1,000 and not more than \$10,000, and where the offence is a continuing one, each day that the offence is continued, shall constitute a separate offence.
- (2) Without limiting the generality of Section 17 (1), any person who cuts down a tree in violation of this Bylaw is guilty of an offence and, in addition to any other penalty imposed under this Bylaw, is liable on summary conviction to a fine of \$2000 for each tree unlawfully cut down, for a first offence, and for each subsequent offence, to a fine of not less than \$5000.00 for each tree unlawfully cut down.
- (3) Any person who contravenes a condition of a permit issued under this Bylaw by doing, causing, suffering or permitting any act which it forbids or by failing to carry out an action which is required to be done, commits an offence and is liable on summary conviction to a fine of not less than \$2000.00 for each contravention, for a first offence, and for each subsequent offence, to a fine of not less than \$5000.00 for each contravention.

READ A FIRST TIME this 20th day of November, 2018.				
READ A SECOND TIME this 20 th day of November, 2018.				
READ A THIRD TIME this 20 th day of November, 2018.				
RECONSIDERED AND FINALLY ADOPTED this XXX day of December, 2018.				
Mayor				
Corporate Officer				



VILLAGE OF ANMORE REPORT TO COUNCIL

Date:

November 29, 2018

Submitted by:

Jason Smith, Manager of Development Services

Subject:

Highways Regulation Bylaw

Purpose / Introduction

The purpose of this report is to introduce to Council the new Highways Regulation Bylaw and provide the opportunity to give the bylaw initial readings

Recommended Options

That Council give first, second and third reading to Village of Anmore Highways Regulation Bylaw No. 586-2018.

Background

The Village's current Highways Regulation Bylaw was adopted in 1991, last amended in 2009 and was in need of an update.

Discussion

The Highways Regulation Bylaw regulates what happens on the Village's road right of ways and how they are to be used. For clarity, the term Highways is used to mean all of the Village's road right of ways whether they are developed or not.

The proposed bylaw (**Attachment 1**) is comprehensive and continues to regulate all of the matters covered in the current bylaw. Updates have been made to certain regulations, such as the parking of large vehicles, to align with the Village's Zoning Bylaw which regulates similar uses on private property.

The most significant addition is the introduction of a Highway Use Permit. This will provide the Village with an important tool to effectively implement the provisions of this bylaw and to help ensure compliance with the Bylaw ensuring that the Village's right of ways are used properly.

The Bylaw has been reviewed by staff and the Village's legal counsel.

Report/Recommendation to Council

Highways Regulation Bylaw November 29, 2018

Other Options

The following options are presented for Council's consideration:

1. That Council give first, second and third reading to Village of Anmore Highway Regulation Bylaw No. 586-2018;

Or

2. That Council request further information of staff.

Financial Implications

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

Attachment:

1. Village of Anmore Highway Regulation Bylaw No 586-2018

Prepared by:				
Jason Smith				
Manager of Development Services				
Reviewed for Form and Content / Approved for Submission to Council:				
Chief Administrative Officer's Comment/Concurrence				
Chief Administrative Officer				

VILLAGE OF ANMORE

BYLAW 586-2018

A bylaw to regulate highway use and control of traffic in the Village of Anmore

WHEREAS the *Community Charter SBC c26* authorizes a local government to, by bylaw, regulate traffic control and the use of highways;

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

PART 1 - CITATION

1.1 That this bylaw may be cited as "Anmore Highway Regulation Bylaw No. 586-2018".

PART 2 - INTERPRETATION

Definitions

2.1 In this Bylaw, unless otherwise specified:

Access means a part of	a Highway tha [,]	t allows physical ingress
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or egress, or both, of Motor Vehicles from the Roadway

to adjacent property;

Administrator means the Chief Administrative Officer of the

Municipality or a person designated to act in the place

of that officer;

Angle Parking means the parking of a vehicle other than parallel to a

curb or the lateral lines of a Roadway;

Applicant means, in relation to an Application, an owner or a

representative duly authorized to act on an owner's

behalf;

Application means a written request by an Applicant for the

issuance of a Permit in a form approved by the

Administrator;

Boulevard

means the area between the curb lines, the lateral lines or the shoulder of a Roadway and the adjacent property line; and in the case of a divided Highway, that portion between the inside curb lines, lateral lines or shoulders of Roadways;

Bus Stop Sign

means a sign designating where public transit buses may stop to allow passengers to embark or disembark;

Bylaw Enforcement Officer

means the person appointed by the Municipality to enforce the provisions of this Bylaw, and includes a Bylaw Inspector and any person employed by the Municipality to enforce parking regulations under this Bylaw;

Chattel

means a moveable item of personal property including, without limitation, a leased or rented dumpster or container;

Commercial Vehicle

means any and all of the following:

- (a) any Motor Vehicle having a Gross Vehicle Weight over 5,500 kilograms;
- (b) any Motor Vehicle bearing a commercial licence plate;
- (c) any Motor Vehicle having permanently attached to it a Truck or delivery body;
- (d) a casket wagon, limousine, hearse, motor bus, Tow Vehicle, road building machine, Taxi, or tractor;
- (e) any combination of truck, truck tractor, semitrailer or trailer;
- a Motor Vehicle having an engine valve retardant braking system installed or employed in addition to the standard braking systems; and

(g) any other vehicle as defined under the Commercial Transport Act.

Council

means the Council of the Municipality;

Cycle Lane

means a portion of the Highway designated for cycles and identified by a sign or marking;

Dangerous Goods

has the same meaning as defined under the Transportation of Dangerous Goods Act;

Disabled Zone

means a parking zone on a Highway identified by a disabled parking sign or marking;

Extraordinary Vehicle

means a Motor Vehicle used to carry goods or persons over a Highway that, in conjunction with the nature or existing condition of the highway, the Administrator considers is so extraordinary in:

- (a) the quality or quantity of the goods or the number of persons carried;
- (b) the mode or time of use of the Highway; or
- (c) the speed at which the vehicle is driven or operated;

that it is likely to substantially alter or increase the burden imposed on the Highway through its proper use by ordinary Traffic, or cause damage to the Highway or resulting expense to the Municipality beyond what is reasonable or ordinary;

Extraordinary Vehicle Agreement

means an Agreement as described under section 6.12 of this Bylaw;

Gross Vehicle Weight (GVW)

means the number of kilograms derived by adding the weights on all the axles of a Commercial Vehicle;

Heavy Truck

means a Motor Vehicle which:

(a) has a Gross Vehicle Weight (GVW) in excess of ten thousand (10,000) kilograms; or

(b) comprises a truck tractor towing one or more trailers or semi-trailers;

but does not include any camper, house trailer, motor home, Recreational Vehicle or farm implement;

Highway

includes a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property;

Highway Use Permit

means a permit issued under section 10.9 of this Bylaw;

Lane

means a Highway abutting the rear or side boundaries of parcels of land and which is intended primarily to provide access to the rear or side yards of such parcels;

Motor Vehicle

means a vehicle or motorcycle, not run on rails, that is designed to be self-propelled or propelled by electric power obtained from overhead trolley wires or on board storage batteries, but does not include a motorized wheelchair or scooter;

Multi-use Pathway

means a pathway intended for non-motorized use physically separated from the Roadway which may or may not be within the highway dedication;

Municipality

means the Village of Anmore;

Park

when prohibited, means the Standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading;

Passenger Vehicle

means a Motor Vehicle that is registered and licensed under the *Motor Vehicle Act* as a private passenger vehicle;

Peace Officer

means an officer as defined under the Motor Vehicle Act

Pedestrian

means a person on foot, or in a wheelchair, or carriage;

Permit

means a permit issued under this Bylaw;

Permit holder

means a person holding a valid Permit under this Bylaw;

Recovery Vehicle

means a Motor Vehicle that is equipped with a winch and boom device or a wheel lift device or both, and that is designed for towing other Motor Vehicles by means of that device;

Recreational Vehicle

means a vehicle designed to provide temporary living accommodation for travel, vacation, or recreational use, and to be driven, towed, or transported;

Residential District

means an area zoned residential under the *Anmore Zoning Bylaw 568-2017*;

Roadway

means the portion of a Highway that is improved, designed, or ordinarily used for vehicular Traffic, but does not include the shoulder, Sidewalk or Boulevard; and where a Highway includes two or more separate Roadways, the term Roadway refers to any one Roadway separately and not to all of the Roadways collectively;

Sidewalk Permit

means a permit to use a portion of Sidewalk issued by the Administrator under section 10 of this Bylaw;

Skater

means a person who is skateboarding, or roller skating with any form of skate or similar means of conveyance;

Stop or Stand

means:

- (a) when required, a complete cessation from movement; and
- (b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other Traffic or to comply with the directions of a Peace Officer or Traffic Control Device.

Tilt and Slide Deck Truck

means a Motor Vehicle that is equipped with:

(a) a deck that tilts and slides,

- (b) a winch for self-loading not more than two vehicles onto the deck, and
- (c) either a lifting tow bar or a wheel lift device designed for towing other Motor Vehicles by means of that bar or device.

Towing Contractor

means the company contracted by the Municipality to tow vehicles;

Traffic

includes Pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a Highway for purposes of travel;

Traffic Control Device

means a sign, signal, painted line, meter, marking, space, cone barricade, barrier or any other device, erected or placed under the authority of this Bylaw;

Traffic Control Signal

means a Traffic Control Device, whether manually, electrically, or mechanically operated by which Traffic is directed to Stop and to proceed;

Truck

means a Motor Vehicle, other than a bus, station wagon, Recreational Vehicle, passenger van, or car that is either permanently fitted with special equipment, or is designed to, and normally used to, convey a load, and that which may operate as a single unit or may pull a full trailer or pony trailer;

Unattached Trailer

means a trailer that is not attached to its motive power unit;

Unlicensed Vehicle

means a vehicle that is not displaying a current valid licence plate or is not insured to be driven;

Utility

means any pipe, conduit, line, cable, pole, tower, box, vault, or other fixture installed on, in, under, or over a Highway for the purpose of providing, carrying, or transmitting a service.

2.2 Unless otherwise defined in this Bylaw, words and phrases shall have the meanings established in the *Community Charter*, the *Motor Vehicle Act* and the *Local Government Act*, as the context may require. Any reference to a statute or regulation refers to an enactment of British Columbia, and any reference to a

bylaw refers to a bylaw of the Municipality, as amended or replaced from time to time. Headings in this bylaw are for convenience only and do not limit the scope or intent of any provisions herein.

2.3 If any section, subsection, paragraph, clause or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of this Bylaw is deemed to continue as valid and enforceable.

PART 3 – APPLICABILITY

- 3.1 Except as otherwise indicated, this Bylaw applies to all Highways within the Municipality and to any person involved in an activity or subject matter covered by this Bylaw.
- 3.2 A person riding a cycle or an animal, or driving an animal-drawn vehicle upon a Highway, has all the rights and is subject to all the duties, limitations and responsibilities that apply to the driver of a vehicle under this Bylaw.

Exemptions

- 3.3 This Bylaw does not apply to:
 - (a) Provincial arterial highways;
 - drivers of vehicles or persons using other equipment while lawfully engaged in Highway or public utility construction, maintenance or repair work on, over, under or adjacent to the surface of a Highway;
 - (c) the Stopping, Standing or Parking of vehicles that are:
 - (i) owned, leased or used pursuant to an agreement with the Municipality, by another local government, the provincial government or the federal government;
 - (ii) owned or leased by a public utility for the purposes of the public utility;
 - (iii) used as a Tow Vehicle for the authorized business purpose of its owner or operator under a licence issued by the Municipality; or
 - (d) the driver of an Emergency Vehicle, provided that the Emergency Vehicle is driven with due regard for safety, having regard to all circumstances of the case, including the following:
 - (i) the nature, condition and use of the Highway;

- (ii) the amount of Traffic that is on, or might reasonably be expected to be on, the Highway;
- (iii) the nature of the use being made of the Emergency Vehicle at the time; and
- (iv) regulations under the *Motor Vehicle Act* that apply to emergency vehicles.
- 3.4 Sections 4.1 and 4.2 of this Bylaw do not apply to the Municipality or its officials, employees, servants or agents in carrying out a function or purpose of the Municipality under the direction of Council or the Administrator, pursuant to an agreement with the Municipality.

PART 4 – GENERAL REGULATIONS

Hazards and Obstructions

- 4.1 A person must not:
 - (a) while removing a wrecked or damaged vehicle from the scene of an accident, leave any glass or other debris on the Highway;
 - (b) being the owner or occupier of real property within the Municipality, allow any garbage containers or other facilities related to garbage collection or recycling to be placed upon the travelled portion of the Highway;
 - (c) place any ice or snow or leaves or yard waste upon a Highway;
 - (d) place or allow to be placed, any fence, wall, vegetation, or other obstruction at or near the intersection of two Highways, and in such a location as to reduce or impede the driver sight distance required for the safe operation of the intersection;
 - (e) drive any vehicle into or over, or otherwise move or remove, any Traffic Control Device placed on a Highway by the Municipality or by a person pursuant to a Highway Use Permit;
 - (f) place or permit to be placed any garbage or litter on a Highway;
 - (g) herd horses, cattle, goats, or swine on a Highway;

- (h) drag or skid anything on or over a Highway, so as to damage the surface of the Highway;
- cause or allow any noxious, offensive or filthy water or other substance, or any other article or thing, whether broken or intact, to be deposited on a Highway; or
- (j) expectorate, urinate or defecate on a Highway.

Activities Requiring Highway Use Permit

- 4. 2 Except as authorized by a Highway Use Permit issued by the Administrator pursuant to this Bylaw, a person must not:
 - (a) throw, leave, place, or otherwise cause, permit or allow the deposit of any earth, refuse, debris, gravel, rocks, stones, fuel, logs, stumps, lumber, blocks, merchandise, Chattel or other debris to cave, fall, crumble, slide, or accumulate onto a Highway;
 - (b) leave any excavation or other obstruction on a Highway;
 - (c) dig up, break up or remove any part of a Highway, or cut down or remove trees or timber growing on a Highway, or excavate in or under a Highway;
 - (d) change the level of a Highway whatsoever, or stop the flow of water through any drain, sewer or culvert on or through a Highway;
 - (e) place, construct or maintain a retaining wall, loading platform, hoarding, skid, rail, mechanical device, building, signs, or any other structure or thing on a Highway;
 - (f) construct or maintain a ditch, sewer or drain, the effluent from which is likely to or does cause damage, erosion, fouling, injury or nuisance to any portion of a Highway;
 - (g) mark, imprint or deface in any manner whatsoever a Highway or structure thereon;
 - (h) ride, drive, move or propel any vehicle over or across a Boulevard, including any curb, Sidewalk or ditch therein unless such Boulevard has been constructed or improved to form a suitable crossing;

- (i) cause damage to, cut down, or remove trees, shrubs, plants, bushes and hedges, fences, irrigation, bollard posts or other things erected by the Municipality on a Highway;
- (j) operate a vehicle while sounding a loudspeaker or other noise making device unless the vehicle is being operated as an ice cream vendor vehicle for which there has been issued a valid business licence and in accordance with that licence;
- (k) march, drive or otherwise take part in a parade or procession, except a funeral procession;
- (I) conduct construction on a Highway or traffic control relating to such construction;
- (m) conduct construction on land adjacent to a Highway where access from the Highway to the land is required for that purpose;
- (n) block or redirect Traffic on a Highway using barricades, traffic cones, or other means;
- (o) occupy any portion of a Highway or the airspace above a Highway to maintain, clean, construct, alter, repair, demolish, or move a building, structure, sign, awning, or part thereof;
- install, erect, or cause to be installed or erected, a Traffic Control Device, or the likeness thereof, on or within sight of a Highway;
- (q) damage, obstruct, deface, remove, replace or in any way interfere with a Traffic Control Device;
- (r) construct an Access, whether or not the access is on privately owned land or over a curb, ditch, Boulevard or Sidewalk crossing;
- (s) operate any vehicle transporting Dangerous Goods on any Highway on which the movement of Dangerous Goods is restricted by the Municipality;
- (t) camp on a Highway or Boulevard on any day between 9:00 a.m. and 6:00 p.m., whether in a tent, tent trailer, Truck camper, trailer, motor home or other Recreational Vehicle;
- (u) use a crane or forklift to pick up or carry a load on or over a Highway or other public property;

- (v) blast or use explosives on or over a Highway;
- (w) obstruct or interfere with the free flow of Traffic or attempt to control or detour Traffic on any Highway or Lane, whether by use of signs or flag person or by barricades or other physical obstruction on the road, unless the person:
 - (i) is a Peace Officer, Bylaw Enforcement Officer, parking patroller or firefighter acting in the normal course of his or her duties;
 - (ii) is a student or adult school patrol acting under the authority of the *Public Schools Act* or as approved by the Administrator;
 - (iii) is operating an emergency vehicle during an emergency;
 - (iv) is carrying out a lawful purpose of a public utility;
 - (v) is an officer, employee, servant, contractor or agent of the Municipality for the purpose of making repairs, undertaking an inspection or carrying out a survey; or
 - (vi) has parked their vehicle lawfully on a Highway or Lane, or otherwise in accordance with a Traffic Control Device or the direction of a Peace Officer;
- (x) place, cause or allow anything to project across, onto or over a Highway so as to impede the normal flow of Traffic; or
- (y) in managing, supervising or operating construction equipment or vehicles, allow the counter-weight of any overhead climbing crane in the full arc of its swing to extend beyond the designated building site or hoarding.

No Stunting

4. 3 A person must not perform or engage in an activity on a Highway that is likely to distract, startle or interfere with other users of the Highway.

Obedience to Peace Officers, Bylaw Enforcement Officers and Firefighters

4.4 A Peace Officer, Bylaw Enforcement Officer, or firefighter in order to expedite the movement of Traffic or to safeguard Pedestrians or property, may direct and control Traffic and in doing so may disregard any Traffic Control Device that is contrary to that purpose.

4.5 Every person must comply with any lawful order, direction, signal or command made or given by a Peace Officer, Bylaw Enforcement Officer or firefighter acting in the performance of his or her duty in directing or regulating Traffic under this Bylaw.

Identification on Request

- 4.6 When requested to do so by a Peace Officer or Bylaw Enforcement Officer:
 - (a) the driver or operator of a vehicle, or the person in charge of a vehicle on a Highway must correctly state his or her name and address and the name and address of the owner of the vehicle; and
 - (b) a Pedestrian or the operator of a cycle must correctly state his or her name and address.

PART 5 - TRAFFIC CONTROL DEVICES

Authority of the Administrator

- 5.1 The Administrator may order the placement, erection, and maintenance of applicable Traffic Control Devices where and when necessary, to give effect to the provisions of this Bylaw and under the *Motor Vehicle Act*, and to regulate, prohibit, warn, direct, or inform Traffic for the safety and convenience of the public.
- 5.2 Orders for Traffic Control Devices shall be issued in written form, and be dated and signed by the Administrator.
- 5.3 The Administrator may rescind, revoke, amend or vary any order concerning Traffic Control Devices where the Administrator considers the conditions which gave rise to the need for the order have been rectified or otherwise removed.
- In accordance with this Bylaw and any other Village of Anmore bylaw regulating signs, the Administrator may order the alteration, repainting, tearing down, or removal and disposal of an unauthorized sign, advertisement, Traffic Control Device, or guide post that has been erected or maintained on or over any Highway. No compensation shall be paid to any person for loss or damages related to the lawful exercise of this authority.

Temporary Restrictions

5.5 The Administrator may control Traffic on a Highway or temporarily restrict or prohibit any kind of Traffic on any Highway at such time and for such period of time and in respect of such classes of Traffic or use as in the opinion of the Administrator may be necessary for the construction or protection of any Highway or other public work, or for the protection of the public, or to enable permitted Traffic to be handled safely and expeditiously.

PART 6 – VEHICLE REGULATIONS

Vehicle Loading

- 6.1 A person must not drive or operate on a Highway without a Highway Use Permit:
 - (a) a vehicle so loaded that any part of the load extends beyond the sides of the vehicle, or more than 185 centimetres (6 feet) beyond the back of the vehicle;
 - (b) a vehicle with a load that is shifting, swaying, bouncing, dropping, leaking, dragging or in any manner escaping from the vehicle onto a Highway.

Traffic Control Device Standard

6.2 A person who erects a Traffic Control Device must, in addition to any other conditions and requirements of a permit issued by the Administrator, comply with sign regulations under Division 23 of the *Motor Vehicle Act*.

Commercial Vehicles

- 6.3 For the purpose of this section, "regulations" means a regulation under Division 7 of the *Commercial Transport Regulations*. References in the regulations to the Minister shall be interpreted as references to the Administrator and references to a Permit shall be interpreted as references to a Highway Use Permit issued under this Bylaw.
- 6.4 A person must not operate on a Highway a Commercial Vehicle if:
 - (a) the Gross Vehicle Weight of the Commercial Vehicle exceeds its licensed Gross Vehicle Weight;
 - (b) the weight of an axle, group of axles or axle unit exceeds the weight permitted by the regulations;

- (c) the dimensions of the Commercial Vehicle do not conform to the regulations
 - (i) with load included; and
 - (ii) without load; or
- (d) the distances between the axles, group of axles, or axle units do not conform to the regulations;

unless the person is holding a valid and subsisting Highway Use Permit issued by the Administrator.

- 6.5 A person must not operate a Commercial Vehicle on a Highway if that vehicle exceeds the approved Gross Vehicle Weight:
 - (a) by a weight greater than a kilogram, but less than 500 kilograms;
 - (b) by a weight greater than 500 kilograms, but less than 1,000 kilograms;
 - (c) by a weight greater than 1,000 kilograms, but less than 1,500 kilograms; or
 - (d) by a weight greater than ,1500 kilograms.
- 6.6 Except in the case of an emergency, a person must not use an engine brake of any kind (including a brake commonly known as a Jacobs Brake or Jake Brake) to slow or stop a Motor Vehicle on a Highway within a residential district of the Municipality.

Extraordinary Vehicles

- 6.7 Subject to subsections 6.10 and 6.11, a person must not drive a vehicle on any Highway, if the Administrator has notified the owner or driver that in his opinion, the vehicle is an Extraordinary Vehicle.
- A person who has been notified that a vehicle is an Extraordinary Vehicle under section 6.7 may apply to the Administrator to enter into an Extraordinary Vehicle Agreement so that the vehicle may be safely operated, driven, stopped, stood or parked on a Highway within the Municipality, with reduced burden on the Municipality and reduced risks of damage to Highways and other property.

- 6.9 The Administrator may, on behalf of the Municipality, enter into an Extraordinary Vehicle Agreement under this section with either the owner or driver of the vehicle, or both.
- An Extraordinary Vehicle Agreement may include any terms, conditions, restrictions and requirement the Administrator considers necessary or appropriate for reducing the risks associated with an Extraordinary Vehicle and any further risks identified in the circumstances. Without limiting the foregoing, the Extraordinary Vehicle Agreement may include a requirement for security, insurance, for indemnifying the Municipality against risks associated with the subject vehicle, and for a payment to the Municipality in compensation for any damage, or expense which may be caused to the Municipality as a result of the vehicle being driven or operated within the Municipality. The regulations under Part 7 of this Bylaw may be varied as the Administrator considers necessary in the circumstances for public safety and to reduce or mitigate the burdens or risks associated with stopping, standing or parking the vehicle that is the subject of an Extraordinary Vehicle Agreement.
- 6.11 The Administrator may require that a person wanting to enter an Extraordinary Vehicle Agreement provide information respecting the following matters:
 - (a) time(s), date(s), duration, route, and speed traveled by the permitted vehicle;
 - (b) vehicle type, size, dimensions, axle spacing;
 - (c) vehicle ownership and licensing;
 - (d) nature and amount of load carried, and how the load is secured, provision of signs, flagging, lights, reflectors and other safety equipment;
 - (e) provision of pilot cars or police escorts or both;
 - (f) provision of inspection, provision of vehicle trip logs, in the case of multiple journeys; and
 - (g) repairs, adjustments, or cleaning of the subject Highway(s), and any Traffic Control Devices, signs or other structures thereon, affected by the vehicle movement.
- 6.12 The person identified in the Extraordinary Vehicle Agreement must carry a copy of the Agreement at all times during which the subject vehicle is being operated or driven on a Highway, and produce it on request to a Peace Officer or Bylaw Enforcement Officer.

6.13 The owner, driver and any other person identified as being responsible for a vehicle that is the subject of an Extraordinary Vehicle Agreement must ensure that the vehicle is only driven and operated strictly in accordance with that Agreement.

PART 7 – PARKING REGULATIONS

Manner of Parking

- 7.1 Unless otherwise directed by a person authorized under section 4.4, a person must not Stop, Stand or Park a vehicle on a Roadway other than on the right side of the Roadway and with the rear right hand wheels parallel to that side, and where there is a curb, be within 30 centimetres (1 foot) of the curb;
- 7.2 A person must not allow a Motor Vehicle to Stand unattended or parked unless the person has:
 - (a) locked it and made it secure in a manner that prevents its unauthorized use; and
 - (b) if the Motor Vehicle is Standing on a grade, turned the front wheels of the vehicle to the curb or side of the Roadway;
- 7.3 Unless otherwise directed by a person authorized under section 4.4, a person must not:
 - (a) Park a vehicle so as to obstruct the free passage of Traffic on a Highway;
 - (b) Park a vehicle where a Traffic Control Device indicates that Angle Parking is permitted other than at an angle indicated by parking lines marked on the Highway and with the right front wheel not more than 30 centimetres (1 foot) from the curb; or
 - (c) where vehicles are parked parallel to the edge of the Roadway, Park a vehicle closer than one (1) metre from any other parked vehicle.
- 7.4 Unless otherwise directed by a person authorized under section 4.4, a person must not Stop, Stand or Park a vehicle:
 - (a) on a Sidewalk, Boulevard, Multi-use Pathway or marked or signed Cycle Lane;
 - (b) in front of, or within 2 metres on either side of, a public or private driveway;

- (c) in an intersection;
- (d) within 5 metres of a fire hydrant measured from a point in the curb or edge of the Roadway which is closest to the fire hydrant;
- (e) on a Crosswalk;
- (f) within 15 metres of the approach of, or 6 metres beyond, a marked Crosswalk;
- (g) within 6 metres of the approach of a flashing beacon, stop sign or Traffic Control Signal located at the side of a Roadway;
- (h) within 30 metres of the nearest rail of a railway crossing;
- (i) on a Highway, Boulevard, or on a Village of Anmore right-of-way for the purpose of:
 - (i) displaying the vehicle for sale;
 - (ii) advertising, greasing, painting, wrecking, storing or repairing a vehicle, except where repairs are necessitated by an emergency;
 - (iii) displaying signs; or
 - (iv) selling flowers, fruit, vegetables, seafood, produce or other commodities or articles;
- alongside or opposite any street excavation or obstruction when stopping, standing or parking obstructs Traffic;
- (k) on the Roadway side of a vehicle stopped or parked at the edge or curb of a Roadway;
- (I) on a bridge or other elevated structure on a Highway, or in a Highway tunnel, except as permitted by a Traffic Control Device;
- (m) in a place in contravention of a Traffic Control Device that gives notice that stopping, standing or parking there is prohibited or restricted for residents, pick-up and drop-off, or any other reason;
- (n) in a manner that obstructs the visibility of any Traffic Control Device erected pursuant to this Bylaw;

- (o) in a designated Angle Parking zone where the length of the vehicle or Trailer, or the Vehicle and Trailer in combination, exceeds 5.7 metres;
- (p) within 20 metres of the approach of, or 10 metres beyond, any Bus Stop Sign;
- (g) within 9 metres of the lateral line of an intersecting Roadway; or
- (r) in a way so as to obstruct the entrance to a building or to obstruct Pedestrians or vehicles using the Highway. This does not apply to persons participating in or assembled to watch a parade for which a Highway Use Permit has been issued.

(s)

Parking Time Limits

7.5 Notwithstanding any other provision of this Bylaw, a person must not Park a vehicle on any Highway, public place, or other public right-of-way for a period exceeding seventy-two (72) consecutive hours.

Parking of Trailers and Commercial Vehicles

- 7.6 A person must not Park on a Highway an Unattached Trailer that is:
 - (a) licensed as a commercial Trailer;
 - (b) licensed as other than a commercial Trailer; or
 - (c) unlicensed.

Loading Zones

- 7.7 Subject to subsection 7.8, a driver of any vehicle must not Stop in a loading zone for a period exceeding:
 - (a) three (3) minutes for the loading or unloading of passengers; or
 - (b) ten (10) minutes for the loading or unloading of materials.
- 7.8 A driver of a vehicle that is employed as a licensed Taxi may Stop in a loading zone, providing that the driver:
 - (a) does not leave the vehicle unattended at any time; and

 (b) if not in the process of loading or unloading passengers, vacates the area immediately when the loading zone is required for pickup or delivery services;

Disabled Parking

- 7.9 A person must not Stop, Stand or Park a vehicle on any portion of a Highway designated as a Disabled Zone unless there is displayed on the vehicle:
 - (a) a valid disabled person's parking permit issued by the Social Planning and Research Council of B.C., or
 - (b) a permit of similar nature issued by another jurisdiction.

Parking of Recreational Vehicles

7.10 A person must not Park a Recreational Vehicle or any vehicle having a licensed Gross Vehicle Weight in excess of 5,500 kilograms, on any Highway in the Municipality, except where the vehicle is temporarily parked and engaged in the moving, loading and unloading of furniture, equipment or other effects.

Uninsured Vehicles

7.11 A person must not Park or leave any Unlicensed Vehicle on a Highway.

PART 8 – OTHER REGULATIONS

Driving on Sidewalk

8.1 A driver must not drive on a Sidewalk, walkway or Boulevard, except when entering or leaving a driveway or Lane or when entering or leaving land adjacent to a Highway.

Obeying Flag person

8.2 Where a flag person, authorized by a Highway Use Permit, is controlling the movements of Traffic around a portion of Highway on which work is being carried out, a person must not drive or operate a vehicle other than as directed by the flag person.

Obeying Traffic Patrol

8.3 Every Pedestrian, cyclist and driver of a Motor Vehicle must obey the instructions of an adult school crossing guard or a school student acting as a member of a traffic patrol.

Motor Vehicle Noise

8.4 A person must not start, drive, turn or Stop any Motor Vehicle, or accelerate the vehicle engine while the vehicle is stationary, in a manner which causes any loud and unnecessary noise in or from the engine, exhaust system, braking system, audio system, or from the contact of the tires with the Roadway.

PART 9 – REMOVAL OF VEHICLES AND CHATTELS

Authority to Remove Vehicles and Chattels

- 9.1 If a Motor Vehicle or Chattel:
 - (a) interferes with any fire fighting, Emergency Vehicle, emergency operation or equipment;
 - (b) interferes with the normal flow of Traffic on a Highway;
 - (c) interferes with the construction, improvement, maintenance, alteration, extension, widening, marking, repair, removal of snow or ice from, or sweeping of a Highway;
 - (d) is Standing or parked in violation of this Bylaw or another bylaw of the Municipality;
 - (e) has apparently been left unattended on a Highway for a period of at least seventy-two (72) hours;
 - (f) is found on a Highway and is an Unlicensed Vehicle; or
 - (g) is unlawfully occupying any portion of a Highway, Boulevard, Access or Sidewalk;

a Peace Officer, a Bylaw Enforcement Officer, or the Administrator may take any of the following actions:

- direct, move or cause to be moved, the Motor Vehicle or Chattel to a location or position that the Peace Officer, Bylaw Enforcement Officer, or Administrator considers to be necessary or appropriate in the circumstances;
- (ii) require the driver, owner or other person who is apparently responsible for the Motor Vehicle or Chattel to move it, or cause it to be moved, to a location or position that the Peace Officer, Bylaw Enforcement Officer, or Administrator considers to be appropriate in the circumstances; or
- (iii) where neither of the actions under subparagraphs (i) or (ii) is practicable, seize, detain, or impound the Motor Vehicle or Chattel, or cause the Motor Vehicle or Chattel to be seized, detained or impounded.

Recovery

9.2 Any Motor Vehicle, Chattel or other obstruction that has been removed, detained or impounded by the Municipality's Towing Contractor may be recovered by the owner during the Towing Contractor's normal business hours by paying to the Towing Contractor the fees for removal, care and storage of the vehicle or Chattel in the same amounts that are set out in *Towing and Storage Rate Payment Schedule* established by the *Insurance Corporation of British Columbia* and are in effect on the date of recovery.

Notice of Impoundment

9.3 If a Motor Vehicle or Chattel is removed, detained or impounded, and not claimed by its owner within 30 days from date of seizure, written notice shall be given in the case of a Motor Vehicle to the owner at the last known owner's address, if available, as shown on the records of the *British Columbia Superintendent of Motor Vehicles*, and, in the case of any other Chattel, to the owner if the identity of the owner can be established, advising of the seizure, the sum payable to recover the Motor Vehicle or chattel, and the date of planned disposal of the property.

Disposal of Impounded Property

9.4 The Municipality may dispose of any vehicle or Chattel not claimed by its owner, following 90 days after delivering, by registered mail or courier service, a notice to the owner. If the vehicle or Chattel is disposed of by public auction, the auction shall be advertised at least once in a local newspaper.

Disposal Proceeds

9.5 The proceeds of disposal shall be applied firstly to the cost of the disposal and secondly to the fees incurred by the Municipality, for the removal and impoundment. Any remaining balance shall, in the case only of a vehicle or Chattel that has a realized disposal value, be held for the owner by the Municipality for 6 months from the date of disposal. If the balance remains unclaimed at the end of that period, such balance shall be paid into the general revenue account of the Municipality or as otherwise directed by Council.

PART 10 - PERMITS

- 10.1 The Administrator is hereby authorized:
 - (a) To issue Permits under this Bylaw; and
 - (b) to refuse, suspend, amend, vary or cancel any Permit if the Administrator considers that the activities proposed or contemplated under the Permit cannot be or are not being carried out safely and with a minimum risk of injury to persons, damage or loss to property, inconvenience to others using the Highway, or to residents or businesses in the vicinity, or to the general public.

Availability of Permit

10.2 Once issued, a Permit must at all times be available at the site or in the vehicle for which the Permit was issued, and a person responsible for the activity under the Permit must immediately produce the Permit at the request of the Administrator, a Peace Officer or a Bylaw Enforcement Officer.

Effective Period of Permit

10.3 The effective period of a Permit shall be as stipulated by this Bylaw or by the date set on the Permit itself, unless suspended, amended, varied, revoked or cancelled; and in any case, shall not exceed twelve (12) months.

Permit Fees and Securities

10.4 Every Applicant for a Permit must submit an Application to the Administrator and pay to the Municipality the applicable fees established under the *Anmore Fees and Charges Bylaw No. 557-2016*.

- 10.5 In the case of work or an activity affecting the paved portion of a Highway, the Administrator may require an Applicant to provide a security deposit as a condition of issuing the Permit, in an amount sufficient to remedy any damage to or loss of pavement integrity resulting from the work carried out under the Permit.
- 10.6 The Administrator may require additional security to ensure compliance with this Bylaw and the performance of any term or condition imposed under a Highway Use Permit, in an amount that is, in the opinion of the Administrator, sufficient to pay the cost of either or both of the following:
 - (a) remedying any damage to the Highway, structure, or other public or private property, or to replace or compensate for loss or injury resulting from the activity for which the Permit was issued and, where applicable, maintenance for up to one year following completion of any such repair; and
 - (b) fulfilling the obligations imposed by the Permit within the time specified by the Permit on default of the Permit holder.
- 10.7 An Applicant who is required to provide a Permit deposit as a condition of the issuance of a Permit may, at the Applicant's option, provide the Permit deposit by:
 - (a) a cash deposit,
 - (b) an irrevocable letter of credit, or
 - (c) another form of security satisfactory to the Administrator.
- 10.8 If a Permit holder fails to promptly repair any damage, compensate for any injury or loss resulting from work, activity or other thing that is subject to the Permit, or fails to fulfill the obligations of the Permit within the specified time, the Municipality may draw upon the deposit or security provided by the Permit holder and may take steps to remedy the damage, compensate for loss or injury, or fulfill the obligations of the Permit holder. If there are not sufficient funds on deposit or available through the security provided to cover the costs, the Municipality may recover any shortfall from the Permit holder, and the amount of any such shortfall, as indicated by an invoice, becomes a debt owing to the Municipality.

Highway Use Permit

10.09 Every Permit holder must ensure that the work carried out under a Highway Use Permit conforms in every respect to plans and specifications approved by the

Administrator, meets all terms and conditions of the Permit, and that the work, and any related work or activity, be in compliance with this Bylaw and other applicable enactments.

- 10.10 Where any completed work on, over or under a Highway is to be taken over by the Municipality, the Permit holder shall maintain such work for a period of one year from the date of completion of the work, as certified by the Administrator. The Permit holder must place an additional deposit in the amount to cover the maintenance period.
- 10.11 Upon final completion of work carried out under a Highway Use Permit or the end of a maintenance period, as applicable, any amount that is not used or required by the Municipality to remedy a default of the Permit holder or any loss, injury or damage otherwise resulting from the work or from non-compliance with the Permit or this Bylaw will be refunded to the Permit holder.

Sidewalk Use Permits

10.12 A person must not use or permit the use of any portion of Sidewalk adjacent to premises owned or occupied by them for any purposes without first obtaining a Sidewalk Use Permit.

Temporary Sidewalk Use Permit

- 10.13 The Administrator may consider applications for the temporary use of a Sidewalk and may issue a Permit for that use, on receiving a completed Application in a form approved by the Administrator, provided that:
 - (a) the Administrator is satisfied that the proposed use will not:
 - (i) obstruct normal Traffic in the area;
 - (ii) interfere with other uses in the vicinity;
 - (iii) result in unsightliness;
 - (iv) create a substantial safety hazard or distraction to drivers;
 - (v) result in injury to persons or loss of or damage to property;
 - (vi) be left unattended; or
 - (vii) inconvenience adjacent residents or businesses;

- (b) any structures used are of appropriate size and proportion for the proposed location and are safe and capable of being readily removed; and in any case, at the end of each day they are used;
- (c) the use is limited to eight (8) hours per day and does not, in any case, continue longer than seven (7) days within any six (6) month period;
- (d) the applicant pays the fee(s) set under the Fees and Charges Bylaw; and
- (e) the applicant provides the Municipality with insurance, security, and deposits as the Administrator considers necessary or appropriate in the circumstances.
- 10.14 A person who has been issued a Sidewalk Use Permit must ensure that this Bylaw and all of the restrictions, requirements, terms and conditions of the Sidewalk Use Permit have been met.

Review by Council

- 10.15 An Applicant who has been refused a Permit, or a Permit holder whose Permit has been suspended or cancelled by the Administrator, may request that Council review the decision by delivering a written request, along with related information and supporting reasons, to the corporate officer of the Municipality, with a copy to the Administrator, within five (5) business days of receiving a notice of the Administrator's decision.
- 10.16 At a date and time to be arranged by the corporate officer, the Applicant may appear before Council and be heard regarding a decision to suspend or cancel a Permit.
- 10.17 In addition to information and submissions by the Applicant, and a report from the Administrator as to the Administrator's decision, Council may consider any other information it considers relevant; and after reviewing the matter, may confirm, vary or cancel the decision of the Administrator.

PART 11 – ENTRY AND COST RECOVERY

Entry for Inspection

11.1 Any Peace Officer, Bylaw Enforcement Officer, the Administrator and any employee of the Municipality acting under the direction of the Administrator may, in accordance with section 16 of the *Community Charter*, enter upon any property subject to this Bylaw in order to inspect the property and determine whether all regulations, restrictions and requirements are being met.

Remedy and Cost Recovery for Default

11.2 Where, in this Bylaw, any activity, matter or thing is required to be done by any person, where default occurs, such activity, matter or thing may be done by the Municipality at the expense of the person in default, and the expense may be recovered from the person as a debt owing to the Municipality. Without limiting the foregoing, where the Municipality provides work or service in relation to land or improvements, any costs incurred by the Municipality that are not paid in full by December 31 in the calendar year in which the costs were incurred, may be collected from the property owner in the same manner as for property taxes.

PART 12 - ENFORCEMENT AND PENALTY

Fines and Penalties

12.1 A person who:

- (a) contravenes, violates or fails to comply with any provision of this Bylaw;
- (b) suffers or allows any act or thing to be done in contravention of this Bylaw, or any permit or order issued under this Bylaw; or
- (c) fails or neglects to do anything required to be done under this Bylaw;

commits an offence, and upon conviction shall be liable to a fine of not more than ten thousand (\$10,000.00) dollars; and each day that the offence is continued shall constitute a separate offence.

12.2 This Bylaw may be enforced:

- (a) by a Peace Officer, Bylaw Enforcement Officer, or the Administrator;
- (b) by means of a ticket in a form prescribed for such purpose in accordance with the *Community Charter*, and with fines imposed for offences as set under the *Anmore Municipal Ticket Information and Utilization Bylaw No.* 479-2009;
- (c) by proceedings brought under the *Offence Act*; or
- (d) by means of a bylaw notice and penalty imposed by a bylaw of the Municipality under the *Local Government Bylaw Notice Enforcement Act*.

A Peace Officer, Bylaw Enforcement Officer, or the Administrator may refer any 12.3 disputed tickets to the Provincial Court and may represent the Municipality in any related proceedings.

DATE

PAKI .	13 - KEPEALIVIENT and I	FFECII	IVE DATE		
13.1	The Village of Anmore Highway Regulation Bylaw No. 64, 1991 and all amendments thereto are hereby repealed on adoption of this Bylaw.				
13.2	This Bylaw comes into force and effect on the date of adoption.				
READ	a first time the	4th	day of December, 2018		
READ a second time the		4th	day of December, 2018		
READ a third time the		4th	day of December, 2018		
ADOPTED the			day of		
				MAYOR	
			MANAGER OF CORPORATE	SERVICES	
Certific		copy o	f "Anmore Highway Regulation Bylaw No.	586-	

MANAGER OF CORPORATE SERVICES



VILLAGE OF ANMORE REPORT TO COUNCIL

Date: November 29, 2018

Submitted by: Jason Smith, Manager of Development Services

Subject: Fees and Charges Amendment Bylaw

Purpose / Introduction

The purpose of this report is introduce to Council a Fees and Charges Amendment Bylaw (**Attachment 1**) to implement the new fees and permits in the proposed Highways Regulation Bylaw and the recently adopted Tree Management Bylaw. There is also a proposed reduction in the fee for a Development Variance Permit.

Recommended Options

That Council give first, second and third reading to Village of Anmore Fees and Charges Amendment Bylaw No. 588-2018.

Background

Council recently adopted a new Tree Management Bylaw at its November 20, 2018 meeting and is considering a Highways Regulation Bylaw at their December 4, 2018 meeting. Both of these bylaw introduce new permits. These new permits require fees to be established in order to ensure that the Village recovers its costs for administering them.

Discussion

The recently adopted Tree Management Bylaw introduced an Annual Tree Cutting Allowance Permit that permits property owners to cut 2 trees per calendar year. The Village is proposing a nominal fee to ensure that people will seek a permit and that the Village will be able to track trees cut under this provision. A \$10 fee is proposed.

The proposed Highways Regulation Bylaw introduces a Highway Use Permit, a Sidewalk Use Permit, and a Temporary Sidewalk Use permit. The proposed fee for all of these permits is \$50.

Finally, staff are proposing a reduction in the Development Variance Permit fee from \$1500 to \$500. This reduction more accurately reflects the cost of administering the Development Variance Permit process and aligns the cost with a Board of Variance application.

Report/Recommendation to Council

Fees and Charges Amendment Bylaw November 29, 2018

Other Options

The following options are presented for Council's consideration:

1. That Council give first, second and third reading to Village of Anmore Fees and Charges Amendment Bylaw No. 588-2018;

Or

2. That Council request further information of staff.

Financial Implications

Should Council not adopt this Bylaw the Village will have no means to collect fees for the permits that have been enabled in the Tree Management Bylaw and the Highways Regulation Bylaw should Council choose to proceed towards adoption of that Bylaw.

Attachments:

1. Village of Anmore Fees and Charges Amendment Bylaw No. 588-2018

Prepared by:				
Jason Smith				
Manager of Development Services				
Manager of Development Services				
Reviewed for Form and Content / Approved for Submission to Council:				
Chief Administrative Officer's Comment/Concurrence				
Chief Administrative Officer				

VILLAGE OF ANMORE

BYLAW NO. 588-2018

A bylaw to amend Anmore Fees and Charges Bylaw No. 557-2016

WHEREAS section 194 of the Community Charter, S.B.C., 2003, authorizes municipalities, by bylaw, to impose fees and charges for the provision of various services and/or information;

AND WHEREAS the Local Government Act authorizes a local government to amend its bylaws from time to time;

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

- 1. That this bylaw may be cited for all purposes as "Anmore Fees and Charges Amendment Bylaw No. 588-2018".
- 2. That Anmore Fees and Charges Bylaw No. 556-2016 be further amended as follows:
 - a) Insert after the Tree Cutting Permit Fee on page 6 of the bylaw Annual Tree Cutting Allowance Permit -\$10; and
 - b) Under Miscellaneous Fees and Charges on page 6 of the bylaw insert the following "Highway Use Permit \$50", "Sidewalk Use Permit \$50", and "Temporary Sidewalk Use Permit \$50"; and
 - c) Reduce the fee for a Development Variance Permit from \$1500 to \$500.

READ a first time the day of December, 2018

READ a second time the day of December, 2018

READ a third time the day of December, 2018

ADOPTED the day of January, 2019

	MAYOR
MANAGER OF CO	RPORATE SERVICES

Page 2	
Certified as a true and correct copy of No. 588-2018".	"Anmore Fees and Charges Amendment Bylaw
DATE	MANAGER OF CORPORATE SERVICES

Anmore Bylaw No. 574-2018

FINANCE COMMITTEE MEETING - MINUTES

Minutes of the Finance Committee Meeting held on Monday, May 28, 2018 in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC



COMMITTEE MEMBERS PRESENT

Mayor John McEwen
Councillor Ann-Marie Thiele
Councillor Kim Trowbridge
Councillor Paul Weverink
Nick Cheng

COMMITTEE MEMBERS ABSENT

Councillor Ryan Froese Mark Roberts

OTHERS PRESENT

Juli Halliwell, Chief Administrative Officer Christine Baird, Manager of Corporate Services

1. CALL TO ORDER

Mayor McEwen called the meeting to order at 7:15 p.m.

2. <u>APPROVAL OF THE AGENDA</u>

It was MOVED and SECONDED

"THAT THE AGENDA BE APPROVED AS CIRCULATED."

CARRIED UNANIMOUSLY

3. MINUTES

(a) Minutes of the Meeting held on November 27, 2017

It was MOVED and SECONDED

"THAT THE MINUTES OF THE FINANCE COMMITTEE MEETING HELD ON NOVEMBER 27, 2017 BE ADOPTED AS CIRCULATED."

CARRIED UNANIMOUSLY

(b) Minutes of the Meeting held on December 11, 2017

It was MOVED and SECONDED

"THAT THE MINUTES OF THE FINANCE COMMITTEE MEETING HELD ON DECEMBER 11, 2017 BE ADOPTED AS CIRCULATED."

CARRIED UNANIMOUSLY

4. BUSINESS ARISING FROM THE MINUTES

November 27, 2017 – Item 6(b), bullet 9 – Council requested if the Village is setting aside election funds and Staff responded that the Village has been setting aside funds for the past two years, which will make up approximately half of the total cost of the election.

November 27, 2017 – Item 6(b), paragraph 4, bullet 4 – Council requested if the reserve reference relates to the reserve funding allocation and Staff responded that the reference is for how the Village will split the fixed asset levy between the road reserve and the building reserve.

5. UNFINISHED BUSINESS

Nil

6. NEW BUSINESS

(a) Unclaimed Bond Policy No. 58

It was MOVED and SECONDED:

"TO TABLE."

CARRIED UNANIMOUSLY

(b) Financial Sustainability Policy No. 60

It was MOVED and SECONDED:

"THAT FINANCE COMMITTEE ENDORSES FINANCIAL SUSTAINABILITY POLICY NO. 60 (DRAFT); AND THAT STAFF BE REQUESTED TO REFER THE COMMITTEE'S ENDORSEMENT TO COUNCIL FOR CONSIDERATION."

7. <u>ADJOURNMENT</u>

It was MOVED and SECONDED:

"TO ADJOURN."

CARRIED UNANIMOUSLY

The meeting adjourned at 7:43 p.m.						
Certified Correct:	Approved:					
C. BAIRD	J. McEWEN					
Christine Baird	Mayor John McEwen					
Manager of Corporate Services	Chair, Finance Committee					

PARKS AND RECREATION COMMITTEE MEETING - MINUTES

Minutes of the Parks and Recreation Committee Meeting held on Wednesday, October 17, 2018 in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC



MEMBERS PRESENT

MEMBERS ABSENT

Councillor Kim Trowbridge (Chair) Mike Dykstra Polly Krier Susan Mueckel Bruce Scatchard

Nil

1. CALL TO ORDER

Chair Trowbridge called the meeting to order at 7:07 p.m.

2. APPROVAL OF THE AGENDA

It was MOVED and SECONDED:

"THAT THE AGENDA BE APPROVED AS CIRCULATED."

CARRIED UNANIMOUSLY

3. MINUTES

(a) Minutes of the Meeting held on February 7, 2018

It was MOVED and SECONDED:

"THAT THE MINUTES OF THE PARKS AND RECREATION COMMITTEE MEETING HELD ON FEBRUARY 7, 2018 BE ADOPTED AS CIRCULATED."

CARRIED UNANIMOUSLY

4. BUSINESS ARISING FROM THE MINUTES

Nil

5. <u>UNFINISHED BUSINESS</u>

Nil

6. <u>NEW BUSINESS</u>

(a) Anmore Trail Connectivity

(i) Review Map of Existing Trails in Official Community Plan

The following points were highlighted during discussion:

- Review the OCP map of existing trails to come to a consensus of the desired trails to go back to staff
- There is an appetite for council to consider acquisition of private property to help make trail networks work
- Identify obstacles and categorize them; i.e. private land, stream topography
- Work on possible solutions by category; i.e. purchasing land, naming trails
 in exchange for land donations, trail network by owners, consider culverts vs
 costly bridges, switchbacks instead of stairs, stairs in the middle with both
 access in the middle by machine, bring in outside "clubs" that wish to be
 involved such as a bike club
- Extending at least one trail is an accomplishment
- A bike club would want to build jumps and obstacles; need to ensure that they include specific requirements such as continual walkable trails
- Would like council and staff to know all desired connections all over the map to be more prepared
- Members reviewed and discussed potential trail connectivity and marked up the parks and trails map

Possible funding solutions were discussed as follows;

- Brilliant Circle incorporate connectivity into the master plan and significant funding for village wide trail development;
- Speak with BC Hydro to request a contribution to connect trails

It was MOVED and SECONDED:

"FOR THE STAFF TO PRODUCE AN UPDATED VILLAGE OF ANMORE PROPOSED TRAIL MAP (FIGURE 8) REFLECTING NEW DEVELOPMENT; BELLA TERRA DEVELOPMENT ETC."

CARRIED UNANIMOUSLY

It was MOVED and SECONDED:

"BRING FORWARD TO COUNCIL THROUGH STAFF A REQUEST THAT DISCUSSIONS BE HAD WITH BC HYDRO REGARDING THE RIGHT OF WAY AND POSSIBLE FINANCIAL CONTRIBUTIONS TO TRAIL NETWORK."

CARRIED UNANIMOUSLY

It was MOVED and SECONDED:

"BRING FORWARD TO COUNCIL TO ASK STAFF TO INVESTIGATE THE POTENTIAL OF PROVIDING INCENTIVES FOR LAND AND FINANCIAL DONATIONS TO TRAIL DEVELOPMENT INCLUSIVE OF NAME DEDICATION, ETC."

CARRIED UNANIMOUSLY

7. <u>ADJOURNMENT</u>	
It was MOVED and SECONDED:	
"TO ADJOURN."	CARRIED UNANIMOUSLY
The meeting adjourned at 8:55 p.m.	
Certified Correct:	Approved:
Christine Baird Manager of Corporate Services	Councillor Kim Trowbridge Chair, Parks and Recreation Committee



Learning for a Lifetime

550 Poirier Street, Coquitlam, BC Canada V3J 6A7 • Phone: 604-939-9201 • Fax: 604-939-7828

Neil Belenkie, Mayor and Council

John McEwen, Mayor and Council

Village of Belcarra

Village of Anmore

4084 Bedwell Bay Road

Belcarra, BC V3H 4P8

2697 Sunnyside Road

Anmore, BC V3H 5G9

BOARD OF EDUCATION

CHAIR:

Barb Hobson

VICE-CHAIR:

Christine Pollock

TRUSTEES:

Jennifer Blatherwick

Carol Cahoon

Kerri Palmer Isaak

Lisa Park

Michael Thomas

Keith Watkins

Craig Woods

Richard Stewart, Mayor and Council

City of Coquitlam 3000 Guilford Way Coquitlam, BC V3B 7N2

Brad West, Mayor and Council

City of Port Coquitlam 2580 Shaughnessy Street Port Coquitlam, BC V3C 2A8

Rob Vagramov, Mayor and Council

City of Port Moody

100 Newport Drive, Box 36 Port Moody, BC V3H 3E1

November 26, 2018

Re: Child Care Task Force

Dear Mayors and Councillors,

I would like to offer congratulations on behalf of the Board of Education on your election, or re-election, to your respective local governments. The Board and I look forward to continuing to strengthen our existing relationships with our municipal partners.

Prior to the election we sent your Council a request to appoint one elected representative and one staff representative to a Child Care Task Force.

While we have responses from some municipalities, we are following up on our October 9, 2018 request and look forward to working with you on this important matter.

Yours truly,

SCHOOL DISTRICT NO. 43 (COQUITLAM) BOARD OF EDUCATION

Barb Hobson

Chair, Board of Education

cc.

Board of Education

Patricia Gartland, Superintendent of Schools Chris Nicolls Secretary-Treasurer/CFO

Juli Halliwell

From: Lebedoff, April AGLG:EX <April.Lebedoff@aglg.ca> on behalf of Ruth, Gordon AGLG:EX

<Gordon.Ruth@aglg.ca>

Sent: November-29-18 10:47 AM **To:** Ruth, Gordon AGLG:EX

Subject: Letter from the Auditor General for Local Government (AGLG) to New Councils and

Boards



ACCESSIBILITY - INDEPENDENCE - TRANSPARENCY - PERFORMANCE



November 29, 2018

To: Mayors and Councillors

Chairs and Directors of Regional District Boards

Chairs and Directors of Greater Boards

Please accept my congratulations on your election and best wishes for your new term in office. The beginning of a new term is always an exciting time, full of possibilities and opportunities for local governments and their communities.

As you may be aware, the mandate of the Auditor General for Local Government is to assist local governments across B.C. by providing objective information and relevant advice that will assist in local governments' accountability to their communities for the stewardship of public assets and the achievement of value for money in their operations.

We accomplish this through performance audits, which are quite different from the financial audits you may be more familiar with. Performance audits can be valuable tools for local governments as they point out areas relating to the audit topic that could be improved while – equally importantly – also providing assurance in areas where a local government already has good practices.

In our reports, we try to highlight such good practices and recommend them to other local governments. This is why our audit reports are relevant to more than just the local government being audited, as we are always looking for opportunities to provide useful advice to local governments of varying sizes and other characteristics. Our AGLG Perspectives booklets have a similar goal, offering a variety of best practices for a wide range of local governments to consider.

I am pleased that we have received a great deal of positive feedback from local governments and other stakeholders on the work that we have done in recent years and hope that you will also find our reports and recommendations to be useful in your work.

We anticipate the release of a performance audit on the topic of Emergency Management in Local Governments and a Perspectives booklet related to the topic of Local Government's Role in Ensuring Clean Drinking Water in the short term and I would encourage you to review each one once released. All of our audit reports and Perspectives booklets are published on our website at www.aglg.ca under the 'Publications' tab.

Success for our office almost always depends on collaboration and engagement with elected officials and local government staff. I look forward to working with you and welcome any questions or feedback that you may have, or opportunities to meet with your Council or Board to share the work that we do.

Sincerely,

Gordon Ruth, FCPA, FCGA Auditor General for Local Government 201 - 10470 152nd Street, Surrey, BC V3R 0Y3

Phone: 604-930-7100 | Fax: 604-930-7128



AUDITOR GENERAL FOR LOCAL GOVERNMENT

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