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February 19, 2021

File No.: 0230-20

Association of Vancouver Island
and Coastal Communities
525 Government Street
Victoria BC V8V 0A8

Re: 2021 Resolution

Please be advised that on February 3, 2021, the Islands Trust Executive Committee passed the following resolution for the 2021 AVICC Annual General Meeting:

That the Executive Committee direct staff to forward a resolution with backgrounder for consideration at the 2021 Association of Vancouver Island and Coastal Communities (AVICC) and Union of BC Municipalities (UBCM) conventions, requesting that the Ministry of Municipal Affairs update the Local Government Act to allow temporary use permit and public hearing notification to be provided electronically.

Please find attached the proposed resolution and backgrounder.

Please do not hesitate to contact me if you require further information.

Yours truly,

Carmen Thiel
Corporate Secretary

Attachment



Islands Trust

2020 RESOLUTION SUBMISSION TO AVICC

ELECTRONIC PERMIT AND PUBLIC HEARING NOTIFICATION

ISLANDS TRUST

RESOLUTION:

WHEREAS the Local Government Act, Part 14, Divisions 3 and 8, requires that local governments give notice of public hearings in two consecutive issues of a gazette newspaper, and temporary use permits in one issue of a gazette newspaper;

AND WHEREAS many small communities no longer have local newspapers, or a newspaper that meets the definition of gazette in the Interpretation Act;

THEREFORE BE IT RESOLVED that AVICC & UBCM call upon the Ministry of Municipal Affairs to update the Local Government Act to allow temporary use permit and public hearing notifications to be provided electronically, via an application or website if the local government can demonstrate equal or greater ability to reach relevant constituents than a regular printed local newspaper.

BACKGROUNDER:

Under current legislation, public hearing notices are placed in two consecutive issues of a gazette newspaper, defined in the Interpretation Act as a newspaper that publishes at least once a week. The last notice must be no less than three days before and no more than 10 days before the public hearing. For a temporary Use Permit, the notice is published once in a gazette newspaper, and must appear no less than three days before and no more than 14 days before the date of consideration of issuance of the permit. There is currently no provision in legislation for public notices being provided electronically.

Because the legislation does not allow electronic notices currently, there are no examples in British Columbia of how this process would work. Consideration needs to be given to an appropriate platform for publishing the notices that is widely available, open to the public and reliable. This is most likely going to be the local government's own website and/or a locally recognized information source. This will likely be specified in any legislation to allow electronic notices (which could be an amendment to the Interpretation Act or specified in the enabling legislation). The time limits currently in effect for publishing should be maintained.