



Staff Report to Council

DATE: Monday, May 6, 2024

DEPARTMENT: Administration

SUBJECT: Council Procedure Bylaw No. 1971, Amendment No. 3, Bylaw No. 2175, 2024

EXECUTIVE SUMMARY:

As a result of the legislative changes made by the Province, through the introduction of Bill 44 “Housing Statutes (Residential Development) Amendment Act, 2023”, staff are proposing an amendment to the Council Procedure Bylaw for compliance purposes. Further to these changes, staff have included additional minor amendments for Council’s consideration.

BACKGROUND:

In November 2023, the Province of British Columbia enacted the *Housing Statutes (Residential Development) Amendment Act, 2023* which introduced a suite of amendments to the *Local Government Act* including amendments pertaining to Public Hearings. With this change to the legislation, the City is **prohibited** from convening a Public Hearing with respect to a Zoning Bylaw amendment application that is consistent with the Official Community Plan (OCP) and would result in predominantly residential development. As a result, the City is amending its Council Procedure Bylaw to be in alignment with the intent of the changes.

Regarding the other amendments presented in Bylaw No. 2175, staff have taken this opportunity to make minor amendments that reflect the will of the public with respect to providing their address and have added a clarifying statement regarding signs in Council Chambers to address potential hazards while supporting free speech in the Chambers.

COMMENTARY:

Proposed Amendment to Section 33 of Bylaw No. 1971:

Council may wish to clarify this section as it pertains to signs being brought inside Council Chambers. Staff are proposing that the language in this section be revised to illustrate clearly that only signs mounted to handles such as stakes are not permitted inside Council Chambers. Should someone arrive to Council Chambers with such a sign, they will be asked to leave it out of the room. As well, signs that are brought into Council Chambers cannot be displayed in a manner that obstructs the view of other persons in the audience.

Currently reads: Members of the public are not permitted to bring signs of any kind into Council Chambers, signs may be left outside of council Chambers for retrieval at the end of the meeting.

Proposed amendment: Members of the public are not permitted to bring signs mounted on handles of any kind into Council Chambers. Signs permitted within Council Chambers must not obstruct the view of members of the public. Signs that are not permitted within Council Chambers may be left outside of Council Chambers for retrieval at the end of the meeting.

Proposed Amendment: Addition of a new Section 34 (and renumber the remainder of the bylaw accordingly):

This proposed amendment is not currently in the bylaw. Staff recommend adding it in place of the current Section 34 (and renumber the bylaw accordingly) for ease of reading.

Proposed amendment: Signs permitted within Council Chambers must not contain statements or illustrations that may be deemed to be derogatory or defamatory or which may be contrary to the City's Respectful Workplace Policy.

Proposed Amendment to Section 35 (previously Section 34):

This section is needing to be amended to comply with the spirit of the *Housing Statutes (Residential Development) Amendment Act, 2023* which introduced a suite of amendments to the *Local Government Act* including amendments pertaining to Public Hearings. It is staff's recommendation that this amendment is accepted as written to ensure compliance.

Currently reads: Council may permit members of the public to address Council during the public participation portion of the meeting with respect to items appearing on the Agenda. Each member of the public may speak for a maximum of three (3) minutes unless such time is extended by unanimous agreement of Council. The public participation period shall be limited to thirty (30) minutes unless such time is extended by two-thirds agreement of Council. Council will make best efforts to ensure that all members of the public have at least one opportunity to speak.

Proposed amendment: Council may permit members of the public to address Council during the public participation portion of the meeting with respect to items appearing on the Agenda other than items which have been subject of a Public Hearing or is a Zoning Bylaw or Official Community Plan (OCP) Amendment for adoption. Each member of the public may speak for a maximum of three (3) minutes unless such time is extended by unanimous agreement of Council. The public participation period shall be limited to thirty (30) minutes unless such time is extended by two-thirds agreement of Council. Council will make best efforts to ensure that all members of the public have at least one opportunity to speak.

Proposed Amendment to Section 43 (previously Section 42):

Staff have noticed that many residents during the public participation period state that they are “Langford Residents” rather than providing their street name. Staff are proposing that this change be codified within the bylaw as the standard moving forward.

Should this amendment be adopted, those participating would be asked to provide their first initial, last name, and municipality of residence for the record. This information would be published in the meeting minutes.

Currently reads: Meeting minutes will record the first initial, last name and street name of members of the public speaking to items on the Agenda and will indicate the number of the item they are speaking to and at a minimum will record if they are in favour of or opposed to the matter.

Proposed amendment: Meeting minutes will record the first initial, last name and municipality of residence of members of the public speaking to items on the Agenda and will indicate the number of the item they are speaking to and at a minimum will record if they are in favour of or opposed to the matter.

All proposed amendments can be viewed in Attachment 2 of this report which shows the redline version of consolidated Bylaw No. 1971.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

LEGAL IMPLICATIONS:

Pursuant to section 124 of the *Community Charter*, prior to amending the procedure bylaw, notice must be given by advertising in the newspaper two weeks in advance of the meeting. These advertisements were published in the Goldstream Gazette on April 24 and May 1. A copy of the ads is attached to this report (Attachment 3).

STRATEGIC PLAN INITIATIVES:

OPTIONS:

Option 1

THAT Council provide first, second, and third readings to Bylaw 2175 as presented.

OR Option 2

THAT Council provide alternate direction to staff regarding Bylaw 2175 as presented.

SUBMITTED BY: Marie Watmough, Director of Legislative & Protective Services

Concurrence: Donna Petrie, Senior Manager of Communications & Economic Development

Concurrence: Yari Nielsen, Director of Parks, Recreation and Facilities

- Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services
- Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance
- Concurrence:** Braden Hutchins, Director of Corporate Services
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachment 1: Bylaw 2175

Attachment 2: Redline of Consolidated Bylaw No. 1971 showing proposed amendments as written in Bylaw 2175.

Attachment 3: Goldstream Gazette publication of advertisements dated April 24 and May 1.