



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
MAY 16, 2023 - 7:00 PM
COUNCIL CHAMBERS**

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

1. Call to Order

2. Public Input (Maximum of 2 minutes per speaker, 15 minutes total)

Mayor: "Public input is for the purpose of permitting people in the gallery to provide feedback and shall be no longer than 15 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the agenda of the meeting. Each speaker may not speak longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record, please state your name and address."

3. Introduction of Late Items

4. Approval of Agenda

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for May 16, 2023, be approved.

5. Minutes of Previous Meetings

Recommended Resolutions:

THAT the minutes from the Regular Council meeting held on May 2, 2023, be adopted.

THAT the minutes from the Special Council meeting held on May 3, 2023, be adopted.

THAT the minutes from the Special Council meeting held on May 9, 2023, be adopted.

6. Petitions and Delegations

7. Correspondence

a) Campbell River Chamber of Commerce – 2023 membership

b) Sayward Volunteer Fire Department – Call Report, 1st QTR of 2023

Recommended Resolution:

THAT correspondence a) to b) be received.

8. Council Reports

9. Reports of Committees - None

10. Mayor's Report - None

11. Unfinished Business - None

12. Staff Reports

a) Official Community Plan Bylaw – Keir Gervais, CAO

Recommended Resolutions:

THAT Council receive the Official Community Plan Bylaw staff report for information and discussion.

b) Council Action List – Keir Gervais, CAO (to be distributed late)

Recommended Resolutions:

THAT Council receive the Council Action List for information and discussion.

c) Village of Sayward 2023 Strategic Plan – Keir Gervais, CAO

Recommended Resolutions:

THAT Council receive the Village of Sayward 2023 Strategic Plan staff report for information and discussion.

THAT Council adopt the Village of Sayward 2023 Strategic Plan.

d) Kelsey Centre Operating Season – Keir Gervais, CAO

Recommended Resolutions:

THAT Council receive the Kelsey Centre Operating Season staff report for information and discussion.

e) Tax Notice Letter to Residents – Keir Gervais, CAO (to be distributed at meeting)

Recommended Resolutions:

THAT Council receive the Tax Notice Letter to Residents staff report for information and discussion.

THAT Council Approve the Tax Notice Letter to Residents for inclusion in the annual tax notice mailout.

f) Tenure 1409269 – Triangle – Lisa Clark, CFO/CO

Recommended Resolutions:

THAT Council receive the Provincial Tenure/Licence of Occupation File #1409269 staff report for information and discussion.

g) Public Nuisance Bylaw – Lisa Clark, CFO/CO

Recommended Resolutions:

THAT Council receive the Public Nuisance Bylaw staff report for information and discussion.

h) Governance Training Workshop – Keir Gervais, CAO

Recommended Resolutions:

THAT Council receive the Governance Training Workshop report for discussion.

THAT Council approves the proposal from Allison Habkirk for \$5,401 plus applicable taxes and the proposed dates, June 2 (6:00pm-9:00pm) and May 3 (9:00am-3:00pm); and,

THAT Council provide staff with any feedback regarding the proposed draft questions, process, objectives, deliverables, etc. to provide back to the consultant.

13. Emergency Services/Public Works/Recreation Department Reports - None

14. Bylaws

a) Village of Sayward Official Community Plan Bylaw No. 501, 2023

Recommended Resolution:

THAT Official Community Plan Bylaw No. 501, 2023 be given first reading.

b) Public Nuisance Bylaw No. 502, 2023 – Lisa Clark, CFO/CO

Recommended Resolutions:

THAT Public Nuisance Bylaw No. 503, 2023 be given first, second, and third reading.

15. New Business

16. Public Question Period (maximum 15 minutes)

Mayor: “The purpose of the public question period is to enable citizens to ask questions of Council about issues that are important to the citizen asking the question. Speakers are asked to limit their questions to one each and, if time permits after everyone has had an opportunity to ask questions, speakers may ask a second question. Citizens will be asked to state their name and address.”

17. In Camera - None

18. Adjournment



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING MINUTES
MAY 2, 2023
COUNCIL CHAMBERS**

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Kohen Gilkin
Councillor Sue Poulsen
Councillor Tom Tinsley

In Attendance: Keir Gervais, CAO
Lisa Clark, CFO/Corporate Officer
Jennifer Redshaw, Finance/Admin Clerk

1. Call to Order

The meeting was called to order at 7:00pm.

2. Public Input

- a) Mark Agnew of 754 Sayward Rd - requested a review of the parameters of RU1 and R1 zones in the current zoning bylaw. Distributed documentation for Council's review.
- b) Lorna Agnew of 754 Sayward Rd - requested a review of her previous proposal for a reduction of the speed limit on Sayward Rd from 70km/h to 50km/h.

3. Introduction of Late Items

- a) Mayor Baker requested Staff Report 12. g) be moved to the May 16, 2023 meeting.

4. Approval of Agenda

MOTION R23/113

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for May 2, 2023, be approved, as amended.

CARRIED

5. Minutes of Previous Meetings

MOTION R23/114

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on April 18, 2023, be adopted.

CARRIED

6. Petitions and Delegations - None

7. Correspondence

- a) Email from Watershed Security Strategy Team RE: engagement opportunities for local governments
- b) Email from Strathcona Regional District RE: Building Bridges Through Understanding Workshop Monday June 12, 2023, at the Kelsey Centre

MOTION R23/115

MOVED AND SECONDED

THAT correspondence a) to b) be received.

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report

- a) Mayor Baker provided a verbal report regarding the communication of the oil spill near Hardwicke Island.

MOTION R23/116

MOVED AND SECONDED

THAT Council receive the Mayor's verbal report regarding the Hardwicke Island oil spill response for information and discussion.

CARRIED

11. Unfinished Business - None

12. Staff Reports

- a) **Potential Municipal Land for Housing - Keir Gervais, CAO**

MOTION R23/117

MOVED AND SECONDED

THAT Council receive the Potential Municipal Land for Housing staff report for information and discussion.

CARRIED

b) Council Corner – Keir Gervais, CAO

**MOTION R23/118
MOVED AND SECONDED**

THAT Council receive the Council Corner staff report for information and discussion.

CARRIED

**MOTION R23/119
MOVED AND SECONDED**

THAT Cllr Burchett initiate the first Council Corner article and circulate it to all members of Council for additional content and approval, for inclusion in the June 2023 issue of Sayward News.

CARRIED

c) Public Nuisance Bylaw No XXX, 2023 – Lisa Clark, CFO/CO

**MOTION R23/120
MOVED AND SECONDED**

THAT Council receive the Public Nuisance Bylaw No. XXX, 2023 staff report for information and discussion.

CARRIED

**MOTION R23/121
MOVED AND SECONDED**

THAT Staff be directed to return Public Nuisance Bylaw No. XXX to the May 16, 2023 council meeting for first, second, and third reading.

CARRIED

d) Financial Statements/Variances to March 31, 2023 – Lisa Clark, CFO/CO

**MOTION R23/122
MOVED AND SECONDED**

THAT Council receives the Financial Statements/Variances to March 31, 2023 staff report for information and discussion.

CARRIED

e) Special Meeting for Audit Report – Lisa Clark, CFO/CO

**MOTION R23/123
MOVED AND SECONDED**

THAT Council receive the Special Meeting for Audit Report staff report for information and discussion.

CARRIED

**MOTION R23/124
MOVED AND SECONDED**

THAT Council schedules a special meeting for May 9, 2023, at 5pm to receive the 2022 Audited Financial Statements and Audit Findings Report from Chan Nowosad Boates.

CARRIED

f) Council Action List – Keir Gervais, CAO

**MOTION R23/125
MOVED AND SECONDED**

THAT Council receive the Council Action List staff report for information and discussion.

CARRIED

13. Emergency Services/Public Works/Recreation Department Reports

a) Recreation Services Report April 2023 – Michelle Davis, Kelsey Centre Manager

**MOTION R23/126
MOVED AND SECONDED**

THAT Council receives the Recreation Services Report April 2023 Report for information and discussion.

CARRIED

**MOTION R23/127
MOVED AND SECONDED**

THAT Staff report back to council with the overall cost and availability of Kelsey Centre employees to keep the Kelsey Centre pool and Afterschool Program open for the month of June.

CARRIED

14. Bylaws

a) Reserve Fund Establishment Amendment Bylaw No. 497, 2023

**MOTION R23/128
MOVED AND SECONDED**

THAT Reserve Fund Establishment Amendment Bylaw No. 497, 2023 be given fourth and final reading.

CARRIED

b) Five Year Financial Plan Bylaw No. 498, 2023

**MOTION R23/129
MOVED AND SECONDED**

THAT Five Year Financial Plan Bylaw No. 498, 2023 be given fourth and final reading.

CARRIED

c) Fees & Charges Amendment Bylaw No. 499, 2023

**MOTION R23/130
MOVED AND SECONDED**

THAT Fees & Charges Amendment Bylaw No. 499, 2023 be given fourth and final reading.

CARRIED

d) Tax Rates Bylaw No. 500, 2023

**MOTION R23/131
MOVED AND SECONDED**

THAT Tax Rates Bylaw No. 500, 2023 be given fourth and final reading.

CARRIED

15. New Business - None

16. Public Question Period - None

17. In Camera - None

18. Adjournment

The meeting was adjourned at 8:22 PM

Mayor

Corporate Officer



**VILLAGE OF SAYWARD
SPECIAL COUNCIL MEETING MINUTES
MAY 3, 2023
COUNCIL CHAMBERS**

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Kohen Gilkin
Councillor Sue Poulsen
Councillor Tom Tinsley

In Attendance: Keir Gervais, CAO
Lisa Clark, CFO/Corporate Officer

1. Call to Order

Meeting was called to order at 6:02pm

2. Public Input - None

3. Introduction of Late Items - None

4. Approval of Agenda

MOTION S23/5

MOVED AND SECONDED

THAT the agenda for the Special Meeting of Council for May 3, 2023, be approved.

CARRIED

5. Minutes of Previous Meetings - None

6. Petitions and Delegation - None

7. Correspondence - None

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report - None

11. Unfinished Business - None

12. Staff Reports - None

13. Emergency Services/Public Works/Recreation Department Reports - None

14. Bylaws - None

15. New Business - None

16. Public Question Period - None

17. In Camera

MOTION S23/6

MOVED AND SECONDED

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with the following sections of the *Community Charter*:

- 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

18. Adjournment

The meeting was adjourned at 8:43 PM

Mayor

Corporate Officer



**VILLAGE OF SAYWARD
SPECIAL COUNCIL MEETING MINUTES
MAY 9, 2023
COUNCIL CHAMBERS**

The Village of Sayward respectfully acknowledges that the land we gather on is on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

Present: Mayor Mark Baker
Councillor Scott Burchett
Councillor Kohen Gilkin
Councillor Sue Poulsen – *arrived at 5:12PM*
Councillor Tom Tinsley

In Attendance: Keir Gervais, CAO
Lisa Clark, CFO/Corporate Officer
Jennifer Redshaw, Finance/Admin Clerk

1. Call to Order

The meeting was called to order at 5:03PM

2. Public Input - None

3. Introduction of Late Items - None

4. Approval of Agenda

MOTION S23/7

MOVED AND SECONDED

THAT the agenda for the Special Meeting of Council for May 9, 2023, be approved.

CARRIED

5. Minutes of Previous Meetings - None

6. Petitions and Delegations

- a) Derek Lamb and Travis Sapala, Audit Team for Chan Nowosad Boates to present the 2022 Audited Financial Statements and Audit Findings Report.

MOTION S23/8

MOVED AND SECONDED

THAT Council receive the 2022 Audited Financial Statements and Audit Findings Report for information and discussion, and;

THAT the Village of Sayward 2022 Audited Financial Statements be approved.

CARRIED

- b) Aggie Pringle, Oscar Daze Committee – RE: Request for Support

MOTION S23/9

MOVED AND SECONDED

THAT variances to Noise Control Bylaw No. 342, 2005 as requested by the Oscar Daze Committee be granted.

Opposed Mayor Baker and Cllr Tinsley

CARRIED

MOTION S23/10

MOVED AND SECONDED

THAT a reduced camping fee for Oscar Daze teams for the nights of the tournament be granted, contingent on the donation of non-perishable food for the Sayward Food Bank.

CARRIED

Direction to Staff: Staff directed to write a letter to Oscar Daze Committee to include defining the allowable camping area and requiring some porta-potties to be located near the Totem Pole.

7. Correspondence

- a) Oscar Daze Committee – RE: request for support for Oscar Daze 2023

MOTION S23/11

MOVED AND SECONDED

THAT correspondence a) be received.

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report - verbal

- a) Proposed Regional Fire Administration Support Service (report from SRD attached).

MOTION S23/12

MOVED AND SECONDED

THAT Council receive the Mayor's verbal report for information and discussion.

CARRIED

11. Unfinished Business - None

12. Staff Reports

- a) Tax Notice Letter to Residents – Keir Gervais, CAO

**MOTION S23/13
MOVED AND SECONDED**

THAT Council receive the Tax Notice Letter to Residents staff report for information and discussion.

CARRIED

- 13. Emergency Services/Public Works/Recreation Department Reports - None**
- 14. Bylaws - None**
- 15. New Business - None**
- 16. Public Question Period - None**
- 17. In Camera - None**
- 18. Adjournment**

The meeting was adjourned at 6:03 PM

Mayor

Corporate Officer



CAMPBELL RIVER & DISTRICT CHAMBER OF COMMERCE

We are the intersection point between businesses, all 4 levels of government, education institutions, community organizations, the general public and our Indigenous Nations — providing opportunities for engagement, learning and the raising of our collective vibrancy.

CELEBRATING NINE DECADES OF ADVOCACY

I have now been working for you for nearly 4 years and witnessing your resilience makes it all worth it! That is what chamber employees around the globe have done for more than a century — work on behalf of the businesses in their region. I'm striving to continue the advocacy that began here in 1932, amplifying your voice to the elected officials who create policies that affect how business operates in the province and country. Your membership provides access to both the BC Chamber of Commerce and the Canadian Chamber of Commerce — the most dynamic network in Canada — representing 220,000+ businesses coast to coast to coast. Our collaboration continues with Vancouver Island Economic Alliance, Island Good and the Foreign Trade Zone Vancouver Island and events are back! You will find all the dates to save on the back of this letter. Please come out and join us for Lunch & Learn, Mix & Mingle, 5th Anniversary of Island Good and our 2nd Annual Golf Extravaganza!



Mary Ruth Snyder
Executive Director

ANNUAL MEMBERSHIP RATES

No change since October 2019 and are a business tax write-off

Non-Profit \$120 | Sole Proprietor \$180 | Business \$330

Membership includes ALL Chamber Benefits

Upon payment I'll call with your login password to access your membership benefits.

Need extended health benefits? Get a free quote from chamberplan.ca

YOUR BOARD OF DIRECTORS

Chief Ronnie Chickite: We Wai Kai

Chief Chris Roberts: Wei Wai Kum

Gina Forsyth: Volunteer Campbell River

Hector Alvarado: Broadstreet Properties

Jennifer Peschke: Mosaic Forest Management

David Leitch: Strathcona Regional District

Dr. Jeremy Morrow: School District 72

Laurel Cronk: Island Joy Rides

Dr. Diane Naugler: North Island College

Callinda John: Berwick by the Sea

Michelle Franza: BC Salmon Farmers

If you would like to be more involved such as helping out with events, or the TV shows — Shaw Studios will train you on camera, audio and directing — just reach out and let's talk about the possibilities. If you have any questions, comments, or suggestions — call me at 250.287.4636 D or 250.650.7575 C or email exdir@crchamber.ca — I'm here to help.

Sincerely,

Mary Ruth Snyder, Executive Director

Campbell River & District Chamber of Commerce

THE POWER OF MEMBERSHIP

BC Chamber of Commerce

Know what's on BC's mind.

**VANCOUVER ISLAND
ECONOMIC ALLIANCE**



Proud Member Fier membre
Canadian Chamber of Commerce
Chambre de Commerce du Canada



Membership with the Campbell River & District Chamber of Commerce means you belong to the most powerful, dynamic and integrated network in Canada.

SAVE THE DATES!!

MIX & MINGLE

Thursday April 27, 2023 ~ 4:00 to 6:30pm
Anchor Inn Patio

Tuesday, May 16, 2023 ~ 5:00 to 7:00pm
Special Celebration ~ 5th Anniversary of Island Good by VIEA
Riptide Pub

Thursday, May 25, 2023 ~ 4:00 to 6:30pm
Location to be Announced

Thursday, June 22, 2023 ~ 4:00 to 6:30pm
Location to be Announced

LUNCH & LEARN

Tuesday, May 16, 2023 ~ 12:00 to 1:00pm ~ Anchor Inn
Panel Discussion Q&A ~ Products out, Money in.
Brady Calancie ~ Export Navigator & VIEA's Foreign Trade Zone with Julie Sperber

Tuesday, June 13, 2023 ~ 12:00 to 1:00pm ~ Anchor Inn
Panel Discussion Q&A ~ Digital Technology Security
H2iK Technology Solutions & IZCO Technology Solutions

GOLF EXTRAVAGANZA

Brought to you by Telus

Thursday July 6 ~ Tee Times 10:00am to 2:00pm CR Golf Club
Friday July 7 ~ Tee Times 11:30am to 3:30pm Storey Creek Golf Club

** Please visit our website or social media channels for updates & details! **

Campbell River & District Chamber of Commerce

Box 755
Campbell River, BC
V9W 6J3

NEW Mailing Address



INVOICE: 11704
DATE: Apr 01, 2023

Village of Sayward
652 H'Kusam Way
Box 29
Sayward, BC V0P 1R0

MEMBERSHIP CATEGORY	ANNUAL FEE	TAX	TOTAL	
Membership - Business The Village's membership allows all the Sayward Businesses to be listed as Chamber members on the online database launching this month.	330.00	G	330.00	
Subtotal:			330.00	
G - GST @ 5% GST			16.50	
<p><i>Celebrating over 90 Years of Advocacy!!</i> <i>We greatly appreciate your continued support!!</i></p> <p>Please mail your payment (cheque) to our NEW address above Or you can send an e-transfer to: exdir@crchamber.ca Or visit our website: campbellriverchamber.ca for credit card payment</p> <p>Questions? Comments? Suggestions? Reach out to Mary Ruth Snyder our Executive Director Call: D 250.287.4636 C 250.650.7575 Email: exdir@crchamber.ca</p>				
Campbell River & District Chamber of Commerce GST: #10683 5358	TOTAL		346.50	

SVFD Call Report 2023- First Quarter Jan-Mar

January 2023

01/05	9:58	1 st Responder C	1242 Sayward Rd
01/06	20:16	Road Rescue	0 Brakecheck
01/07	17:50	1 st Responder Assist	885 Port H Kusam Trail
01/15	6:35	1 st Responder E	1546 Sayward Rd.
01/15	20:33	Chimney Fire	460 Skogan Rd.

February 2023

02/03	19:28	Commercial Alarms	690 Kelsey Way
02/12	4:22	Assist Other Agency	421 Macmillan Dr.
02/12	20:08	MV Fire	KM 225 Hwy 19
02/13	15:22	Hydro Trouble	843 Sayward Rd.
02/16	9:43	Road Rescue-Woss	0 Island Hwy.
02/23	20:41	1 st Responder D	700 Gentry Rd.

March 2023

03/04	5:01	1 st Responder A	1807 Stowe Creek Rd.
03/07	9:09	1 st Responder D	1546 Sayward Rd.
03/11	7:12	MVI/Extrication	837 Island Hwy.
03/14	17:58	Chimney Fire	230 Kelsey Way
03/16	12:14	Road Rescue	Island Hwy
03/17	19:22	1 st Responder D	1818 Sachts Rd.

03/19	14:57	Structure-Smoke Odour	1527 Sayward Rd.
03/20	12:40	Alarms Residential	281 Ambleside St.
03/24	12:22	1 st Responder C	1760 Dyson Rd.
03/28	12:22	Beach/Brush	570 Lawrenson Rd.
03/31	0:08	1 st Responder B	410 Macmillan Dr.

Jan-Mar	First Quarter 2023 SVFD Calls	3 months
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SVFD Valley Calls (64.70%)

Fire	F/Alarm	1st Responder	Hydro	D/O & other	Total
2	0	8	0	1	11

SVFD Village Calls (35.29%)

Fire	F/Alarm	1st Responder	Hydro	D/O & other	Total
1	2	1	1	1	6

SVFD MVI Calls



STAFF REPORT

To: Mayor and Council
From: Keir Gervais, CAO
Subject: Official Community Plan Bylaw
Meeting date: May 16, 2023

BACKGROUND

Council entered into a contract with Urban Systems (US) to review and update Bylaw No. 308, Village of Sayward Official Community Plan (OCP) in February 2021. Community engagement has included surveys, four supporting reports, and a well-attended public engagement event. Supporting reports (FireSmart, Age Friendly, Active Transportation and Housing Needs) to support the OCP have been completed and included into the OCP. Initial engagement about the OCP with First Nations has occurred and will continue following first reading of the Bylaw.

DISCUSSION

US is prepared to bring the OCP through the final phase of the project – approvals, which begins tonight with Council's first reading of the final OCP.

US has prepared a detailed presentation for Council that includes the project timeline, key stakeholders and an overview of policy recommendations. US has created its presentation to be as comprehensive and informative as possible, recognizing that the Councillors have reviewed the OCP in advance of the presentation. Staff is providing the following information about official community planning as a friendly reminder about the process.

WHY ARE WE UPDATING THE OFFICIAL COMMUNITY PLAN?

The Village of Sayward has changed since the adoption of the current Official Community Plan (OCP) in 2005. Market trends have impacted local industry and new initiatives have been implemented to support the growing tourism sector as well as a variety of infrastructure upgrades. As a result, the Village of Sayward is updating its OCP. An updated OCP is required to address challenges and opportunities and solidify the Village's vision for the community. In particular, the new OCP will:

- Enable the community to identify the key characteristics of the Village of Sayward that they want to preserve or enhance as well as those they want to see improved or changed.
- Provide an opportunity for the community to come together to develop and communicate a shared vision for what Sayward should look like in 2041.

- Provide elected officials and Staff with a clear direction and a framework from which to implement other plans and policies throughout community.
- Help set the path forward for the community, developers, government agencies, First Nations, industries, businesses, and other stakeholders to become the Sayward we envision for 2041.

WHAT IS THE OFFICIAL COMMUNITY PLAN?

An OCP is the highest-level policy document for a local government – it informs and guides how the community grows for the next 20+ years. The OCP is a bylaw adopted by Council that sets out the vision and direction that will guide the future growth and development of the Village of Sayward. It integrates policies on the future use and management of lands, municipal facilities, servicing, utility and transportation systems, environmental stewardship, economic development, and protective services to set out a clear path for Council, staff and the community to follow.

WHY DO WE NEED AN OFFICIAL COMMUNITY PLAN?

The OCP guides every decision by Council and staff, keeping in mind what the community has identified as important. The OCP provides a regulatory framework to guide how the Village evaluates and approves future development. It also provides clear direction for how Sayward should grow in the coming years so that growth is well planned and supports the community's vision for the future.

WHAT LEGAL STATUS DOES AN OFFICIAL COMMUNITY PLAN HAVE?

All OCP's are prepared under the authority of the *Local Government Act*. The *Local Government Act* describes an OCP as a comprehensive guiding document, primarily in relation to land use planning. The *Local Government Act* outlines required policy components (e.g. approximate location, amount and type of residential development to meet the community's expected housing needs for the next five years) and optional elements (e.g. policies relating to social well-being in the community). A wide range of policy areas included in the OCP, including policies related to affordable housing, complete streets, accessibility, cultural diversity, and economic development help to create a vibrant, holistic, and desirable community, thereby increasing the overall quality of life of the community.

The *Local Government Act* also states that a local government is not obligated to immediately meet the objectives of the OCP, undertake any project included in the plan, nor to retroactively amend existing bylaws. However, all of the Village's policies, plans, capital projects or bylaws created after adoption of its OCP should consider the OCP and align with it. For example, the Zoning Bylaw should be made consistent with the OCP over time.

WHAT SHOULD BE INCLUDED IN AN OCP?

According to Section 473 of the *Local Government Act*, an OCP must include statements and map designations respecting the following:

- Approximate location, amount, type, and density of residential development required to meet anticipated housing needs over a period of at least 5 years.

- Approximate location, amount, and type of present and proposed commercial, industrial, institutional, agricultural, recreation and public utility land uses.
- Approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction (n/a within boundaries).
- Restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.
- Approximate location and phasing of any major road, sewer, and water systems.
- Approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites.
- Housing policies of the local government respecting affordable housing, rental housing and special needs housing.
- Targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government with respect to achieving those targets.

WHAT IS THE PROCESS FOR UPDATING THE OFFICIAL COMMUNITY PLAN?

This will be a participatory process where every person in the community will have the opportunity to shape the future of their community. The process will begin with a background review to identify gaps related to land use and community development.

A first round of engagement will aim to identify the community's vision for the future of Sayward. This will be opportunity for all members of the community to provide input through several surveys, workshops, and open houses. All the information gathered during this process will be encompassed in a draft OCP. Council will then have an opportunity to review the draft. Following Council's revisions, the broader community will have an opportunity to provide comments and input on the draft OCP before it is finalized and adopted.

Ultimately, the goal is for Council to adopt an OCP that best represents the interests and objectives of the community as a whole.

STAFF RECOMMENDATIONS

THAT Council receive the Official Community Plan Bylaw staff report for information and discussion.

Respectfully submitted,



Keir Gervais, CAO



STAFF REPORT

To: Mayor and Council
From: Keir Gervais, CAO
Subject: Village of Sayward 2023 Strategic Plan
Meeting date: May 16, 2023

BACKGROUND

The Village of Sayward has been using Strategic Plans in varying forms since 2015. Once Council adopts a Strategic Plan, it is used to guide the work plans of each municipal department. It is an important and effective way for Council to identify its strategic goals and priorities for the work undertaken by the Village.

DISCUSSION

Due to staff turnover and other competing priorities strategic planning did not occur until late into Q1 of 2023. On February 14, 2023 Council and staff participated in a strategic planning workshop to identify key priorities to be undertaken for X number of years. Council considered its options regarding the strategic plan term and decided to plan for 2023, and that staff will plan for the next strategic planning session to occur in late Q4 2023 or early Q1 2024.

As part of the strategic planning process, Council undertook an *environmental scan* to help highlight key considerations for its strategic planning and priority setting, which in-turn helps to shape the work of Council and staff each year. Questions Council considered as part of the environmental scan process included but weren't limited to:

- What is the Village of Sayward?
- What are our strengths, weaknesses, opportunities & threats (SWOT)
- Who are our residents?
- Who are our community partners?
- What are our core operating values?
- What are our operational needs?
- What resources are required to achieve our Goals?
- How can we achieve financial sustainability?
- What services can we reduce and/or cut to help achieve long-term financial sustainability?

Council also decided to use the 2022 Strategic Plan as a foundation for which to plan for 2023, as many of the same *Goals* and *Priorities* still apply. The format of the Strategic Plan – Priorities 2023 document (attached) also incorporates for the first time *Progress Measures, Timeline and Resources Required* columns, to better clarify what forms each *Priority*.

The 2023 Strategic Plan also builds on the previously established Mission, Core Values, and Vision Goals.

Mission Statement:

“We shall promote improvement and development of a strong and vibrant community for our residents”

Core Values:

- We are accountable to our constituents and to the Village of Sayward
- We work as a committed team in the spirit of collaboration and community
- We are caring and respectful in all our interactions and relationships
- We are open and honest. We adhere to the highest standards of ethical conduct
- We deliver effective public service through professionalism and creativity

Vision Goals:

- Promote economic development
- Provide the best healthcare and social services for our community
- Promote Sayward as a tourism destination
- Affordable quality services are delivered in a fiscally responsible way
- The Village is a leader in local governance, with diverse jurisdictions, including First Nations, working together cohesively and collaboratively.
- Work in cooperation with the Area A director, SRD and other government agencies

Moving forward, the 2023 Strategic Plan provides a distinct and unifying direction for staff in guiding day-to-day decisions with a goal of maximizing resources (time, money, staff), while minimizing or eliminating ambiguity and distractions. Finally, the Strategic Plan is a tool to help evaluate Council's, and staff's, progress in their respective and collective efforts to address the ever-expanding needs of the community.

STAFF RECOMMENDATIONS

THAT Council receive the Village of Sayward 2023 Strategic Plan staff report for information and discussion.

THAT Council adopt the Village of Sayward 2023 Strategic Plan.

Respectfully submitted,



Keir Gervais, CAO

Attachments

- **2023 Strategic Plan**



Village of Sayward 2023 Strategic Plan

Strategic Plan – Priorities 2023





Village of Sayward

Mission Statement:

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- Work in cooperation with the Area A director, SRD and other government agencies

COMMUNITY RELATIONS			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Show progress toward reconciliation with K'omoks First Nation and other First Nations • Continue to negotiate a Framework Agreement with Western Forest Products (WFP) regarding the operations at the log sort • Work with SRD on funding for services jointly used by all valley residents - Recreation, Fire, Health, Comox Strathcona Waste Management and Comox Strathcona Regional Hospital Board 	<ul style="list-style-type: none"> • Steps taken to provide for visual and physical recognition of First Nation habitation in the Sayward area 	Q4	Administration, Budget
	<ul style="list-style-type: none"> • Interpretive signage installed at KFN totem Pole and at other key Village locations 	Q4	Administration, Budget
	<ul style="list-style-type: none"> • Legal Agreement in place to clarify terms and communications around early start times of WFP and measures in place to manage dust and noise 	Q4	Administration
	<ul style="list-style-type: none"> • Noise Bylaw amended to permit agreement terms 	Q4	Administration
	<ul style="list-style-type: none"> • Data collected and presented to Council early 2022; new agreements in place, funding obtained from SRD for Recreation and Health Clinic 	Q4	Administration, Budget

ECONOMIC DEVELOPMENT			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Encourage and support new housing initiatives 	<ul style="list-style-type: none"> • Updated development framework including updated Zoning Bylaw 	Q2-Q4	Administration
	<ul style="list-style-type: none"> • Provide access to additional staff resources to administer new building and development applications 	Q2-Q4	Administration
<ul style="list-style-type: none"> • Finalize Official Community Plan (OCP) 	<ul style="list-style-type: none"> • OCP Bylaw adopted 	Q2-Q4	Administration, Budget
<ul style="list-style-type: none"> • Revise and update Zoning Bylaw 	<ul style="list-style-type: none"> • New Zoning Bylaw in place 	Q4	Administration
<ul style="list-style-type: none"> • Support prospective businesses interested in locating to the Sayward area 	<ul style="list-style-type: none"> • Keep the Village website updated with links to business & development resources and community partners (ex. CR Chamber of Commerce, ICET, etc.) 	Q2-Q4	Administration
<ul style="list-style-type: none"> • Work with local organizations and the Tourism Committee to promote tourism and attract business investment to the Sayward area 	<ul style="list-style-type: none"> • Businesses promoted using business licence directory and promotion incentives 	Q2-Q4	Administration, Budget
	<ul style="list-style-type: none"> • Progress made on the Working Waterfront Project in accordance with Part 3.4 of the OCP 	Q3-Q4	Administration, Budget, Consultant
<ul style="list-style-type: none"> • Support existing businesses 	<ul style="list-style-type: none"> • Keep the Village website updated with links to business & development resources and community partners (ex. CR Chamber of Commerce, ICET, etc.) 	Q2-Q4	Administration

ASSET MANAGEMENT			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Complete Water Master Plan 	<ul style="list-style-type: none"> • Water Master Plan approved by Council 	Q3	Consultant
<ul style="list-style-type: none"> • Complete Sewage Capacity Study 	<ul style="list-style-type: none"> • Sewage Capacity Study approved by Council 	Q3	Consultant
<ul style="list-style-type: none"> • Plan for full replacement of water, sewer, drainage, and road infrastructure 	<ul style="list-style-type: none"> • Use information from Water Master Study and Sewage Capacity Study to apply for grant funding and establish 8–10-year Infrastructure Replacement Strategy 	Q2-Q4	Administration, Consultant

LIVING GREEN			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Establish Water Meter Bylaw for all commercial and industrial development and all new development • Continue to work with the Provincial Government and K'omoks First Nation to secure an economically viable community forest • Continue to expand the Community Garden and flower gardens throughout the Village 	<ul style="list-style-type: none"> • Water Meter Bylaw in place and Village able to collect more information regarding water use 	Q4	Administration, Budget
	<ul style="list-style-type: none"> • Community Forest secured with KFN and Provincial Government 	Q4	Administration, Budget, Consultant, Contractor
	<ul style="list-style-type: none"> • Staff to research options, including costs 	Q3	Administration
	<ul style="list-style-type: none"> • Community Garden revitalized 	Q3	Administration, Budget

PROFESSIONAL DEVELOPMENT			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Ensure Village Council, staff and volunteers receive adequate emergency management training and the Village has an emergency response plan in place • Continue Village Council, staff and volunteer professional development through various municipal and professional associations ensuring the Village continues to receive good value for the resources expended 	<ul style="list-style-type: none"> • Staff and EOC representative reports to Council regarding quarterly meetings with stakeholders. 	Q1-Q4	Administration, EPC, Council time
	<ul style="list-style-type: none"> • Emergency response plan in place 	Q1	Administration, EPC
	<ul style="list-style-type: none"> • Council, staff & volunteers <i>Training Plan</i> developed by CAO with budget confirmed 	Q1-Q4	Administration, Budget
	<ul style="list-style-type: none"> • Training taken 	Q1-Q4	Administration, Budget

TOURISM DEVELOPMENT			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Continue the Village beautification program including upgrading signage, cleaning and painting Village buildings and structures, and enhancing the Village gardens • Work with local organizations and the Regional District to enhance signage and way finding in Sayward • Support and work with the Tourism Committee 	<ul style="list-style-type: none"> • Off Road Vehicle (ORV) signage installed indicating the location of the designated ORV route 	Q1-Q4	Administration, Budget
	<ul style="list-style-type: none"> • Work with the Tourism Committee to promote Trails 	Q1-Q4	Administration
	<ul style="list-style-type: none"> • Additional signage installed 	Q1-Q4	Administration, Budget
	<ul style="list-style-type: none"> • Meetings attended and joint initiatives completed 	Q1-Q4	Administration
	<ul style="list-style-type: none"> • Host one annual meeting with the Tourism Committee to identify initiatives to be included in the Financial Plan 	Q2	Administration

VILLAGE OPERATIONS			
Priorities	Progress Measures	Timeline	Resources Required (Budget, Consultant, Contractor, Equipment, Machinery, Administration)
<ul style="list-style-type: none"> • Create and staff Public Works on call back up position • Review tax ratios • Determine the ownership and responsibility of breakwater ships and develop strategies to reduce risk 	<ul style="list-style-type: none"> • Public Works back-up hired 	Q4	Administration, Budget
	<ul style="list-style-type: none"> • Updated tax ratio system 	Q4	Administration
	<ul style="list-style-type: none"> • Plan in place to manage breakwater 	Q4	Administration



STAFF REPORT

To: Mayor and Council
From: Keir Gervais, CAO
Subject: **Kelsey Centre Operating Season**
Meeting date: May 16, 2023

BACKGROUND

At the April 18, 2023 regular Council meeting, Council received and discussed the Recreation Services April 2023 staff report. Council acknowledged the success of certain programs; Kelsey Centre Pool and the Afterschool Program, and how unfortunate it is that Kelsey Centre operating season has been shortened this year as a budget-cutting measure. Council discussed whether the operating season could be partially extended and directed staff to inquire and report back to Council with an update.

DISCUSSION

The Recreation Manager has inquired with Kelsey Centre Pool and Afterschool Program staff about their availability to remain on until the end of June. Unfortunately, staff have already made plans and/or have determined that the projected reduced hours do not warrant continuing part-time employment. In short, there is not sufficient staff capacity to support extending the Kelsey Centre operating season into beyond May.

STAFF RECOMMENDATIONS

THAT Council receive the Kelsey Centre Operating Season staff report for information and discussion.

Respectfully submitted,

Keir Gervais, CAO



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CFO/CO
Subject: **Provincial Tenure/Licence of Occupation File #1409269**
Meeting date: May 16, 2023

BACKGROUND

In November of 2009 a Licence of Occupation (LO) contract renewal was signed between the Province of BC and the Village of Sayward for the lands legally described as “That part of District Lot 1611, Sayward District, shown outlined on sketch below, containing 0.150 hectares, more or less”. This property is located near the log sort in Kelsey Bay, is a portion of the former BC Ferries terminal site and is commonly referred to by locals as “the Triangle”. It is owned by the Province of BC. The terms of the LO indicate that the site is to be used as land for tourist information centre and parking lot purposes. It currently has tourist information/heritage trail signage in the area for visitors, parking space, and is also used as a gathering place in the summer to watch the Canada Day fireworks.

The remaining portion of District Lot 1611 is leased from the Province by Kelsey Bay Organic Resources Ltd. (KBORL). In 2017, Council heard a delegation from KBORL proposing development plans for the area. KBORL proposed to expand and improve the offloading of fish and ice sales at Kelsey Bay and plans to provide amenities that would not only support fishermen but also the Eco Tourism sector. In order to develop the entire area, including the Triangle, KBORL proposed its interest in reassigning tenure 1409269 from the Village to KBORL, which Council of the day supported.

At the June 6, 2017 regular Council meeting the following motions were passed:

MOTION R17/109

MOVED AND SECONDED

THAT Council receives the delegation; Roger Paquette Kelsey Bay Organics – proposed assignment of: License of Occupation No. 1409269, Part of District Lot 1611, Sayward District containing 0.150 hectares; to Kelsey Bay Organic Resources Ltd.

CARRIED

MOTION R17/110

MOVED AND SECONDED

THAT Council direct the CAO to prepare a letter of support for Kelsey Bay Organics regarding the assignment of the Triangle Lease.

CARRIED

The letter of support referenced in resolution R17/110 was prepared and sent to the Province and is attached to this staff report for Council's reference.

In 2018 another letter of support was sent to the Province, also attached to this staff report for Council's reference. It is not clear to staff why this second letter was sent; the message is essentially the same, with the added words, "subject to the purchase/amalgamation of the tenure by the potential purchaser/tenure holder (KBORL)".

DISCUSSION

In early 2023 staff reached out to the Province to inquire on the status of the LO, as the revised BC Assessment roll still has the Village of Sayward listed as the tenure holder for this piece of land – the Triangle. Provincial staff confirmed that the LO currently remains provided to the Village as the previously arranged sale of the land to KBORL has not proceeded. The tenure expired in the fall of 2019; however, the original contract provided holdover provisions (Article 5.1(k) of the contract) and the Province therefore considers the tenure contract as continuing, in the Village's name.

Staff are suggesting that Council may wish to reconsider the decision of offering the tenure to KBORL. If Council would like to continue to offer their support, then there is no action required. If on the other hand Council would like to remain the tenure holder of the Triangle area, a letter from Council to the Province rescinding the prior support letters is required. A new tenure contract is also advisable.

RECOMMENDATION

THAT Council receive the Provincial Tenure/Licence of Occupation File #1409269 staff report for information and discussion.



Lisa Clark
CFO/CO

Attachments:

- ***May 12, 2017 letter of support***
- ***July 27, 2018 letter of support***
- ***Licence of Occupation 113600 File #1409269***



VILLAGE OF SAYWARD

May 12, 2017

Ministry of Forests, Lands and Natural Resources Operations
3rd Floor, 2100 Labieux Road
Nanaimo, BC
V9T 6E9

Mayor and Council for the Village of Sayward wish to offer support for the proposed purchase of land under: License of Occupation No. 1404427, Part of District Lot 1611, PID 010-320-687; to Kelsey Bay Organic Resources Ltd. Council also has assurances that the K'omoks First Nation also supports this purchase and the plans for the property.

Kelsey Bay Organics Resources Ltd. (KBORL) is proposing to expand and improve the offloading of fish and ice sales at Kelsey Bay that will greatly increase the quality of fish and ultimately the market value of these fish that are now handled at facilities to either north or south. Additionally, these enhanced offloading opportunities will continue to service the vessels that are already using Kelsey Bay. The offloading facility at Kelsey Bay will allow operators to truck their catch more quickly thereby increasing the quality of the fish and decreasing the operating expense to the fishermen. During peak seasons this becomes more problematic as the facilities in Port Hardy and the lower mainland become extremely busy and congested and ice becomes scarce.

KBORL is also proposing to provide amenities that will not only support the fishermen but also the Eco tourism sector making Kelsey Bay a destination.

Council supports the enhancements being planned by KBORL. Council is excited about the new opportunities in support of the fishery and for tourism that these enhancements will bring to our thriving community.

Sincerely

John MacDonald
Mayor

Sayward Village Office – 652 H'Kusam Way- PO Box 29 – Sayward BC V0P 1R0
Phone: 250-282-5512 Fax: 250-282-5511 E-Mail: village@saywardvalley.net



VILLAGE OF SAYWARD

July 27, 2018

Ministry of Forests, Lands and Natural Resources Operations
3rd Floor, 2100 Labieux Road
Nanaimo, BC
V9T 6E9

Att: Robyn Thompson

Re: Letter of Support - Kelsey Bay Organics Resources Ltd.

Mayor and Council for the Village of Sayward wish to offer support to Kelsey Bay Organics Resources Ltd. (KBORL) by surrendering our interest in LON 1409269 back to the Crown, subject to the purchase/amalgamation of the tenure by the potential purchaser/tenure holder KBORL.

Council supports the development of this property by KBORL. Council is excited to be in a position to assist KBORL to acquire this property and work with them to further enhance economic development in our community.

Sincerely

John MacDonald
Mayor



LICENCE OF OCCUPATION

Licence No.:

File No.: 1409269

Disposition No.: 874201

THIS AGREEMENT is dated for reference November 1, 2009 and is made under the *Land Act*.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, represented by the minister responsible for the *Land Act*, Parliament Buildings, Victoria, British Columbia

(the "Province")

AND:

CORPORATION OF THE VILLAGE OF SAYWARD
601 Kelsey Way - PO Box 29
Sayward, BC V0P 1R0

(the "Licensee")

The parties agree as follows:

ARTICLE 1 - INTERPRETATION

1.1 In this Agreement,

"**Agreement**" means this licence of occupation;

"**Commencement Date**" means November 1, 2009;

"**disposition**" has the meaning given to it in the *Land Act* and includes a licence of occupation;

"**Fees**" means the fees set out in Article 3;

"**Improvements**" includes anything made, constructed, erected, built, altered, repaired or added to, in, on or under the Land, and attached to it or intended to become a part of it, and also includes any clearing, excavating, digging, drilling, tunnelling, filling, grading or ditching of, in, on or under the Land;

“Land” means that part or those parts of the following described land shown outlined by bold line on the schedule attached to this Agreement entitled “Legal Description Schedule”:

That part of District Lot 1611, Sayward District, shown outlined on sketch below, containing 0.150 hectares, more or less.

except for those parts of the land that, on the Commencement Date, consist of highways (as defined in the *Transportation Act*) and land covered by water;

“Realty Taxes” means all taxes, rates, levies, duties, charges and assessments levied or charged, at any time, by any government authority having jurisdiction which relate to the Land, the Improvements or both of them and which you are liable to pay under applicable laws;

“Security” means the security referred to in section 6.1 or 6.2, as replaced or supplemented in accordance with section 6.5;

“Term” means the period of time set out in section 2.2;

“we”, “us” or “our” refers to the Province alone and never refers to the combination of the Province and the Licensee: that combination is referred to as **“the parties”**; and

“you” or “your” refers to the Licensee.

- 1.2 In this Agreement, “person” includes a corporation, firm or association and wherever the singular or masculine form is used in this Agreement it will be construed as the plural or feminine or neuter form, as the case may be, and vice versa where the context or parties require.
- 1.3 The captions and headings contained in this Agreement are for convenience only and do not define or in any way limit the scope or intent of this Agreement.
- 1.4 This Agreement will be interpreted according to the laws of the Province of British Columbia.
- 1.5 Where there is a reference to an enactment of the Province of British Columbia or of Canada in this Agreement, that reference will include a reference to every amendment to it, every regulation made under it and any subsequent enactment of like effect and, unless otherwise indicated, all enactments referred to in this Agreement are enactments of the Province of British Columbia.
- 1.6 If any section of this Agreement, or any part of a section, is found to be illegal or unenforceable, that section or part of a section, as the case may be, will be considered separate and severable and the remainder of this Agreement will not be affected and this Agreement will

be enforceable to the fullest extent permitted by law.

- 1.7 Each schedule to this Agreement is an integral part of this Agreement as if set out at length in the body of this Agreement.
- 1.8 This Agreement constitutes the entire agreement between the parties and no understanding or agreement, oral or otherwise, exists between the parties with respect to the subject matter of this Agreement except as expressly set out in this Agreement and this Agreement may not be modified except by subsequent agreement in writing between the parties.
- 1.9 Each party will, upon the request of the other, do or cause to be done all lawful acts necessary for the performance of the provisions of this Agreement.
- 1.10 All provisions of this Agreement in our favour and all of our rights and remedies, either at law or in equity, will survive the termination of this Agreement.
- 1.11 Time is of the essence of this Agreement.
- 1.12 Wherever this Agreement provides that an action may be taken, a consent or approval must be obtained or a determination must be made, then you or we, as the case may be, will act reasonably in taking such action, deciding whether to provide such consent or approval or making such determination; but where this Agreement states that you or we have sole discretion to take an action, provide a consent or approval or make a determination, there will be no requirement to show reasonableness or to act reasonably in taking that action, providing that consent or approval or making that determination.

ARTICLE 2 - GRANT AND TERM

- 2.1 On the terms and conditions set out in this Agreement, we grant you a licence of occupation of the Land for Tourist information centre and parking lot purposes, and you acknowledge this licence of occupation does not grant you exclusive use and occupancy of the Land.
- 2.2 The term of this Agreement commences on the Commencement Date and terminates on the 10 years anniversary of that date, or such earlier date provided for in this Agreement.

ARTICLE 3 - FEES

- 3.1 The Fee for the Term is \$1.00, the receipt of which we acknowledge.

ARTICLE 4 - COVENANTS**4.1 You must**

- (a) pay, when due,
 - (i) the Fees to us at the address set out in Article 10,
 - (ii) the Realty Taxes, and
 - (iii) all charges for electricity, gas, water and other utilities supplied to the Land for use by you or on your behalf or with your permission;
- (b) deliver to us, immediately upon demand, receipts or other evidence of the payment of Realty Taxes and all other money required to be paid by you under this Agreement;
- (c) observe, abide by and comply with
 - (i) all applicable laws, bylaws, orders, directions, ordinances and regulations of any government authority having jurisdiction in any way affecting your use or occupation of the Land or the Improvements, and
 - (ii) the provisions of this Agreement;
- (d) in respect of the use of the Land by you or by anyone you permit to use the Land, keep the Land and the Improvements in a safe, clean and sanitary condition satisfactory to us, and at our written request, rectify any failure to comply with such a covenant by making the Land and the Improvements safe, clean and sanitary;
- (e) not commit any wilful or voluntary waste, spoil or destruction on the Land or do anything on the Land that may be or become a nuisance or annoyance to an owner or occupier of land in the vicinity of the Land;
- (f) use and occupy the Land only in accordance with and for the purposes set out in section 2.1;
- (g) not construct, place or affix any Improvement on or to the Land except as necessary for the purposes set out in section 2.1;
- (h) pay all accounts and expenses as they become due for work performed on or materials supplied to the Land at your request, on your behalf or with your permission, except for money that you are required to hold back under the *Builders Lien Act*;
- (i) if any claim of lien over the Land is made under the *Builders Lien Act* for work

performed on or materials supplied to the Land at your request, on your behalf or with your permission, immediately take all steps necessary to have the lien discharged, unless the claim of lien is being contested in good faith by you and you have taken the steps necessary to ensure that the claim of lien will not subject the Land or any interest of yours under this Agreement to sale or forfeiture;

- (j) not cut or remove timber on or from the Land without
 - (i) our prior written consent, and
 - (ii) being granted the right under the *Forest Act* to harvest Crown timber on the Land;
- (k) dispose of raw sewage and refuse only in accordance with the requirements and regulations of appropriate federal and provincial agencies;
- (l) store bulk hazardous petroleum products and other toxic substances in accordance with the provisions of the *Environmental Management Act*;
- (m) not use construction materials containing toxic substances;
- (n) take all reasonable precautions to avoid disturbing or damaging any archaeological material found on or under the Land and, upon discovering any archaeological material on or under the Land, you must immediately notify the ministry responsible for administering the *Heritage Conservation Act*;
- (o) not alter, repair or add to any Improvement without our prior written consent;
- (p) at our request and at your expense, have a British Columbia Land Surveyor conduct a survey of the Land within 12 months;
- (q) agree to develop the land in a diligent and workmanlike manner in accordance with the management plan held on file in this office;
- (r) permit us, or our authorized representatives, to enter on the Land at any time to inspect the Land and the Improvements, provided that in regard to our inspection of the Improvements we take reasonable steps to minimize any disruption of your operations;
- (s) indemnify and save us and our servants, employees and agents harmless against all claims, actions, causes of action, losses, damages, costs and liabilities, including fees of solicitors and other professional advisors, arising out of
 - (i) your breach, violation or nonperformance of a provision of this Agreement, and

- (ii) any personal injury, bodily injury (including death) or property damage occurring or happening on or off the Land by virtue of your entry upon, use or occupation of the Land,

and the amount of all such losses, damages, costs and liabilities will be payable to us immediately upon demand; and

- (t) on the termination of this Agreement,
 - (i) peaceably quit and deliver to us possession of the Land and, subject to paragraphs (ii), (iii) and (iv), the Improvements in a safe, clean and sanitary condition,
 - (ii) within 90 days, remove from the Land any Improvement you want to remove, if the Improvement was placed on or made to the Land by you and you are not in default of this Agreement,
 - (iii) not remove any Improvement from the Land if you are in default of this Agreement, unless we direct or permit you to do so under paragraph (iv),
 - (iv) remove from the Land any Improvement that we, in writing, direct or permit you to remove, other than any Improvement permitted to be placed on or made to the Land under another disposition, and
 - (v) restore the surface of the Land as nearly as may reasonably be possible to the same condition as it was on the Commencement Date, to our satisfaction, but if you are not directed or permitted to remove an Improvement under paragraph (iv), this paragraph will not apply to that part of the surface of the Land on which that Improvement is located,

and all of your right, interest and estate in the Land will be absolutely forfeited to us, and to the extent necessary, this covenant will survive the termination of this Agreement.

4.2 You will not permit any person to do anything you are restricted from doing under this Article.

ARTICLE 5 - LIMITATIONS

5.1 You agree with us that

- (a) we are under no obligation to provide access or services to the Land or to maintain or improve existing access roads;

- (b) this Agreement is subject to
- (i) all subsisting dispositions and subsisting grants to or rights of any person made or acquired under the *Coal Act, Forest Act, Mineral Tenure Act, Petroleum and Natural Gas Act, Range Act, Wildlife Act or Water Act*, or any extension or renewal of the same, whether or not you have actual notice of them, and
 - (ii) the exceptions and reservations of interests, rights, privileges and titles referred to in section 50 of the *Land Act*;
- (c) without limiting subsection 4.1(s), you must indemnify and save us and our servants, employees and agents harmless from and against all claims, actions, causes of action, losses, damages, costs and liabilities, including fees of solicitors and other professional advisors, arising out of any conflict between your rights under this Agreement and the rights of any person under a disposition or under a subsisting grant to or right of any person made or acquired under the *Coal Act, Forest Act, Mineral Tenure Act, Petroleum and Natural Gas Act, Range Act, Wildlife Act or Water Act* (or any prior or subsequent enactment of the Province of British Columbia of like effect), or any extension or renewal of the same, whether or not you have actual notice of them, and the amount of all such losses, damages, costs and liabilities will be payable to us immediately upon demand;
- (d) you release us from all claims, actions, causes of action, suits, debts and demands that you now have or may at any time in the future have against us arising out of any conflict between your rights under this Agreement and the rights of any person under a disposition or under a subsisting grant to or right made or acquired under the enactments referred to in subsection (c), and you acknowledge that this Agreement and your rights under this Agreement are subject to those grants and rights referred to in subsection (c) whether or not you have actual notice of them.
- (e) we may make other dispositions of or over the Land;
- (f) you will make no claim for compensation, in damages or otherwise, in respect of a disposition made under subsection (e), where such disposition does not materially affect the exercise of your rights under this Agreement;
- (g) subject to subsection (f), all of your costs and expenses, direct or indirect, that arise out of any lawful interference with your rights under this Agreement as a result of the exercise or operation of the interests, rights, privileges and titles reserved to us in subsections (b) and (e) will be borne solely by you;
- (h) you will not commence or maintain proceedings under section 65 of the *Land Act* in respect of any lawful interference with your rights under this Agreement that arises as a result of the exercise or operation of the interests, rights, privileges and titles described

in subsections (b) and (e);

- (i) you will not remove or permit the removal of any Improvement from the Land except as expressly permitted or required under this Agreement;
- (j) any interest you may have in the Improvements ceases to exist and becomes our property upon the termination of this Agreement, except where an Improvement may be removed under paragraph 4.1(t)(ii), (iii) or (iv) in which case any interest you may have in that Improvement ceases to exist and becomes our property if the Improvement is not removed from the Land within the time period set out in paragraph 4.1(t)(ii) or the time period provided for in the direction or permission given under paragraph 4.1(t)(iii); and
- (k) if, after the termination of this Agreement, we permit you to remain in possession of the Land and we accept money from you in respect of such possession, a tenancy from year to year will not be created by implication of law and you will be deemed to be a monthly occupier only subject to all of the provisions of this Agreement, except as to duration, in the absence of a written agreement to the contrary.

ARTICLE 6 - SECURITY AND INSURANCE

- 6.1 On the Commencement Date, you will deliver to us security in the amount of \$0.00 which will
- (a) guarantee the performance of your obligations under this Agreement;
 - (b) be in the form required by us; and
 - (c) remain in effect until we certify, in writing, that you have fully performed your obligations under this Agreement.
- 6.2 Despite section 6.1, your obligations under that section are suspended for so long as you maintain in good standing other security acceptable to us to guarantee the performance of your obligations under this Agreement and all other dispositions held by you.
- 6.3 We may use the Security for the payment of any costs and expenses incurred by us to perform any of your obligations under this Agreement that are not performed by you or to pay any overdue Fees and, if such event occurs, you will, within 30 days of that event, deliver further Security to us in an amount equal to the amount drawn down by us.
- 6.4 After we certify, in writing, that you have fully performed your obligations under this Agreement, we will return to you the Security maintained under section 6.1, less all amounts drawn down by us under section 6.3.
- 6.5 You acknowledge that we may, from time to time, notify you to

- (a) change the form or amount of the Security; and
- (b) provide and maintain another form of Security in replacement of or in addition to the Security posted by you under this Agreement;

and you will, within 60 days of receiving such notice, deliver to us written confirmation that the change has been made or the replacement or additional form of Security has been provided by you.

6.6 You must

- (a) without limiting your obligations or liabilities under this Agreement, at your expense, effect and keep in force during the Term the following insurance with insurers licensed to do business in Canada:
 - (i) Commercial General Liability insurance in an amount of not less than \$2,000,000.00 inclusive per occurrence insuring against liability for personal injury, bodily injury (including death) and property damage, including coverage for all accidents or occurrences on the Land or the Improvements. Such policy will include cross liability, liability assumed under contract, provision to provide 30 days advance notice to us of material change or cancellation, and include us as additional insured;
- (b) ensure that all insurance required to be maintained by you under this Agreement is primary and does not require the sharing of any loss by any of our insurers;
- (c) within 10 working days of Commencement Date of this Agreement, provide to us evidence of all required insurance in the form of a completed "Province of British Columbia Certificate of Insurance";
- (d) if the required insurance policy or policies expire or are cancelled before the end of the Term of this Agreement, provide within 10 working days of the cancellation or expiration, evidence of new or renewal policy or policies of all required insurance in the form of a completed "Province of British Columbia Certificate of Insurance";
- (e) notwithstanding subsection (c) or (d) above, if requested by us, provide to us certified copies of the required insurance policies.

6.7 We may, acting reasonably, from time to time, require you to

- (a) change the amount of insurance set out in subsection 6.6(a); and
- (b) provide and maintain another type or types of insurance in replacement of or in addition

to the insurance previously required to be maintained by you under this Agreement;

and you will, within 60 days of receiving such notice, cause the amounts and types to be changed and deliver to us a completed "Province of British Columbia Certificate of Insurance" for all insurance then required to be maintained by you under this Agreement.

- 6.8 You shall provide, maintain, and pay for any additional insurance which you are required by law to carry, or which you consider necessary to insure risks not otherwise covered by the insurance specified in this Agreement in your sole discretion.
- 6.9 You waive all rights of recourse against us with regard to damage to your own property.

ARTICLE 7 - ASSIGNMENT

- 7.1 You must not sublicense, assign, mortgage or transfer this Agreement, or permit any person to use or occupy the Land, without our prior written consent, which consent we may withhold.
- 7.2 For the purpose of section 7.1, if you are a corporation, a change in control (as that term is defined in subsection 2(3) of the *Business Corporations Act*) will be deemed to be a transfer of this Agreement.
- 7.3 Section 7.2 does not apply to a corporation if the shares of the corporation which carry votes for the election of the directors of the corporation trade on a stock exchange located in Canada.
- 7.4 Prior to considering a request for our consent under section 7.1, we may require you to meet certain conditions, including without limitation, that you submit to us a "site profile", "preliminary site investigation" or "detailed site investigation" (as those terms are defined in the *Environmental Management Act*) for the Land or other similar type of investigation of the Land.

ARTICLE 8 - TERMINATION

- 8.1 You agree with us that
- (a) if you
- (i) default in the payment of any money payable by you under this Agreement, or
- (ii) fail to observe, abide by and comply with the provisions of this Agreement (other than the payment of any money payable by you under this Agreement),
- and your default or failure continues for 60 days after we give written notice of the

default or failure to you,

- (b) if, in our opinion, you fail to make diligent use of the Land for the purposes set out in this Agreement, and your failure continues for 60 days after we give written notice of the failure to you;
- (c) if you
 - (i) become insolvent or make an assignment for the general benefit of your creditors,
 - (ii) commit an act which entitles a person to take action under the *Bankruptcy and Insolvency Act (Canada)* or a bankruptcy petition is filed or presented against you or you consent to the filing of the petition or a decree is entered by a court of competent jurisdiction adjudging you bankrupt under any law relating to bankruptcy or insolvency, or
 - (iii) voluntarily enter into an arrangement with your creditors;
- (d) if you are a corporation,
 - (i) a receiver or receiver-manager is appointed to administer or carry on your business, or
 - (ii) an order is made, a resolution passed or a petition filed for your liquidation or winding up;
- (e) if you are a society, you convert into a company in accordance with the *Society Act* without our prior written consent;
- (f) if this Agreement is taken in execution or attachment by any person; or
- (g) if we require the Land for our own use or, in our opinion, it is in the public interest to cancel this Agreement and we have given you 60 days' written notice of such requirement or opinion;

this Agreement will, at our option and with or without entry, terminate and your right to use and occupy the Land will cease.

- 8.2 If the condition complained of (other than the payment of any money payable by you under this Agreement) reasonably requires more time to cure than 60 days, you will be deemed to have complied with the remedying of it if you commence remedying or curing the condition within 60 days and diligently complete the same.

8.3 You agree with us that

- (a) you will make no claim for compensation, in damages or otherwise, upon the lawful termination of this Agreement under section 8.1; and
- (b) our remedies under this Article are in addition to those available to us under the *Land Act*.

ARTICLE 9 - DISPUTE RESOLUTION

- 9.1 If any dispute arises under this Agreement, the parties will make all reasonable efforts to resolve the dispute within 60 days of the dispute arising (or within such other time period agreed to by the parties) and, subject to applicable laws, provide candid and timely disclosure to each other of all relevant facts, information and documents to facilitate those efforts.
- 9.2 Subject to section 9.5, if a dispute under this Agreement cannot be resolved under section 9.1, we or you may refer the dispute to arbitration conducted by a sole arbitrator appointed pursuant to the *Commercial Arbitration Act*.
- 9.3 The cost of the arbitration referred to in section 9.2 will be shared equally by the parties and the arbitration will be governed by the laws of the Province of British Columbia.
- 9.4 The arbitration will be conducted at our offices (or the offices of our authorized representative) in Nanaimo, British Columbia, and if we or our authorized representative have no office in Nanaimo, British Columbia, then our offices (or the offices of our authorized representative) that are closest to Nanaimo, British Columbia.
- 9.5 A dispute under this Agreement in respect of a matter within our sole discretion cannot, unless we agree, be referred to arbitration as set out in section 9.2.

ARTICLE 10 - NOTICE

- 10.1 Any notice required to be given by either party to the other will be deemed to be given if mailed by prepaid registered mail in Canada or delivered to the address of the other as follows:

to us

INTEGRATED LAND MANAGEMENT BUREAU
Suite 142 - 2080 Labieux Road
Nanaimo, BC V9T 6J9;

to you

CORPORATION OF THE VILLAGE OF SAYWARD

601 Kelsey Way - Po Box 29
Sayward, BC V0P 1R0;

or at such other address as a party may, from time to time, direct in writing, and any such notice will be deemed to have been received if delivered, on the day of delivery, and if mailed, 7 days after the time of mailing, except in the case of mail interruption in which case actual receipt is required.

- 10.2 In order to expedite the delivery of any notice required to be given by either party to the other, a concurrent facsimile copy of any notice will, where possible, be provided to the other party but nothing in this section, and specifically the lack of delivery of a facsimile copy of any notice, will affect the deemed delivery provided in section 10.1.
- 10.3 The delivery of all money payable to us under this Agreement will be effected by hand, courier or prepaid regular mail to the address specified above, or by any other payment procedure agreed to by the parties, such deliveries to be effective on actual receipt.

ARTICLE 11 - MISCELLANEOUS

- 11.1 No provision of this Agreement will be considered to have been waived unless the waiver is in writing, and a waiver of a breach of a provision of this Agreement will not be construed as or constitute a waiver of any further or other breach of the same or any other provision of this Agreement, and a consent or approval to any act requiring consent or approval will not waive or render unnecessary the requirement to obtain consent or approval to any subsequent same or similar act.
- 11.2 No remedy conferred upon or reserved to us under this Agreement is exclusive of any other remedy in this Agreement or provided by law, but that remedy will be in addition to all other remedies in this Agreement or then existing at law, in equity or by statute.
- 11.3 The grant of a sublicense, assignment or transfer of this Agreement does not release you from your obligation to observe and perform all the provisions of this Agreement on your part to be observed and performed unless we specifically release you from such obligation in our consent to the sublicense, assignment or transfer of this Agreement.
- 11.4 This Agreement extends to, is binding upon and enures to the benefit of the parties, their heirs, executors, administrators, successors and permitted assigns.
- 11.5 If, due to a strike, lockout, labour dispute, act of God, inability to obtain labour or materials, law, ordinance, rule, regulation or order of a competent governmental authority, enemy or

hostile action, civil commotion, fire or other casualty or any condition or cause beyond your reasonable control, other than normal weather conditions, you are delayed in performing any of your obligations under this Agreement, the time for the performance of that obligation will be extended by a period of time equal to the period of time of the delay so long as

- (a) you give notice to us within 30 days of the commencement of the delay setting forth the nature of the delay and an estimated time frame for the performance of your obligation; and
- (b) you diligently attempt to remove the delay.

11.6 You agree with us that

- (a) we are under no obligation, express or implied, to provide financial assistance or to contribute toward the cost of servicing, creating or developing the Land or the Improvements and you are solely responsible for all costs and expenses associated with your use of the Land and the Improvements for the purposes set out in this Agreement; and
- (b) nothing in this Agreement constitutes you as our agent, joint venturer or partner or gives you any authority or power to bind us in any way.

11.7 This Agreement does not override or affect any powers, privileges or immunities to which you are entitled under any enactment of the Province of British Columbia.

The parties have executed this Agreement as of the date of reference of this Agreement.

SIGNED on behalf of **HER MAJESTY
THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA**
by the minister responsible for the *Land Act*
or the minister's authorized representative



Minister responsible for the *Land Act*
or the minister's authorized representative

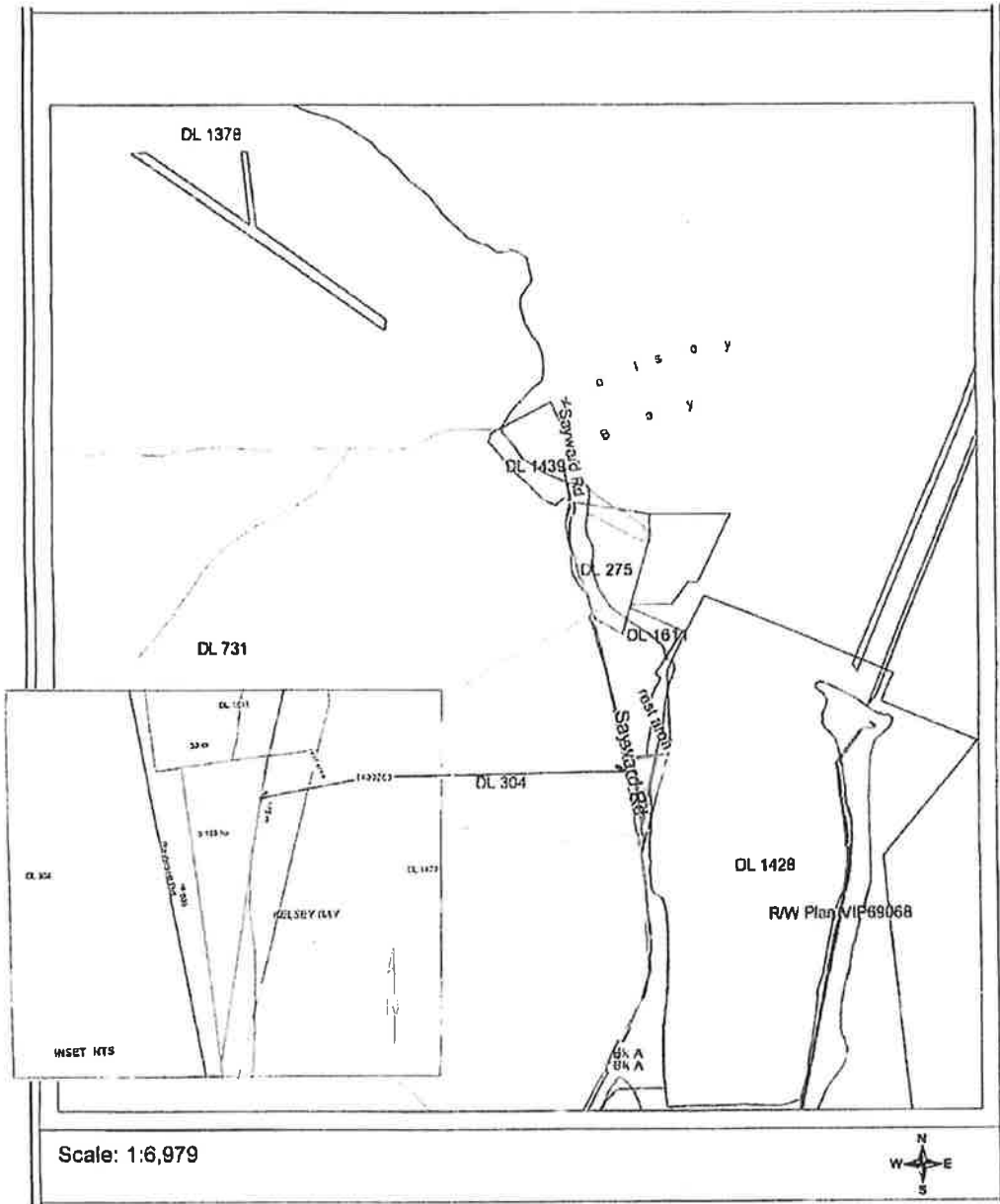
SIGNED on behalf of
CORPORATION OF THE VILLAGE OF SAYWARD
by a duly authorized signatory



Authorized Signatory

LEGAL DESCRIPTION SCHEDULE

That part of District Lot 1611, Sayward District, shown outlined on sketch below, containing 0.150 hectares, more or less.





STAFF REPORT

To: Mayor and Council
From: Lisa Clark, CFO/CO
Subject: **Public Nuisance Bylaw**
Meeting date: May 16, 2023

BACKGROUND

At the May 2, 2023 regular Council meeting a DRAFT Public Nuisance Bylaw was presented to Council for final review. This Bylaw will regulate noise, street nuisances, and property maintenance within the Village of Sayward. It will also repeal several old Bylaws that are no longer relevant or that have been incorporated into the new Public Nuisance Bylaw.

Included in Part 6 – Noise Regulation of the Bylaw is an exemption for the sound of emergency backup power generators during a community wide power outage event. This exemption was added based on a resolution passed by Council at the April 18, 2023 regular Council meeting:

MOTION R23/105

MOVED AND SECONDED

THAT Council direct staff to prepare a DRAFT Public Nuisance Bylaw, reflecting Option #2 in the Public Nuisance Bylaw staff report, for the May 2, 2023 Council meeting.

Opposed Cllr Tinsley Opposed Cllr Poulsen CARRIED

DISCUSSION

At the May 2, 2023 meeting questions were raised about a few sections of the Bylaw, which staff have since researched and are now providing Council with the updated sections below.

1.) **Fences, section 7.6:** Staff were asked about the definition of livestock. This definition will be provided in the updated Zoning Bylaw which will be completed after the adoption of the Official Community Plan (OCP). Council will be provided the opportunity to look at which zones to allow the keeping of livestock (if any), or any restrictions desired. The new Zoning Bylaw is anticipated to be presented to Council in late fall of 2023 or early 2024. It is interesting to note that the current Zoning Bylaw does not define livestock but does define “agricultural products” and “agricultural use”:

AGRICULTURAL PRODUCTS Commodities or goods derived from the cultivation and husbandry of land, plants, and animals.

AGRICULTURAL USE The growing, rearing, producing, harvesting and processing of agricultural products.

2.) **Rental Premises, section 7.17:** Staff were asked to provide alternate wording to the beginning of this section in order to make it clearer regarding tenants. The current wording is:

Rental Premises

- 7.17 Every Owner of residential premises or residential property subject to a tenancy agreement shall:
- a. maintain the physical condition and structural repair of the residential premises or residential property to the health, life safety and fire protection standards of the *British Columbia Building Code* and the Village of Sayward Fire Protective Services Bylaw; and
 - b. maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

The original intent of this section was to ensure that owners of real property who do not live onsite, but offer their homes as rental properties, are subject to the same regulations as other real property owners in the Village. Staff suggest that this section be removed and incorporated under the Unsightly Premises section and the word "Occupier" be added as follows:

Unsightly Premises

- 7.13 No Owner or Occupier of Real Property shall permit the Real Property to become or remain unsightly or permit water, rubbish, Discarded Materials or noxious, offensive, or unwholesome matter to collect or accumulate around that real property.
- 7.14 Every Owner or Occupier of Real Property shall:
- a. keep the Real Property clear of Noxious weeds and unsightly and unkempt brush, trees, or other growths;
 - b. keep ground cover vegetation from exceeding 30 cm in height; and
 - c. prevent infestation by caterpillars and other noxious or destructive insects and clear the Real Property of such insects.
- 7.15 Every Owner or Occupier of Real Property shall remove or cause to be removed from the property any unsightly accumulations of filth, discarded materials, brush, trees, vines, Noxious Weeds or other growths, of any kind on a regular basis, or

when ordered to do so by the Village.

- 7.16 Every Owner or Occupier of Real Property shall maintain the physical condition and structural repair of the residential premises or residential property to the health, life safety, and fire protection standards of the *British Columbia Building Code* and the Village of Sayward Fire Prevention Bylaw.
- 7.17 Every Owner or Occupier of Real Property shall maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

3.) **Legal review:** The Bylaw has not had a legal review. Should Council wish to have the Village’s solicitor review the Bylaw before any readings take place, staff request they be directed accordingly. The cost of a legal review is unknown at this time.

If Council is comfortable with the amendments detailed in 1.) and 2.) above, and does not want a legal review; then, first, second, and third reading of the Bylaw can take place now if Council so wishes.

A new suggested timeline to implement the new Public Nuisance Bylaw is below for Council’s information purposes:

Schedule	Action
April 18, 2023	Council reviews options related to Bylaw No. XXX Public Nuisance Bylaw and directs staff accordingly - COMPLETE
May 2, 2023	Council reviews DRAFT Bylaw No. XXX Public Nuisance Bylaw - COMPLETE
May 16, 2023 (OPTIONAL)	Council directs staff to obtain a legal review of Bylaw No. 502 Public Nuisance Bylaw
May 16, 2023 (OPTIONAL)	Council gives first 3 readings to Bylaw No. 502 Public Nuisance Bylaw
June 6, 2023	Council gives fourth and final reading to Bylaw No. 502 Public Nuisance Bylaw (if first 3 readings take place on May 16)
June 20, 2023	Council gives first 3 readings to Bylaw No. 502 Public Nuisance Bylaw (if legal review requested)
July 18, 2023	Council gives fourth and final reading to Bylaw No. 502 Public Nuisance Bylaw (if legal review requested)
Mid Summer	Ticketing for Bylaw Offences Amendment Bylaw No. 502 presented to Council for first 3 readings
Late Summer	Council gives fourth and final reading to Bylaw No. 502 Ticketing for Bylaw Offences Amendment Bylaw

Staff notes that an amendment to the Fees & Charges bylaw will also be required to capture the fees associated with permits issued under the Public Nuisance Bylaw - this will be included as part of a bigger review of the Fees & Charges Bylaw in Q3 of 2023.

STAFF RECOMMENDATIONS

THAT Council receive the Public Nuisance Bylaw staff report for information and discussion.

Further optional resolutions:

- 1.) THAT staff be directed to have the Village's solicitor review Public Nuisance Bylaw No. 502, 2023.
- 2.) THAT Public Nuisance Bylaw No. 502, 2023 be given first, second and third reading.

Respectfully submitted,



Lisa Clark, CFO/CO



STAFF REPORT

For: Mayor and Council
From: Keir Gervais, CAO
Subject: **Governance Training Workshop**
Meeting date: May 16, 2023

DISCUSSION

In its continuous effort to serve the community as effectively as possible, Council requested that staff research options for a governance training workshop.

Attached is a proposal to facilitate such a workshop from Allison Habkirk, a highly regarded professional in her field. As Council will see, the proposal includes a draft set of questions for the Council consultations, preliminary draft agenda for the workshop, fees and expenses details, and some background information about Allison.

As has been previously discussed, and Ms. Habkirk encourages, the CAO and CFO/CO are integral components of the Village's governance process will attend the training workshop.

STAFF RECOMMENDATIONS

THAT Council receives the Governance Training Workshop report for discussion.

THAT Council approves the proposal from Allison Habkirk for \$5,401 plus applicable taxes and the proposed dates, June 2 (6:00pm-9:00pm) and May 3 (9:00am-3:00pm); and,

THAT Council provide staff with any feedback regarding the proposed draft questions, process, objectives, deliverables, etc. to provide back to the consultant.

Respectfully submitted,

Keir Gervais, CAO

Attachments:

- ***Allison Habkirk Proposal***



**Allison Habkirk BA MA MPA MCIP
Local Government Specialist**

Allison Habkirk, BA, MA (Planning), MPA, MCIP has over thirty years of experience in local government as a professional, elected official, and educator. Allison is a Registered Planner who has worked as a staff planner, consultant and trainer for local governments, the Province of BC, and the Local Government Management Association. Allison is the author of several publications on local government topics and maintains a keen interest in leadership development, elected official and staff training, strategic planning, and small town planning.

Clients include:

- More than 60 municipalities, 14 regional districts and 3 improvement districts across BC;
- Nisga'a Nation, Yuułu?it?ath Government, and Te'mexw Treaty Association;
- Province of B.C., Interior Healthy Authority, and Vancouver Coastal Health Authority; and
- A diverse number of not for profit organizations including Local Government Management Association, CivicInfoBC, BC Municipal Safety Association, Local Government Leadership Academy, Union of BC Municipalities, Victoria Civic Heritage Trust, Prince George Chamber of Commerce, Downtown Nanaimo BIA, and Greenwoods Eldercare Society.

Allison served as Mayor and Councillor for the District of Central Saanich for three terms of office.

Ms. Habkirk is an Adjunct Assistant Professor in the School of Public Administration at the University of Victoria, and an Instructor with Capilano University. She also served as Program Manager for the Local Government Leadership Academy (LGLA).

Ms. Habkirk is the recipient of the University of Victoria, School of Public Administration Alumni Award for Excellence in the Public Sector and the Planning Institute of B.C. Award for Outstanding Accomplishments in the Field of Planning. Allison is currently the Vice-Chair of BC Healthy Communities.

A lifelong learner, Allison completed courses in leadership training and governance at the Harvard Kennedy School of Government and the University of Helsinki, Finland.

Allison worked on four missions in Amman, Jordan working with the Federation of Canadian Municipalities (FCM) and Global Affairs Canada on the Jordan Municipal Support Project and is currently working with the FCM on the Women in Local Leadership Project in Sri Lanka.

Contact Info:

ahabkirk@shaw.ca

250 652 9955 (office) 250 216 6757 (cell)

777 Harding Lane

Brentwood Bay BC V8M2G



VILLAGE OF SAYWARD

BYLAW NO. 501

A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE VILLAGE OF SAYWARD

WHEREAS the Council of the Village of Sayward wishes to adopt an Official Community Plan pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS Council for the Village of Sayward has considered the requirements of section 475 and 476 of the *Local Government Act* and has provided opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

AND WHEREAS pursuant to section 477 of the *Local Government Act*, and after First Reading, Council has, in the following order, a) considered the Official Community Plan in conjunction with the Village's Financial Plan and any waste management plan that is applicable to the Village, b) has referred the Official Community Plan to the Agricultural Land Commission for comment and c) has held a public hearing in accordance with Division 3 of Part 14 of the *Local Government Act*;

AND WHEREAS Council must submit a proposed regional context statement for acceptance by the regional district board of which it is a member pursuant to Section 448 of the *Local Government Act*;

AND WHEREAS before Council gives third reading to the bylaw, Council shall hold a public hearing on the proposed Official Community Plan in accordance with Sections 464 through 470 of the *Local Government Act*;

AND WHEREAS Council of the Village of Sayward has complied with all requirements of the *Local Government Act* prior to adoption of this bylaw and Official Community Plan including all of the foregoing;

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

1. CITATION

This bylaw may be cited as “Village of Sayward Official Community Plan Bylaw No. 501, 2023”.

2. APPLICATION

Schedule “A” attached hereto and made part of this bylaw is hereby adopted as the Village of Sayward Official Community Plan.

3. SEVERABILITY

If any section, subsection sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court, of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

4. REPEAL

“Village of Sayward Official Community Plan Bylaw No. 308, 2000” is hereby repealed in its entirety.

Read a first time on the ____ day of _____ 2023.

Read a second time on the ____ day of _____ 2023.

Public Hearing held on the ____ day of _____ 2023.

Read a third time on the ____ day of _____ 2023.

Adopted on the ____ day of _____ 2023.

<p>Certified a true copy of Bylaw No. 501 this ____ day of _____, _____</p> <hr/> <p>Chief Administrative Officer Village of Sayward</p>

Mayor

Corporate Officer

Schedule "A"

Village of Sayward Official Community Plan

May 2023

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Schedule B – Development Permit Area Maps

Schedule C – Kelsey Bay Working Waterfront Map

Schedule D – Mobility and Active Transportation Map

Schedule E – Utility Networks Map

Schedule F – Parks and Greenspace Map

Schedule G – Newcastle Creek Watershed Map

Schedule H – Agricultural Land Reserve Map

Schedule I – Community Consultation

GLOSSARY

Affordable Housing is housing that costs less than 30% of a household's before-tax income.

Agricultural Land Reserve (ALR) means the agricultural land reserve established pursuant to the *Agricultural Land Commission Act* (British Columbia) as an area in which agriculture is recognized as the priority use, and where farming is encouraged, and non-agricultural uses are restricted.

Council refers to the elected Mayor and Council of the Village of Sayward.

Development Approval Information is a designated area in which the Village has the authority to require additional information regarding proposed development, impacts and mitigation strategies before approving a rezoning or development application.

Ecosystem refers to the sum total of vegetation, animals and the physical environment in which they interact.

Environmentally Sensitive Areas is an area in which plant or animal life or their habitat are either rare or especially valuable because of their nature or role in the ecosystem.

Estuary is a semi-enclosed body of water that has a free connection with the open ocean and within which sea water is measurably diluted with fresh water derived from land drainage. Estuaries are found at the mouths of rivers and streams and are subject to tidal conditions. They contain five main habitat types which are Upland, Freshwater, Inter-tidal Zone, Sub-tidal Zone, and Saltwater.

Floodplains are flatland bordering a stream or river onto which a flood will spread. The underlying materials are typically unconsolidated and derived from past stream transportation activity. The extent of the floodplain varies according to the volume of water and is thus defined by a specified flood size.

Home Based Business is any occupation or profession carried out for gain and is incidental or secondary to the residential use of the property.

Qualified Registered Professional is an individual who is a registered member, in good standing, of a professional association whose training, ability and experience make the member professionally competent.

Secondary Suites is a self-contained dwelling that can be attached to the main dwelling or separate that can be offered for rent to a third party by the owner.

Stream Protection and Enhancement Area means an area adjacent to a watercourse that links aquatic to terrestrial ecosystems and includes both the riparian area vegetation and the adjacent upland vegetation that exerts an influence on the watercourse, the width of which includes the area within 15m of the top of bank of a watercourse or 10m of the top of bank of a ravine.

Temporary Commercial Use Permit is a permit that allows any temporary commercial use, pursuant to the Local Government Act, for a maximum period of two years renewable once only.

Temporary Industrial Use Permit is a permit that allows any temporary industrial use, pursuant to the Local Government Act, for a maximum period of two years renewable once only.

Urban Service Boundary is the boundary that denotes the end of the Village of Sayward land.

Watercourse refers to any drainage course or source of water, whether usually containing water or not, and includes any lake, river, creek, spring, wetland, or source of ground water and includes portions that may be contained within a channeled stream, conduit, ditch or culvert.

Part 1 INTRODUCTION

The Village of Sayward is located on the east coast of northern Vancouver Island. Sayward sits at the base of Newcastle Ridge, at the mouth of the Salmon River, in the traditional territory of the K'ómoks, We Wai Kai and Wei Wai Kum First Nations.

The Village of Sayward was established as a resource town, with multiple logging operators harvesting local timber. Over the years, shifting market trends have impacted local industry and Sayward has had to be resilient in the face of change. This Official Community Plan (OCP) represents a new path forward for the Village of Sayward as it sets out a framework to achieve the community's vision for the future. The OCP is a statement of the community's shared values, goals and objectives, and is a plan to address current and potential challenges.

1.1 Plan Overview

The organization of this OCP is intended to provide an action-oriented approach. The OCP is organized into 5 sections including:

Part 1 – Introduction

This section provides the purpose of an OCP, provide Sayward context, and outlines key partnerships.

Part 2 – Vision for the Future

This section outlines the guiding vision for the OCP as developed through community consultation.

Part 3 – Policy Framework

This section provides a policy framework for how the community will accomplish the OCP's vision.

Part 4 – Land Use Plan

This section provides an overview of the land use designations and development permit areas within the Village.

Part 5 – Implementation Plan

This section outlines key actions to successfully accomplish the goals set out in this OCP including development approval information and temporary use permits.

1.2 Purpose of an Official Community Plan

An Official Community Plan is a statement of policies and objectives used by municipal and regional governments to guide land use decisions and community planning. The OCP provides a decision-making framework to achieve objectives including (but not limited to) advancing reconciliation with local First Nations, managing growth, minimizing negative impacts of development, and prioritizing public funding for necessary services and infrastructure. An OCP is a long-term visionary document that guides decision-making and sets a course for the future. It should be re-examined and updated every 5 – 10 years to ensure that it continues to reflect the long-range planning objectives of the community.

The Local Government Act (LGA) is the provincial legislation that grants local governments the power to create an OCP, as well as specifies what must or may be included in it. The LGA also identifies the consultation requirements and adoption procedures required to approve the OCP as a bylaw. The opportunities for consultation provided during the development of the OCP are described in Schedule I.

In accordance with section 474(2) of the LGA, to the extent this OCP includes policies or statements concerning matters that are outside the regulatory powers of the Village of Sayward, those policies and statements are to be considered as stating the broad objectives of the Village with respect those matters.

The 2022 Village of Sayward OCP has been prepared in compliance with the requirements of the Local Government Act. The OCP is adopted by Council to inform decisions on planning, land use management and the provision of services, and to inform future bylaws. The OCP considers the following requirements:

- Section 478(1) of the Local Government Act provides that the OCP, on its own, does not commit or authorize a municipality to proceed with any project that is specified in the plan.
- Section 478(2) of the Local Government Act provides that following the adoption of an Official Community Plan, all bylaws adopted and works undertaken by Council must be consistent with the OCP.

The OCP will achieve the following:

- A description of the current local context and a rationale for future goals and planning objectives.
- Strategies for how the community can accomplish its goals through objectives and policies that will guide decisions.
- Guidance in implementing OCP policies.

1.3 Sayward Context

To develop effective policies, it is essential to understand the historical context of Sayward's demographics and population. This will help to effectively plan housing stock and municipal infrastructure to adequately serve future populations.

1.3.1 Population and Demographics

Population Growth

Until the 2021 census, Sayward had a population trend of gradual decline since the 1980s. As with many resource-based towns in BC, the population began to shrink with a decline in the logging industry as many young workers and families moved away.

The most recent Canadian census was completed in 2021, at this time, the Village's population was 334 which was a 7.4% increase in population from 2016. The increase in population indicates potential growth pressures into the future which must be considered when planning for housing stock.

Given the increase in population between 2016 and 2021, utilizing historic population data to calculate a predicted population in 2041 would be inconsistent with current growth trends. Further, with affordability challenges and increased ability to work remotely, recent studies have shown increased migration away from large metropolitan areas to smaller, rural communities¹. This trend has been felt throughout North Vancouver Island as seen in Table 1.

Table 1 – Comparable communities located on North Vancouver Island growth rates between 2016 and 2021

Comparison Communities	Growth Rate (2016-2021)
Tahsis	58.5%
Cumberland	18.5%
Zeballos	17.8%
Strathcona Regional District	7.8%
Campbell River	7.6%
Gold River	2.6%
Sayward	7.4%

Given this information, the population projections utilize the percentage growth between 2011 and 2021 (5.4% growth), rather than a historic population data to calculate the predicted population into 2041 as seen in Figure 2 below.

¹ Ready or Not: Metro Migration to Smaller Communities (2021).

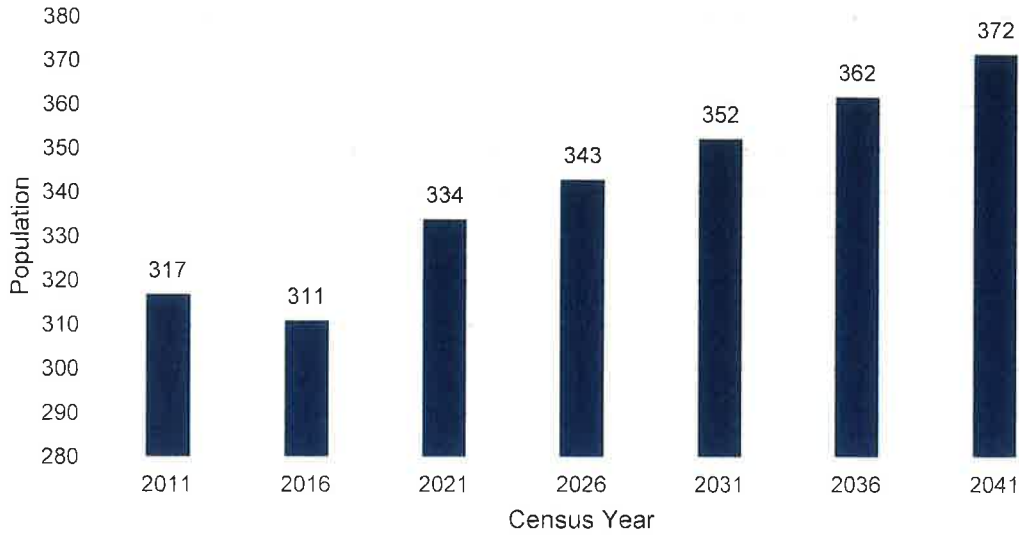


Figure 1 – Sayward Population Projections (2011-2041)

Age-Friendly Considerations

In 2021, the largest age cohort (39%) was between 60 to 69 years old. As seen in Figure 1, this is significantly higher than the British Columbia average of 14%, while younger age cohorts are lower than the Provincial average. This indicates an aging population and planning considerations should be made accordingly.

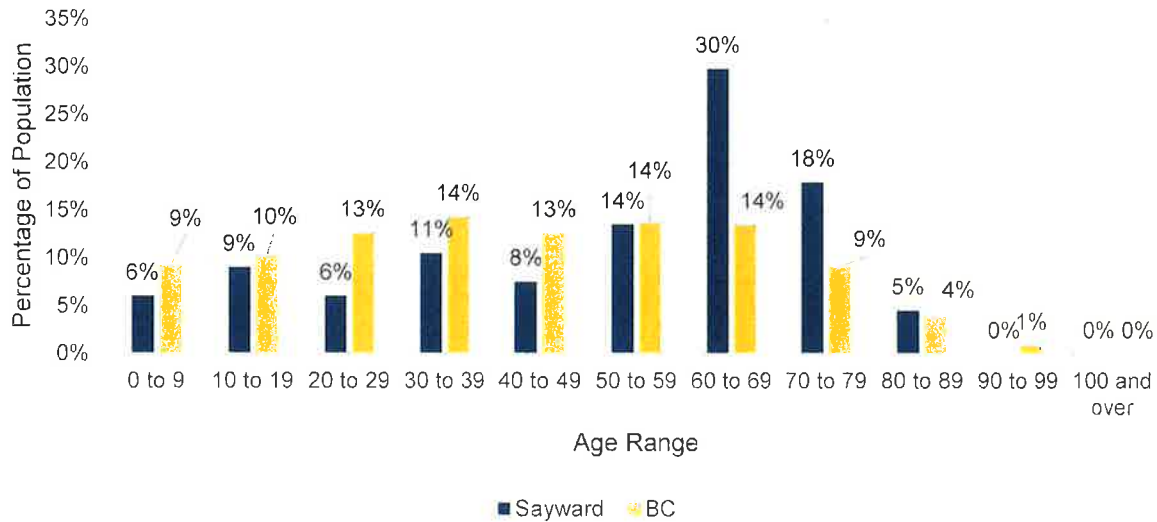


Figure 2 – Age Cohorts in Sayward and Province of British Columbia (2021)

1.3.2 Housing

Housing has a significant impact on the health and wellbeing of all community members. Housing affordability challenges are affecting many BC municipalities, prompting municipal governments to create policy that addresses the key issues. The Village of Sayward completed a Housing Needs Report in 2022 to better understand the current housing stock and accurately plan to accommodate future populations. This section is a brief outline of a more detailed housing needs assessment detailed in the Village of Sayward Housing Needs Report.

Age of Housing Stock

Approximately 65% of the housing stock was built between 1961 and 1980, with no new houses being built since 2000 as demonstrated in Figure 3 below.

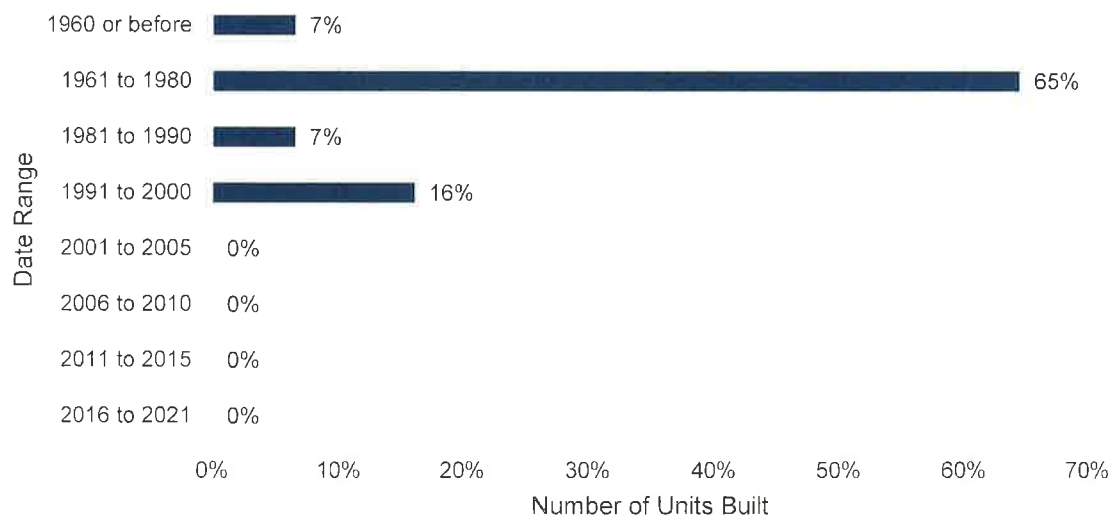


Figure 3 – Number of New Residential Dwelling Units (1960-2021)

Housing Tenure

Tenure refers to whether the household owns or rents the dwelling they occupy. As seen in Figure 4, the majority of Sayward residents (84%) own their home.

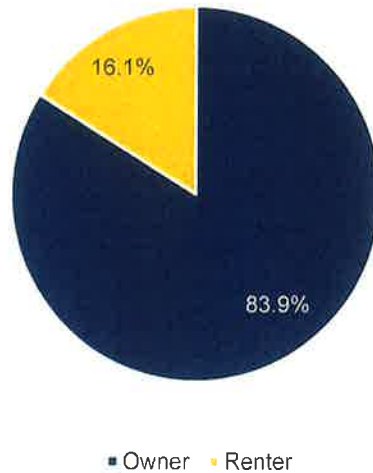


Figure 4 – Housing Tenure (2021)

Housing Type

As seen in Figure 5 below, the Village of Sayward housing stock is comprised primarily of single-detached dwellings making up 77% of all dwellings. The remaining housing types include apartments with fewer than five storeys and movable dwellings (i.e., mobile homes).

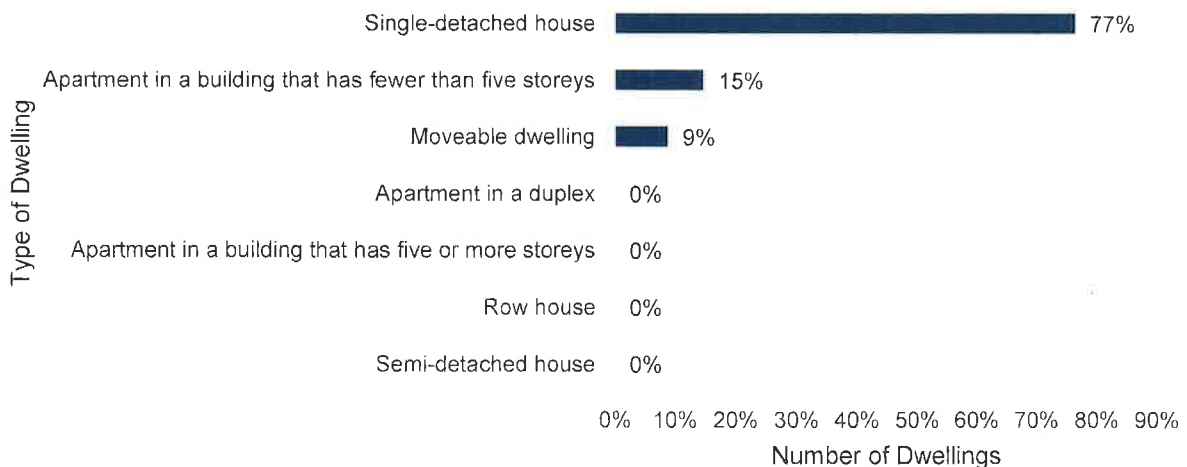


Figure 5 – Housing Types (2021)

Dwelling Size

In 2021, three-bedroom homes were the most common housing composition, making up 42% of the occupied private dwellings in Sayward. Two-bedroom homes are the least common comprising only 10% of the occupied private dwellings.

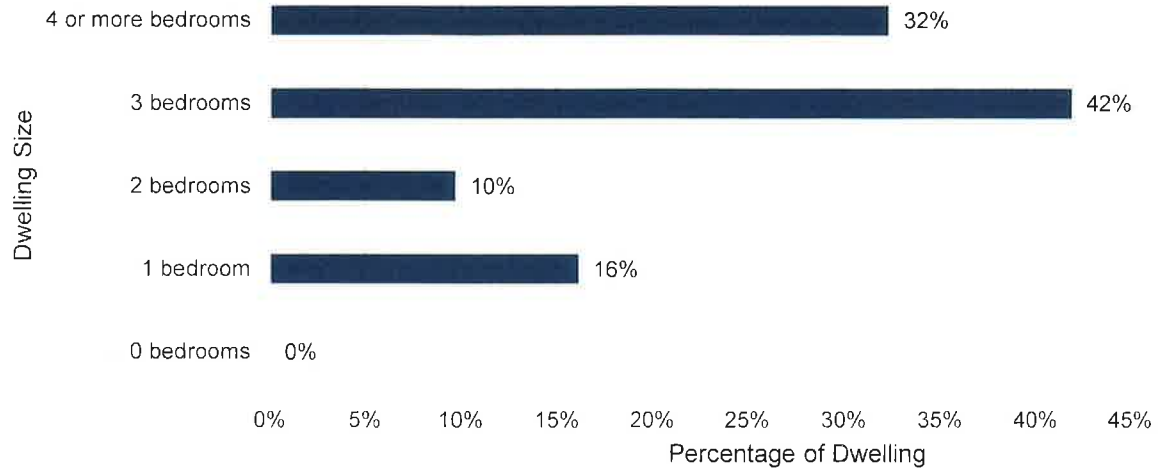


Figure 6 – Dwelling Size (2021)

Household Size

The average household size in Sayward has been declining since 2006 (Table 3). In 2021, the average household size was 2 people which is less than both the average household size for the Strathcona Regional District (SRD) and the Province of British Columbia. This is to be expected in families where children have grown and moved out, and it has shown a decline over the last 10 years, as the average and median age of the Village has risen.

Table 3 - Historic household size compared to the Strathcona Regional District and Province of British Columbia (2006-2021)

	2006	2011	2016	2021
Sayward	2.3	2.1	2.1	2.0
SRD	2.3	2.3	2.2	2.2
British Columbia	2.5	2.5	2.4	2.4

1.3.3 Housing Needs

Based on the population growth detailed in section 1.3.1, the Village of Sayward will see a population growth of 38 residents by 2041. This means that Sayward will need an additional 18 units by 2041 to accommodate this population growth.

Into the future, consideration must be made for housing affordability. The 2021 census and the Sayward Housing Needs Report outlines that 26% of residents in Sayward are being in core housing need, which is twice the provincial average. This means that over a quarter of residents are spending more than 30% of their income on shelter and their shelter does not meet the minimum housing standards. Housing policy is provided in section 3.8 of this plan.

1.4 Partnerships

The Village of Sayward recognizes the important role partnerships and collaboration play in accomplishing the goals set out in the OCP. Partnerships with local and regional stakeholders can help to support sustainable infrastructure upgrades, provide adequate and affordable housing for all residents, and help to protect the natural environment, among other things. The list below is not an exhaustive list of all partners the Village collaborates with but highlights some of the major partners that will help to accomplish the priorities of the community.

1.3.4 K'ómoks First Nation

The Village of Sayward is located within the Traditional Territory of K'ómoks First Nation. The K'ómoks First Nation are members of the Kwakwaka'wakw people, the traditional inhabitants of the coastal areas of what is known today as Vancouver Island and mainland British Columbia.

Members of the K'ómoks First Nation have been present in the area since time immemorial. We recognize our Village's colonial history and recognize that when white settlers arrived in the area to extract natural resources, there was a vibrant K'ómoks village at the mouth of the Salmon River.

United Nation Declaration on the Rights of Indigenous Peoples (UNDRIP) is an international legal instrument adopted by the United Nations in 2007 that recognizes the individual and collective rights of Indigenous peoples. In 2016, the Government of Canada endorsed the UNDRIP. In 2019, the Province of British Columbia adopted the Declaration of the Rights of Indigenous Peoples Act, in order to affirm UNDRIP, to contribute to the implementation of UNDRIP, and to support the affirmation of, and develop relationships with, Indigenous governing bodies.

The Village of Sayward intends to use UNDRIP as a framework for lasting reconciliation with K'ómoks First Nation and other Indigenous groups in the area.

Today, K'ómoks First Nation maintains reserve land on the south side of the Salmon River, at the base of Mt. H'kusam. The reserve is used by members for recreational purposes throughout the year. The Village of Sayward and in particular, the Kelsey Bay area remains of great importance to the K'ómoks people. We are mindful that the development of our community has an impact on K'ómoks First Nation's cultural heritage and policies to protect natural resources. The Village of Sayward is committed to forging a prosperous relationship with K'ómoks First Nation, one built upon a commitment to understanding the history and culture of the K'ómoks people and their key goals in self-determination. We are committed to working in partnership to advance the rights and interests of the K'ómoks First Nation and other Indigenous groups in the area.

Central to our partnership with K'ómoks First Nation is the Village of Sayward's commitment towards reconciliation. We recognize that reconciliation is a process and the policies in this plan are part of a continuous effort to acknowledge and respect Indigenous rights and title and protect their culture and heritage. Reconciliation takes time and is built

upon a foundation of mutual trust and respect. The Village of Sayward is committed to working in partnership to protect K'ómoks First Nation's culture and heritage within the Village of Sayward.

“Reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour.” –Truth and Reconciliation Commission

1.3.5 Strathcona Regional District

The Strathcona Regional District provides services to over 44,000 residents within north-central Vancouver Island, the Discovery Islands and mainland area inlets, representing four electoral areas, a Treaty First Nation and five member municipalities, including the Village of Sayward.

As such, the Village of Sayward works in collaboration with the Regional District, which provides services to the entire Sayward Valley including the Village and a part of the Electoral Area A. It is important to recognize that while there are two jurisdictions within the Valley, there is one Sayward community and what happens in the Village, impacts the residents of the Valley and vice versa.

The Village of Sayward hopes to continue to foster successful and mutually beneficial partnership with the Strathcona Regional District, including Electoral Area A and the residents of the Sayward Valley.

1.3.6 Salmon River Estuary Protection Partners

Nature Trust of British Columbia

The Nature Trust of BC (NTBC) is a non-profit land conservation organization established in 1971. NTBC acquires conservation properties around BC in attempts to conserve their natural habitat and ecosystem function. NTBC acquired the Salmon River Estuary in 1978, which to date encompasses 379 hectares of conservation land. The Village hopes to continue to maintain a positive working relationship with NTBC to continue the preservation and enhancement of the important Salmon River Estuary ecosystem.

Ducks Unlimited Canada

Ducks Unlimited Canada is a non-profit organization that's mission is to conserve, restore and manage wetlands and associated habitats for the benefit of North America's waterfowl. They work in collaboration with the NTBC to protect the Salmon River Estuary and preserve important duck habitats in the Sayward area.

1.3.7 Natural Resource Industry Partners

Western Forest Product (WFP)

WFP is a lumber company based out of Vancouver, BC with operations along the West Coast. Their operations include harvesting timber, reforestation, forest management, the manufacture and sale of lumber and wood chips and the sale of logs. WFP holds Tree Forest License 39 which covers roughly 360,000 hectares of land in close proximity to the Village of Sayward. In addition, WFP operates the Kelsey Bay dryland log sort on property within the Village boundary, leased from Island Timberlands.

Island Timberlands

Island Timberlands is a privately owned timber company based on Vancouver Island. The company was formed as a result of acquiring all of timber giant Weyerhaeuser Company's assets on BC's coast. Island Timberlands owns and operates the dryland log sort in Kelsey Bay which contributes to the Sayward economy.

Couverdon

Couverdon is the real-estate business of Island Timberlands and helps them to manage their land holdings throughout Vancouver Island. They are a major landowner within the Village of Sayward, with investment in properties surrounding McMillan drive, and the area surrounding the log sort. They have been engaged throughout this process to discuss future development applications and potential land uses.

Part 2 VISION FOR THE FUTURE

2.1 Sustainability

Sustainability means *meeting the current needs of our community, without compromising the resources for future generations.*¹ This encompasses all aspects of social equity, economic development and environmental protection.

Sayward recognizes that sustainability is important to long-term viability and success. As such, sustainability is a central concept that is the foundation of our community's vision for the future, and is integrated throughout this plan. A key part of sustainability for the Village of Sayward is collaborating and partnering with local stakeholders. We must recognize that we can accomplish more by working together.

2.1.1 Integrated Community Sustainability

Integrated community sustainability planning emphasizes long-term thinking, collaboration between departments and between sectors, engaging community stakeholders, creating partnerships, and continuous monitoring and evaluation. This can help create a vision of a sustainable future and links that to realistic planning and collaborative action today. This plan embraces these principles in developing the goals identified as a result of this planning process.

¹ Definition of sustainability as developed by the United Nations

2.2 Our Priorities

Throughout the planning process, our community has identified several fundamental priorities to inform and direct policy development. They were created to help define the collective vision for the future of Sayward. The priorities are as follows:



Part 3 POLICY FRAMEWORK

3.1 Indigenous Relationships and Partnerships

The Village of Sayward is situated within the Traditional Territories of the K'ómoks First Nation, We Wai Kai First Nation, and Wei Wai Kum First Nation. The Village is committed to working in partnership with surrounding Nations to protect their culture and heritage.

Goal: Sayward maintains a strong and prosperous relationship with K'ómoks First Nation and other Indigenous groups in the area.

- .1 Actively work to recognize the rights and interests of K'ómoks First Nation and other Indigenous groups in the area.
- .2 Commit to understanding the history, culture and governance of the K'ómoks First Nation and other Indigenous groups in the area.
- .3 Actively pursue opportunities to work with local First Nation governments to support and implement the Truth and Reconciliation Commission's Calls to Action.
- .4 In order to strengthen the Village of Sayward's relationship with K'ómoks First Nation, work to establish formal agreements where possible. These agreements could include but are not limited to:
 - Formally outline and document shared values and common interests
 - Establish a schedule for regular meetings to stay informed and share information
 - Establish consultation processes regarding land use and development
 - Work together to address issues related to infrastructure servicing for future land acquisitions
 - Work together to address management objectives for important watersheds and shared natural resources
 - Establish formal processes to protect cultural and heritage resources.
- .5 Invite K'ómoks First Nation and other Indigenous groups in the area to share their history and culture within the Village. For example, incorporating traditional place names and translations on Village signage.
- .6 Provide support where possible for K'ómoks First Nation's acquisition of Crown land and collaborate on development that is consistent with the goals and policies outlined in this plan.
- .7 Encourage protection of archaeological sites and places of cultural significance by supporting K'ómoks First Nation in implementing the K'ómoks First Nation Cultural Heritage Policy.

3.2 Citizen Engagement and Community Leadership

Sayward residents continue to contribute to the creation of Village initiatives and are passionate about bettering their community. As a small community, we strive for open and transparent communication between leadership and residents.

Goal: Citizens are engaged and involved in decision-making.

- .1 Provide opportunities for citizens to stay informed and engaged through inclusive opportunities to give feedback and have input on important decisions that affect the community.
- .2 Look for opportunities to work with and support various community groups and service organizations.

Goal: Governance is transparent and effective.

- .1 Work to implement best practices for corporate governance to promote transparency.
- .2 Ensure staff and Council have access to professional development and training from programs offered by local government organizations.
- .3 Continue to seek opportunities to make Council meetings more accessible.
- .4 Strengthen relationships with the Regional District and Area A Director to manage shared services and work towards goals of mutual interest.

3.3 Community Health and Wellbeing

We are dedicated to supporting community health and wellbeing and supporting the basic needs of all residents. This includes supporting youth and families and continuing to provide services that attract them to the Sayward community. Further, with a large population of residents over the age of 60, we have developed policy that will provide them the necessary supports to age-in place and continue to live in the community. Supporting these populations includes contributing to social and cultural development, providing the community with adequate healthcare services and providing quality education for all residents.

Goal: Residents are healthy and have access to the community supports and programs they need.

- .1 Maximize the use of the Kelsey Recreation Centre through facility upgrades and programming.
- .2 Maintain regular communication with local Health Authority regarding the provision of care and community supports.

3.3.1 Youth and Family Support

Goal: The community is an attractive place for young families, youth, and young adults.

- .1 Develop services and recreational infrastructure by identifying programming gaps for youth and young families in Sayward.
- .2 Revitalize underused areas and infrastructure to support youth active outdoor recreation such as a skateboard park, water park or other active play areas.
 - Develop strategies to ensure the basic needs that are important to youth and young families are accessible and affordable. Strategies may include leveraging existing community assets and securing funding from the BC Government. Basic needs include (but are not limited to) the following:
 - housing
 - healthy food
 - transportation
 - childcare
 - education
 - employment
 - recreation
 - health care
- .3 Market and celebrate Sayward as an attractive place for young families to raise their children.
- .4 Prioritize support for new developments and businesses that create opportunities for youth and young families in Sayward.
- .5 Ensure the community is built to accommodate youth and young families. For

example, investing in quality outdoor recreation options and gathering places (trails, bike parks, playgrounds, sports fields etc.).

- .6 Support employment, volunteer, and leadership opportunities for youth when possible.
- .7 Protect rental housing stock to attract and accommodate young families.

3.3.2 Seniors Support

Goal: Seniors are supported and can remain in the community as they age.

- .1 Prioritize the development of seniors housing that is centrally located near community amenities and services.
- .2 Support the provision of seniors housing with innovative care options, such as shared accommodation and assisted living residences.
- .3 Advocate to maintain and enhance important healthcare services for seniors.
- .4 Improve community accessibility to provide mobility options in all stages of life.

3.3.3 Social and Cultural Development

Goal: Sayward is a friendly community and residents are proud to live here.

- .1 Work with community partners and residents to maintain and further promote a culture of volunteerism and community service to facilitate community projects.
- .2 Work with citizens and community groups to provide community events.
- .3 Support the continuation of longstanding community events.

Goal: Sayward encourages a vibrant arts and culture scene.

- .1 Provide opportunities for local artists to participate in the development of public spaces.
- .2 Invite local First Nations artists to be involved in the development of local public art.
- .3 Invite local First Nations to showcase their heritage and culture within the Village of Sayward.

3.3.4 Healthcare

Goal: Residents have access to quality health care facilities, services, and programs.

- .1 Maintain and expand partnerships with the Sayward Clinic, Island Health, and the Campbell River Health Unit.
- .2 Advocate for access to mental health support services within the community.
- .3 Ensure that health equity and sustainability are considered in the planning of the built environment.
- .4 Incorporate walkability into future planning and development.

- .5 Provide access to healthy food options in close proximity to residents.
- .6 Advocate for enhancement of healthcare services provided by Island Health.

Note: See "First Responders" section for related emergency response policy

3.3.5 Education

Goal: Residents have access to high quality, affordable education, and training opportunities.

- .1 Strengthen partnerships with School District 72 (Campbell River) and the Vancouver Island Regional Library to provide in-person and distanced learning opportunities for all ages.
- .2 Support Sayward School initiatives and program that accommodate the needs of all eligible students within the Valley.

Goal: The Sayward School and its outdoor spaces are used and enjoyed by the whole community.

- .1 Support School District 72 in its provision of adequate and high-quality education opportunities.
- .2 Work with School District 72 to align the Village's plans and strategies with the School District 72 Facilities Plan.
- .3 Provide safe and accessible routes for children to get to school.

3.4 Economic Development

Sayward holds several strategic advantages that if leveraged correctly can help support future economic development opportunities including abundant natural recreation opportunities, small-town quality of life and high level of public amenities. Forestry continues to be the primary economic driver in the Sayward Valley which includes the log sort in Kelsey Bay.

While Sayward currently faces challenges to future economic development such as an aging population and deterioration of critical infrastructure (i.e. the harbour), there is opportunity to expand other industries such as tourism, fishing and aquaculture and support local business expansion.

Goal: Sayward has a vibrant and diversified local economy with meaningful employment opportunities.

- .1 Pursue a community forest agreement with the provincial government in collaboration with the K'ómoks First Nation.
- .2 Encourage further development of the Kelsey Bay waterfront in alignment with the working waterfront project to create better access for residents and visitors.
- .3 Support the provision of creative and experiential retail services, such as gift shops, restaurants, cafes, mobile vendors, and pop-up businesses and services.
- .4 Create and maintain partnerships with economic development organizations (i.e., Island Coastal Economic Trust).

3.4.1 Resource Industry

Goal: Sayward remains a hub for the resource industries in the region.

- .1 Collaborate with Western Forest Products and Island Timberlands to establish mutual goals and manage the industrial/residential interface.
- .2 Collaborate with K'ómoks First Nation and other Indigenous groups in the area to promote sustainable resource extraction that minimizes the impact to the natural environment.
- .3 Support and coordinate harbour improvements that facilitate marine-based resource activity.
- .4 Continue to encourage local industry to hire locally and contribute socially and financially to the community.

3.4.2 Tourism

Goal: Sayward continues to grow as a tourism and outdoor recreation hub.

- .1 Invite collaboration with K'ómoks First Nation in exploring eco-tourism opportunities that highlight the region's Indigenous culture and history.
- .2 Work with the tourism committee and regional tourism organizations to promote Sayward as a destination.

- .3 Encourage tourism operators to establish themselves in Sayward.
- .4 Implement recommendations from the 2017 Tourism Plan.
- .5 Seek opportunities to attract visitors to the area year-round.
- .6 Support the development of RV and tent campgrounds within proximity to the Village of Sayward.
- .7 Regulate the vacation rentals stock to mitigate negative impacts to the current rental supply.

3.4.3 Local Businesses

Goal: Sayward has businesses that provide residents and visitors with services.

- .1 Encourage and support the establishment of retail services.
- .2 Encourage and support the establishment of food services including a restaurant.
- .3 Encourage new businesses to establish themselves in the Village.
- .4 Provide support for local entrepreneurs.

3.5 Public Spaces

Creating and maintaining vibrant public spaces is central to supporting our tight-knit and inclusive community. Sayward has a number of great public spaces including picnic areas, interpretive kiosks, swimming areas, viewpoints, trails and sports fields. We hope to continue to provide great public spaces and amenities that are age-friendly and inclusive to the entire community.

Goal: Sayward has attractive and inclusive public spaces that are well used.

- .1 Create public spaces and community events that are inclusive to all residents and visitors.
- .2 Ensure that public spaces and infrastructure are accessible and adaptable.
- .3 Enhance the character of Sayward's built environment through the creation of distinctive public spaces.
- .4 Invite local First nations, community, and corporate partners to collaborate on developing and installing interpretive signage.
- .5 Utilize creative programming to ensure public spaces are well-used.

3.5.1 Parks and Public Space

Goal: Ensure adequate and accessible parks and public spaces within the Village.

- .1 Develop a Sayward Parks Master Plan.
- .2 Expand and acquire park land for a diversity of uses.
- .3 Provide off-leash dog areas.
- .4 Maintain existing parks and public spaces through Village funds, support from community organizations, and volunteers.
- .5 Maintain the pond as a public amenity.
- .6 Develop accessible public washroom facilities in conjunction with community amenities, park, and parking lot development.
- .7 Ensure that public spaces are well maintained, safe, and comfortable for all residents and visitors.

3.6 Trails and Active Transportation

There are numerous social benefits of active transportation that affect public health, quality of life, community connection, safety, economics, the environment and sustainability. Currently, Sayward residents have access to an extensive trail network. The Village has approximately 4,960 meters of trails within the Village boundaries, providing residents with excellent connection to the abundance natural environment the area has to offer.

The Village currently offers a volunteer run medical transportation programs that transports residents to and from Campbell River for medical appointments. There is currently no other form of public transportation and there are no taxis operating within Sayward. There is one official designated bike lane. Approximately 85% of the population drive to work, 15% are able to walk to work. A third of employed commuters spend at least 45 minutes or more commuting each way, primarily to and from Campbell River.

The Village of Sayward recently completed the Working Waterfront Trail in 2019. This project was funded by the Island Coastal Economic Trust, BC Rural Dividend Program, and the Ministry of Transportation and Infrastructure. The trail runs along the waterfront and provides active transportation and recreation for residents while revitalizing the waterfront area to attract businesses and visitors.

There is increasing demand to create accessible active transportation options within the Village. As a part of the planning process, approximately 8 km of sidewalk is proposed to enhance pedestrian safety and encourage walkability as seen in Schedule D. As well, there are 5 new crosswalks proposed within the Village centre, strategically located in high traffic areas. Further, to encourage multiple forms of active transportation, a multi-modal hub was proposed at the Kelsey recreation centre which includes bicycle amenities.

Goal: Enhance active transportation and connectivity within Sayward.

- .1 Expand the Sayward trail network as seen in Schedule D to expand the Village's active transportation network.
- .2 Provide multi-modal connections to places of significance within the community including Kelsey Bay and the highway junction.
- .3 Create a multi-modal hub at the Kelsey Recreation center to promote active transportation.
- .4 Ensure new developments consider connection to the active transportation network and overall connectivity to the Village center.
- .5 Explore opportunities to provide shared mobility options to and from Campbell River.
- .6 Work with Strathcona Regional District and the Ministry of Transportation and Infrastructure to provide active transportation opportunities to highway junction.

- .7 Provide safe and secure parking for bicycles, e-bicycles, mobility scooters and other active transportation devices.

3.6.1 Safety

- .1 Improve existing and create new sidewalks and crosswalks throughout the community to enhance pedestrian safety.
- .2 Utilize paint and signage to create cost-effective and safe cycling routes and pedestrian zones.
- .3 Provide adequate lighting along multi-modal corridors to increase safety and encourage use.

3.6.2 Accessibility

- .1 Explore paving important multi-modal corridors (such as the Working Waterfront Trail) to increase accessibility those with mobility challenges.
- .2 Provide accessible active transportation opportunities throughout the Village for seniors.
- .3 Incorporate universal design considerations into active transportation infrastructure.

3.7 Growth

Given the growth trends on North Vancouver Island, the Village of Sayward must plan for increased growth in the future and consider land base and infrastructure upgrades. The Village of Sayward encompasses a total area 472 hectares of land within Sayward Valley. Its western boundary is on the flank of Newcastle Ridge, part of the Vancouver Island Mountain Range. The main part of Sayward is situated adjacent to the ocean and next to the Salmon River estuary which means much of the land base is within a floodplain making development restricted to certain areas.

Goal: Promote sustainable growth.

- .1 Approve development incrementally to ensure existing infrastructure can support new development.
- .2 Support a range of housing options including a mix of housing types, sizes, and affordability ranges.
- .3 Review and update zoning bylaw to reflect OCP priorities.

3.7.1 Future Land Development

Goal: New land development is of high quality and benefits the overall community.

- .1 Ensure new development is consistent with the land use designations map in Schedule A.
- .2 Prioritize development on sites that have existing servicing capacity.
- .3 Support the creation of additional rural residential lots.
- .4 Prioritize commercial development that fills service gaps within the Village.
- .5 Develop a community amenity contribution policy to ensure new developments contribute to community services.

3.7.2 Village Boundary

Goal: Accommodate Village growth and provision of services in partnership with Area A residents.

- .1 Coordinate with the Strathcona Regional District and the Area A director to support the provision of shared services with Valley residents.
- .2 Advocate for the Strathcona Regional District to acquire public lands in the high-risk flood areas within the Valley to provide public open space to be used by Valley and Village residents alike.
- .3 Re-examine the current Village boundary and possibility for expansion into the future.
- .4 Ensure there is sufficiently zoned residential land within the boundary to accommodate new growth.
- .5 Support growth within the boundary that is respectful to First Nations rights and interests, the environment, and current land uses.

3.8 Housing

Housing has a significant impact on the health and wellbeing of all community members. Housing affordability challenges are affecting many BC municipalities, forcing municipal governments to create policy that addresses the key issues. It is important to recognize that affordability is more than just housing costs, it is also access to employment opportunities, transportation costs and appropriate food sources.

Currently, 29% of residents are in unaffordable housing (paying more than 30% of income). This is especially pronounced for renters. 66% of renters are in unaffordable housing, and 83% of renters are in core housing need (housing is unaffordable, inadequate, or unsuitable).

The Village has an older population, with higher unemployment and lower incomes than the provincial average. There is high mobility (movement in and out of the Village) and few options to age in-place, in housing that is supportive, accessible, and/or affordable. there is a need for affordable housing units and for supportive housing for seniors.

Most of the housing stock is single family homes with 3 or more bedrooms. Most housing was built between 1961-1980 and is now 40-60 years old and require some upgrades and repairs.

With this context in mind, the policy below is developed using recommendations from the Village of Sayward Housing Needs Report.

Goal: Sayward has an adequate supply of high-quality and affordable housing options for all Village residents.

- .1 Encourage compact forms of housing within the Village center.
- .2 Regularly update the Village of Sayward Housing Needs Report to determine accurate current and future housing needs.
- .3 Partner with a not-for-profit organization to build supportive and affordable housing units.
- .4 Promote and educate about repairs and energy efficient upgrades to improve livability and energy costs for existing housing stock

3.8.1 Affordable Housing

Goal: Sayward has an adequate supply of affordable housing options.

- .1 Encourage the development of a variety of housing types (i.e. medium density multi-family units, secondary suites) to diversify the housing stock.
- .2 Identify Village-owned lands that could be used for the development of affordable housing.

3.8.2 Rental Housing

Goal: Sayward has an adequate supply of quality rental housing options.

- .1 Encourage purpose-built rentals, new units with diverse rental opportunities and addition of rental units to already developed lots to increase the rental supply.
- .2 Encourage the development of secondary suites and accessory dwelling units to be built in single-family areas.
- .3 Ensure rental housing is safe, appropriate, and affordable for residents.
- .4 Create a short-term vacation rental policy and permitting program to ensure adequate rental housing supply.

3.8.3 Supportive Housing

Goal: Sayward has an adequate supply of housing and support services for residents with unique needs (e.g. seniors and people with disabilities).

- .1 Pursue opportunities that enable the development of assisted living/long-term care facilities for seniors in partnership with the private sector or BC Housing.
- .2 Encourage the creation or conversion of housing that caters to people with disabilities.
- .3 Partner with other levels of government, agencies, private industry, and community organizations to implement supportive housing initiatives.

3.9 Infrastructure

Infrastructure includes systems such as linear water, stormwater drainage, sanitary sewer, solid waste management, and roads. The state of infrastructure plays a significant role in the community's overall wellbeing and infrastructure spending is a significant portion of a community's budget.

The Village is committed to ensuring the construction of sustainable infrastructure systems, continued maintenance and management of Village assets, and the creation of resilient financial models. This will ensure infrastructure is built to accommodate future residents and is resilient to the impacts of climate change.

Goal: Quality and cost-effective infrastructure that meets the community's needs.

- .1 Provide adequate services within the municipal service boundary as identified in Schedule E.
- .2 Collaborate with the Province of BC and the resource industry sector to ensure that the Newcastle Creek watershed is protected from industry activities.
- .3 Manage the use of treated water in resource sector activities.
- .4 Collaborate with regional partners to continue safe, environmentally friendly, and efficient solid waste collection.
- .5 Ensure all new developments within the Village boundary are connected to the municipal sewer and water system.
- .6 Support the provision of accessible transportation options to cater to the needs of all residents.
- .7 All road upgrades will utilize a complete streets approach and add traffic calming elements in residential areas to facilitate future active transportation projects.
- .8 Consider the impacts of climate change in all future infrastructure projects.

3.9.1 Asset Management and Maintenance

Goal: Existing infrastructure is maintained, and deficiencies are addressed.

- .1 Conduct regular condition assessments to identify current issues and future upgrades.
- .2 Conduct a feasibility study of water and sewer system to understand current capacity.
- .3 Adopt a long-range planning horizon for infrastructure to ensure adequate service for new residential development, industry, and emergency operations.
- .4 Ensure regular maintenance of sanitary sewer system to mitigate any detrimental environmental effects.
- .5 Expand the sanitary sewer system to accommodate future development and population growth.
- .6 Utilize floodplain management data to optimize storm drainage system.

- .7 Work with service providers to provide fast internet connection to all residents.
- .8 Coordinate with utility providers to continue to provide reliable services for current and future residents.
- .9 Ensure regular maintenance and upgrades of the Kelsey Recreation Centre and other important community facilities.
- .10 Ensure all infrastructure upgrades will have the ability to accommodate future growth.

3.9.2 New Infrastructure

Goal: Strategic investments in new and innovative infrastructure solutions.

- .1 Collaborate with senior levels of government and regional partners to source infrastructure funding.
- .2 Explore policies to ensure developers pay the full cost of servicing as a result of new development.
- .3 Ensure that water services to all new development is metered to gain an understanding of water capacity demands into the future.
- .4 Mimic the natural ecosystem processes in stormwater system design and construction where possible.
- .5 Incorporate natural assets into infrastructure projects to provide essential ecosystem services such as rainwater management and flood control.

3.10 Agriculture and Local Food Security

Health food systems support population health by maintaining equitable access to affordable, safe, nutritious and culturally appropriate food. As seen in Schedule H, there are 6 lots within the Village boundary that are in the Agricultural Land Reserve. Given the farmland in both the Village and the Valley, there is opportunity to expand Sayward's local food system by supporting agriculture and local food production.

Goal: Expand the local food system.

- .1 Support the preservation of agricultural land within the Agricultural Land Reserve and encourage farming in the Sayward Valley
- .2 Promote agriculture and aquaculture as an economic sector
- .3 Establish clear guidelines for backyard agriculture and farming, including the keeping of animals.
- .4 Encourage and support the addition of a grocery store within the Village.
- .5 Encourage resident-led development of neighbourhood nodes for food production and composting.
- .6 Coordinate the creation of a centralized local food hub for example providing space for farmers market, marketing for local producer, or the creation of a local farm stand map.
- .7 Encourage urban agriculture within the Village, including community gardens, to increase fresh food supply.
- .8 Encourage responsible agriculture practices with respect to soil conservation, water quality and quantity conservation, vegetation removal, and stormwater management.

3.11 Natural Assets

Sayward is characterised by its natural surroundings, including the Salmon River estuary and the view of Johnstone Strait. The Sayward Valley as a whole has adopted the logo of Nature's Playground, with the Village of Sayward incorporating these values in its crest and logo which states "Amicus Naturae" or "Lover of Nature". The natural surroundings are often identified as one of the key reasons people like to live in Sayward and is something highly valued by its residents. It is critical to community wellbeing to continue to support environmental management and initiatives that aim to protect the natural features. The Natural Environment Development Permit Area (section 4.2.2) acts as a tool to protect environmentally sensitive areas such as riparian areas, wetlands, and estuaries.

Goal: Important natural assets in the community and surrounding region are protected.

- .1 Support strategies to control invasive plants and aquatic species.
- .2 Provide education about native species and local environment.
- .3 Consider the impact of all future development on the natural environment.
- .4 Collaborate with K'ómoks First Nation and other Indigenous groups in the area to protect the natural environment.
- .5 Incorporate natural assets into the Village's asset management programs.

3.11.1 Environmentally Sensitive Areas

Goal: Environmentally sensitive areas are protected from land development and other human activities.

- .1 Protect fish-bearing water courses and water bodies from future development.
- .2 Develop a Newcastle Creek Watershed protection plan that includes a long-term monitoring plan to protect source water from all future risk.

3.11.2 Salmon River Estuary

Goal: The continued protection of the estuary is prioritized.

- .1 Strengthen partnership with the Nature Trust of British Columbia, Ducks Unlimited Canada and other agencies focused on the conservation of the Salmon River Estuary.
- .2 Support land acquisition within the Salmon River Estuary for conservation.
- .3 Look for opportunities to increase access to the Salmon River Estuary without jeopardizing conservation efforts.
- .4 Prohibit development within the Salmon River Estuary to ensure its protection and discourage any adjacent development that may negatively impact the area.
- .5 Work with First Nation and conservation partners to identify opportunities to create an Indigenous/Community Conservation Area (ICCA).

3.11.3 Green Space

Goal: Residents have equitable access to adequate green space.

- .1 Support development applications that provide large green space contributions that serve the entire community.
- .2 Give consideration to natural landscape and ecosystem protection in future development and Village operations.
- .3 Acquire municipal green space for conservation and community use.
- .4 Preserve existing reserve of Village green space including the pond.
- .5 Prioritize connectivity between green spaces.

3.11.4 Wildlife

Goal: Ecosystems are healthy and wildlife populations are abundant.

- .1 Protect and enhance major wildlife corridors that provide natural habitat connectivity.
- .2 Educate residents and visitors on proper conduct around wildlife.
- .3 Consider the impact on wildlife with all future development.
- .4 Work with First Nations and regional partners to advocate for the protection of wildlife in the region.
- .5 Recognize angling and hunting as an important part of wildlife conservation and Village history.

3.12 Community Safety

The Village has been impacted by community emergencies in the past including wildfires, flooding, and marine oil spills (among other things). Every resident deserves to feel safe whether at home, or in a public space. Especially given the rural nature of the community, safety was identified as a top priority for staff, Council, and residents. Community safety includes hazard management, emergency response, communication procedures and resilient infrastructure. The Village of Sayward hopes to continue to collaborate with the Regional District, local community groups and emergency responders to maximize community safety. The Hazardous Areas Development Permit Area (section 4.2.1) acts as a tool to protect development from hazardous conditions and ensure the safety of the community and infrastructure.

Goal: Sayward is a safe place to live, work, and visit.

- .1 Work with the Regional District to establish equitable shared service arrangements between Area A and the Village of Sayward to demonstrate that there are two jurisdictions but one community.
- .2 Collaborate with the Strathcona Regional District, RCMP, DFO, emergency response teams (Fire, BC Ambulance, Search and Rescue), local community groups, the Health Clinic, and the Sayward School in emergency response procedures.
- .3 Ensure infrastructure and transportation systems are resilient to hazards and natural disasters for the safety of residents during an emergency.
- .4 Ensure that new development is sited or built to minimize exposure to environmental hazards, coastal storms, and sea level rise.
- .5 Create a marine spill response plan in partnership with local First Nations, the regional government, and relevant spill response organizations.
- .6 Continue to regulate the construction of buildings within the municipality so that they meet the minimum health and safety standards set by the BC Building Code.
- .7 Sustainably manage natural resources and assets to reduce the risk of hazards.
- .8 Work with forestry operators to prevent unsafe timber harvesting on slopes located above and adjacent to the Municipality.

3.12.1 Emergency Preparedness

Goal: Potential hazards are identified, and the community is prepared to respond to an emergency when it occurs.

- .1 Support community groups and volunteers to be involved in hazard management and prevention (e.g., brush clearing work party).
- .2 Utilize FireSmart guides and resources to educate residents about how they can prevent wild and residential fire hazards.
- .3 Ensure the community is aware of and has easy, reliable access to the 2020 Emergency Evacuation Plan.

- .4 Organize and execute an annual emergency evacuation practice/drill involving all residents.
- .5 Ensure that communication strategies consider residents living outside of cell reception, people living alone, and seniors.
- .6 Support individuals and families to create their own emergency plan and emergency kit with supplies.
- .7 Limit the provision of future municipal infrastructure in areas identified as locations at risk of coastal flooding in the Floodplain Management Bylaw.
- .8 Explore options for infrastructure replacement or repair in areas identified as locations at risk of disasters including earthquakes, wildfire, and coastal flooding.
- .9 Continue to manage the Village water sources to ensure emergency supply is available.
- .1 Prepare and install emergency/evacuation signage.

3.12.2 First Responders

Goal: Resources are in place to respond quickly and effectively.

- .1 Work with emergency services including Fire, Ambulance, RCMP and Search and Rescue to ensure they continue to serve the changing needs of the community.
- .2 Follow Provincial safety regulations and standards, including completing regular fire inspection to mitigate risk to first responders.
- .3 Explore opportunities to collaborate with the Canadian Coast Guard to ensure the safety and well-being of people and the environment along Sayward's coastline.

3.13 Climate Action

Addressing climate change has been a key priority for municipalities in British Columbia. Being a coastal municipality situated beside a large estuary, Sayward is subject to increased flooding as sea levels rise. As with the rest of Vancouver Island, Sayward is anticipated to experience increased frequency and intensity of storms and weather extremes. This includes hotter and more intense heat wave events in the summer leading to a higher risk of wildfire. The Village of Sayward continues to strive to reduce our impact on climate change and increasing our resiliency to future climate change events.

Goal: Sayward's climate change impact is reduced.

- .1 Invest in green infrastructure such as bioswales, rain gardens, and trees.
- .2 Educate the residents about the impacts of climate change in the Village of Sayward

3.13.1 Mitigation

Goal: Greenhouse gas emissions are monitored and reduced.

- .1 Create a clean energy plan that seeks to:
 - Improve the energy efficiency and reduce greenhouse gas emissions of new and existing buildings
 - Provides incentives to utilizing renewable energy options to heat and cool homes
 - Considers climate change and energy consumption in all municipal infrastructure projects
 - Incentivize and support residents to make energy efficient retrofits to their homes and businesses
 - Require and incentivize the BC Energy Step Code for buildings within the Village.
- .2 Prioritize accessible active transportation opportunities around the Village.
- .3 Reduce community greenhouse gas emissions by 50% below 2007 levels by 2041.
- .4 Measure and report Village emissions annually to track progress towards emissions reduction.
- .5 Work with local industry to find ways to minimize industrial GHG emissions.
- .6 Minimizing waste production in Village operations.

3.13.2 Adaptation

Goal: Sayward is resilient to the changing climate

- .1 Incorporate adaptation measures into all levels of decision making and long-term planning initiatives
- .2 Develop regulations to support the use of alternative water sources for non-potable demand
- .3 Implement strategies to reduce civic water consumption to conserve water supply.
- .4 Protect and expand the Village trees.
- .5 Restrict development and construction in at-risk areas to avoid increasing flooding vulnerability.
- .6 Integrate floodplain mapping into development siting decisions.

Part 4 LAND USE PLAN

5.1 Land Use Designations

An OCP must include statements and map designations for the area covered by the plan respecting the approximate location, amount and type of present and proposed commercial, industrial, agricultural, recreational and public utility land uses. The table below outlines existing land use designations and associated land base for context on the changes.

Table 4 - Preceding Land Use Designations

Preceding Land Use Designations	Hectares
Agriculture	30.2
Commercial	3.5
Community Facility	7.8
Comprehensive Development 1	3.7
Comprehensive Development 2	25.3
Comprehensive Development 3	32.3
Forest Land Reserve	40.0
Forestry	81.6
Marine Access	62.6
Open Space	12.8
Protected Estuary	140.2
Residential	46.3
Residential Multi / Commercial	2.1
Residential Rural	30.1
Residential/Industrial	58.3
Village Open Space	11.2

The land use designations listed below and shown in Schedule A establish the future land use plan for the Village of Sayward. All development plans and zoning bylaw amendments must be consistent with this plan moving forward.

Table 5 - Future Land Use Designations

Future Land Use Designations	Hectares
Community Gateway (Special Planning DPA)	14.9
Future Community Expansion	32.1
Infrastructure Reserve	10.9
Kelsey Bay (Special Planning and DPA)	54.5
Parks/Greenspace	127.2
Residential Core	10.4
Rural	198.2
Village Centre (blue)	7.8

Important Note: Council recognizes that some existing land uses do not conform to the designations described below and shown in Schedule A, but the intent is to illustrate the preferred pattern/vision of land use within the Village and guide development and redevelopment that occurs in the future.

- **Residential core**

The “residential core” represents most of the existing residential areas within the Village. These lands are within the urban service boundary and intended to be used for compact forms of housing including single-detached, duplex, triplex and apartments with less than four-stories. Accessory uses such as bed and breakfasts, home based businesses, and secondary suites may also be permitted in these areas. Home-based businesses are supported in this area provided the home-based business is clearly secondary to the residential use of the property. In this area, the target density is 8-13 units per hectare.

- **Village Centre**

This is a centrally located area within the Village that is used for a broad mix of commercial, residential, civic, and institutional uses. Residential development should focus on compact forms of development including infill, duplex, triplex and apartments with less than four stories. In this area, the target density is 12-15 units per hectare. This land use area contains all the Village’s municipal buildings including the Village office, the Kelsey Recreation Centre, the Sayward Primary Health Clinic and the Sayward Volunteer Fire Department. Other buildings located in this area include the Vancouver Island Public Library, Sayward School, British Columbia Ambulance Service, RCMP and Canada Post. While there is currently very little commercial uses, there is potential for future commercial expansion in this area given its location to other services. It is intended to be the heart of the community and should be within easy cycling and reasonable walking distance of most residents.

- **Infrastructure Reserve**

These are areas set aside for key municipal infrastructure required to service residents and businesses. This includes (but is not limited to) water treatment plants and sewage lagoons.

- **Parks and Greenspace**

These are areas that are set aside permanently for public parks, ecological reserves, greenbelts, and outdoor recreation uses. This includes the Salmon River Estuary, the Village of Sayward Campground, and H'Kusam Park.

- **Rural**

These areas are to be preserved for agricultural and environmental uses. Low density, rural residential uses and natural resource extraction activities also occur within the rural area. This includes single-detached dwellings on large lots of approximately 10 hectares. Intensive agricultural, extensive agricultural, and natural resource extraction uses can sometimes experience land use conflict between their borders, given the differing nature of these operations. It is important to have regard for the differences between adjacent uses of this type to ensure that land uses are compatible and do not detract from their ability to function well.

- **Future Community Expansion**

This is an important future growth area in the community. It is where existing residential neighborhoods will expand and grow in the future. Residential development will include compact forms of single-detached, duplex housing and medium density multi-family units. The target density in this area is 8-13 units per hectare. Neighborhood parks and accessory uses such as bed and breakfasts, home based businesses, and secondary suites will also be permitted in these areas. Consideration must be made for the capacity of existing infrastructure, primarily water, when developing in this area. Additional neighborhood planning must be completed before any future development is approved.

- **Kelsey Bay (Special Planning Area)**

The Kelsey Bay area is an important special planning area. A preferred development concept has been established for the area and is incorporated as part of this OCP (Schedule C). The goal of the special planning area designation and associated concept map is to provide guidance and direction to future land use decisions in the Kelsey Bay area. Intended uses are compact forms of single-detached, duplex housing and medium density multi-family units and commercial uses. The target density in this area is 8-13 units per hectare.

- **Gateway**

This is an important area located along the main road into the village. A mix of residential, recreation, civic, and commercial uses are located here and may be considered moving forward. Residential development will include single-detached housing, duplex housing and medium density multi-family units. The target density of this area can be anywhere between 1-13 units per hectare. It is also a location that could be used to accommodate light industrial uses in the future through the development of a business park. However, additional feasibility work and neighborhood planning must be completed before any major change of use or development is approved.

5.2 Development Permit Areas

Development permit areas (DPAs) are applied to specific areas of a community to manage development, reduce the potential for any negative impacts, and better ensure development is compatible with the surrounding area. Maps are included as part of each DPA to identify their area of applicability. An owner of land located within a DPA must receive a development permit prior to commencing any development, including land alteration, construction, and subdivision, as further described in the following sections. The Village reviews applications for development permits against the guidelines outlined in the Zoning Bylaw for each DPA. These guidelines may reference or incorporate other Village policies and regulations, as well as federal and provincial legislation. Issuance of a development permit is a form of authorization to proceed with the proposed development (note that subdivision and/or building permit approval may also be required) and may be subject to conditions imposed by the Village in accordance with the applicable DPA guidelines.

Authority Granted under the Local Government Act

Local governments are granted the legislative authority to designate development permit areas in their official community plans under section 488 of *the Local Government Act*. This section describes the purposes for which DPAs may be created, the types of activities requiring a development permit, and the requirements a local government may impose on a development permit applicant according to the type of DPA.

To designate a development permit area, the conditions that justify the designation must be described. In addition, the DPA must provide guidelines that explain the special conditions or objectives to be addressed or considered in the development.

Applicability of Multiple Development Permit Areas

Where land lies within more than one DPA, the applicable requirements for all DPAs will apply, for the part of the land lying within the applicable DPA.

Affected Activities

For any of the activities listed below, a property owner must obtain a development permit prior to any commencement of work occurring within a DPA, as per section 489 of *the Local Government Act*. These activities include:

- subdivision of land;
- construction of, addition to, or alteration of a building or structure;
- alteration of land within a development permit area designated under section 488(1)(a) for protection of the natural environment or 488 (1)(b) for protection of development from hazardous conditions; and
- alteration of land, a building, or structure within a development permit area designated under section 488(1)(d) for revitalization of a commercial area,

488(1)(h) for promoting energy conservation, 488(1)(i) for promoting water conservation, or 488(1)(j) for promoting greenhouse gas reduction.

Context on Permit Exemptions

Each DPA forming part of the Official Community Plan and Zoning Bylaw for the Village of Sayward contains a list of exemptions outlining conditions under which a development permit would not be required for lands within a DPA. The authority to exempt particular conditions or activities from requiring a development permit is granted under section 488(4) of the *Local Government Act*.

4.2.1 Hazardous Areas Development Permit Areas

Applicable Area

Map 1 in Schedule B designates land that is within the Hazardous Areas Development Permit Area. This development permit area includes steep slope areas which may be subject to landslide and erosion, lands within the floodplain which may be subject to flooding, and forested lands which may be subject to wildfire. Each of the coloured areas on Map 1 in Schedule B are subject to the corresponding guidelines below.

Authority Granted under the Local Government Act

These areas are designated as a development permit area to establish guidelines to protect development from hazardous conditions pursuant to sections 488(1)(b) of the *Local Government Act*.

Justification

These areas are designated as a development permit area to establish guidelines to protect development from hazardous conditions pursuant to sections 488(1)(b) of the *Local Government Act*. *Hazardous Conditions* include, but not limited to, flooding, steep slopes and wildfire. Flooding may occur in areas that are subject to flood hazard based on the Salmon and White River Flood Hazard Mapping and Flood Model (2022). Steep slopes are subject to risk of hazards such as landslides and erosion. Areas that are on the interface between forest and development is at risk for wildfire hazards as wildfire can spread quickly from forests to homes.

Applicable Activities

A development permit is required for any development occurring on land within the development permit area that may be classified as one of the following activities, as per section 489 of the *Local Government Act*:

- Subdivision of land;
- Construction of, addition to, or alteration of a building or structure; and
- Alteration of land.

Exemptions

- The proposed development will not be impacted by the identified hazardous condition(s). The Village to determine whether the proposed development qualifies for this exemption, applicants may be required to provide a report on the development and hazardous condition, prepared by a qualified professional, registered in British Columbia; or
- Removal of trees deemed hazardous or subject to environmental health conditions, such as root rot or invasive species infestation, by a Certified Arborist or Registered Professional Forester that pose an imminent threat to private property, public safety, and/or the overall integrity of the ecosystem.
- The installation of an outdoor garden to be used for non-commercial purposes, provided that any irrigation systems installed are linked to, or supplemented by, an on-site rainwater harvesting system.
- Any activities proposed to be setback a minimum of 30 m from any steep slope feature existing on the lands as identified on Map 1 in Schedule B or in a geotechnical assessment prepared by a Professional Engineer.
- Interior/exterior building alterations that do not expand the existing building foundation; or
- Repair or maintenance of, or renovations to, existing legal buildings, structures or utilities within the existing building footprint, including those structures described in Section 532(1) of the Local Government Act (a building permit may still be required), and where land alteration to conduct such activities is not required.
- "Normal farm practices" under the Farm Practices Protection (Right to Farm) Act on lands located within the Agricultural Land Reserve.

Guidelines

Floodplain Area

- .1 Prior to issuance of a development permit, the applicant shall provide the Village with a site-specific report prepared by a qualified registered professional with experience in river hydrology, to assist the Village in determining the condition or requirements that will be imposed under the development permit. That report should include:
 - a. A site plan showing existing and proposed development, grading, watercourses, environmental features, roads, and trails.
 - b. An assessment of the potential for erosion or flooding, and the potential impact of flood hazard conditions on the proposed development.
 - c. Specify required flood proofing or other measures needed to provide suitable protection of structures intended for human occupancy.
 - d. A statement from the Professional Engineer that, in their professional

opinion, the property is safe for the proposed use.

- e. Confirmation that the proposed development will comply with the flood construction level as identified in the Floodplain Management Bylaw, 2001.
- .2 The applicant should design development in a manner that minimizes impact on any natural features, including vegetation, that help to mitigate flood and/or erosion risk. The establishment of tree and vegetation preservation zones is encouraged
- .3 Impervious surfaces must be limited, including, but not limited to, the overall building footprint, roof size, and area of paved surfaces.

Steep Slopes Area

- .1 Prior to issuance of a development permit, the applicant shall provide the Village with a site-specific report prepared by a qualified registered professional with experience in geotechnical engineering, or geohazard assessment registered with APEGBC, to assist the Village in determining the condition or requirements that will be imposed under the development permit. That report should include:
 - a. a site plan showing existing and proposed development, grading, watercourses, environmental features, roads, and trails.
 - b. a statement from the Professional Engineer that, in their professional opinion, the property is safe for the proposed use.
- .2 A minimum 30 m buffer area from the top or base of any steep slope must remain free of development unless otherwise recommended by a Professional Engineer, in which case, the proposal must provide a description that outlines why locating the proposed development entirely outside of the development permit area is not feasible.
- .3 Avoid placing fill, excavated material, sand or soil near the top of slope.
- .4 Design development in a form that minimizes alterations to the slope.

Wildfire Area

- .1 Areas of the community that are considered isolated and that have inadequate developed access for evacuation and fire control must develop emergency access.
- .2 Where wildland areas abut new subdivisions, consider placing roadways and/or trails adjacent to the wildland areas. These roads and or trails improve access to the interface for emergency vehicles and provide a fuel break between the wildland and the subdivision.
- .3 Prior to issuance of a development permit, the proposed building must meet the following FireSmart principles including:
 - a. Use a fire resistant or fire-retardant building materials as referenced in the current BC Building Code, as amended
 - b. Screen or close gutters to prevent the accumulation of leaves or needles.
 - c. Use heavy timber construction as defined in the BC Building Code for

structural components (post & beam) of decks, balconies and porches. Alternatively, clad the structural components with fire resistant material.

- d. Sheath balconies, decks and porches (no exposed joists) with fire-resistant materials.

4.2.1 Natural Environments Development Permit Area

Applicable Area

The area the Village of Sayward designated as a development permit area on Map 2 in Schedule B of the Official Community Plan.

Authority Granted under the Local Government Act

These areas are designated as a development permit area to establish guidelines for the protection of the natural environment pursuant to sections 488(1)(a) of the Local Government Act.

Justification

There are many environmentally sensitive habitats within the Village of Sayward. The Salmon River Estuary encompasses approximately 380 hectares of intertidal marshes and mudflats that contain critical habitat for a number of important species including fish, insects, birds and large mammals. Spruce & hemlock forests occupy the estuary's upland areas and open wet grasslands are prominent along the waterways. Feeding into it is a number of watercourses that run through the Village of Sayward. This development permit area aims to protect important watercourses, habitats, and ecosystems from future development. The guidelines are intended to allow land to be used for its planned purpose(s), while also protecting, enhancing and/or restoring natural environment areas, prevent the introduction and spread of invasive species, and protect water quality and quantity.

Applicable Activities

A development permit is required for any development occurring on land within the development permit area that may be classified as one of the following activities, as per section 489 of the Local Government Act:

- Subdivision of land;
- Construction of, addition to, or alteration of a building or structure; and
- Alteration of land.

Exemptions

- The land is not environmentally sensitive and the natural feature is no longer present due to previously approved development, and cannot be restored. For the Village to determine whether the proposed development qualifies for this exemption, applicants may be required to provide a report prepared by a Qualified

Professional (QP), registered in British Columbia

- The only activity being proposed onsite relates to the removal of hazardous trees. For the Village to determine whether the proposed activity qualifies for this exemption, applicants may be required to provide a report prepared by a certified forestry professional
- The activity proposed on the site will not impact the environmentally sensitive area and the activity relates solely to normal farm practices in accordance with the Farm Practices Protection Act and the landowner follows other requirements or regulations listed in the Act; or
- Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in Section 532(1) of the Local Government Act (a building permit may still be required).
- A second storey addition to an existing single-detached dwelling, provided the second storey addition is within the existing building footprint of the existing structure.

Guidelines

1. Prior to issuance of a development permit, all applicants must submit an assessment report prepared by a qualified environmental professional (QEP) in accordance with the *Riparian Areas Protection Regulation (RAPR)* under the Riparian Areas Protection Act. The QEPs assessment report must provide the following:
 - a. A site plan showing existing and proposed development, grading, watercourses, environmentally sensitive areas, roads, and trails.
 - b. Conditions for development to avoid or mitigate impacts to environmentally sensitive areas.
 - c. Certification the RAR assessment methods have been adhered to
 - d. Establish Streamside Protection and Enhancement Area (SPEA) in accordance with RAR
 - e. Outline measures that protect the SPEA from development and any alterations of land
 - f. Ensure all development will occur outside the defined SPEA and development shall be conducted in accordance with all measures and requirements specified in the assessment report.
2. The boundaries of any Environmentally Sensitive Area shall be located and clearly marked on site using temporary fencing or another highly visible method to prevent encroachment during clearing and construction;
3. The Village may require that an erosion control plan prepared by a qualified professional be submitted and form part of the development permit;

- .4 Where the removal or disturbance of existing vegetation is unavoidable, the Village may require the applicant to submit a restoration plan prepared by a QEP that describes the disturbed area and outlines recommendations and requirements for its restoration;
- .5 Development proposals must demonstrate that soil conditions have been considered in both building and site design;
- .6 Impervious surfaces must be limited, including, but not limited to, the overall building footprint, roof size, and area of paved surfaces.

4.2.2 Kelsey Bay Development Permit Area

Applicable Area

The area the Village of Sayward designated as a development permit area on Map 3 in Schedule B of the Official Community Plan.

Authority Granted under the Local Government Act

These areas are designated as a development permit area to establish guidelines to protect development from hazardous conditions pursuant to sections 488(1)(d) and 488(1)(f) of the *Local Government Act*.

Justification

Kelsey Bay is located approximately 1km from the Village Centre. It is the Village's main access point to the water and has potential for residential and commercial development. The Kelsey Bay Working Waterfront Development Permit area aims to revitalize the area in coordination with the vision depicted in Schedule C. The objectives of the Kelsey Bay Working Waterfront DPA are to enhance the Village's public spaces, promote a high-quality standard of the built environment that is aesthetically pleasing and built to last, encourage development that increases waterfront access for residents and visitors, and to establish Kelsey Bay as a destination for residents and tourists alike.

Applicable Activities

A development permit is required for any development occurring on land within the development permit area that may be classified as one of the following activities, as per section 489 of the *Local Government Act*:

- Subdivision of land;
- Construction of, addition to, or alteration of a building or structure; and
- Alteration of land.

Exemptions

- Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in Section 532(1) of the *Local Government Act* (a building permit may

still be required);

- A second storey addition to an existing single-detached dwelling, provided the second storey addition is within the existing building footprint of the existing structure.

Guidelines

- .1 Prior to the issuance of a development permit, the applicant must submit a detailed site plan prepared by a Qualified for the proposed development. The site plan must demonstrate the following design requirements:
 - a. Detailed elevation drawings and renderings that shows building shape, siting, and architectural features
 - b. A detailed description of all exterior materials and colors
 - c. Landscape plan that shows all species and siting for all proposed landscaping
- .2 Building facades should include natural materials such as rock or wood, or a suitable substitute, which should be aesthetically pleasing and cost-effective;
- .3 Building design and orientation should consider climatic variables, including sun/shade impacts, covered walkways and wind tunnel effects;
- .4 To enhance outdoor safety, blind spots should be avoided;
- .5 Dark or shadowy places should be avoided. All entrances, pedestrian pathways, open spaces, and parking areas should have adequate lighting at a human level. Light fixtures that complement the character of the development and surrounding area are encouraged, and light-spill onto adjacent properties should be avoided;
- .6 Consider the use of decorative lighting to add visual impact after sundown;
- .7 Design and siting will consider public access corridors and views both to and from the water are maintained and enhanced;
- .8 Prioritize the utilization of native species for new plantings to encourage natural drainage and maximize the natural environment;
- .9 Applicants should retain existing trees when feasible and increase vegetation wherever possible.

Part 5 IMPLEMENTATION

5.1 Development Approvals Information Requirements

In accordance with the policies and guidelines in this Plan, the following options are provided for the scope and nature of information the Village may require at the time of a rezoning, or development. In addition to the application requirements in other municipal bylaws, applications for subdivision, construction, rezoning, or development may require:

- .1 A Terms of Reference for the preparation of the development approval information. The Terms of Reference shall contain:
 - a. Specification for professional expertise to be used for preparation of information, including their identity, qualifications, and experience.
 - b. Outline the information to be provided at each stage of approval and be accepted by the Village prior to the information being prepared.
 - c. A comprehensive plan at a scale of 1:10,000 or more detailed, with recommendations indicating proposed:
 - d. Land use mix and density.
 - e. Access, circulation and parking areas.
 - f. Subdivision pattern, consolidation or parceling (conceptual lot layout plan).
 - g. Ecological and recreational access trails.
 - h. Proposed phasing plan of the development.
 - i. Mitigation measures, to show how undesirable environmental impacts will be mitigated or avoided.
- .2 An applicant may be required to prepare the following plans and they must be acceptable to Council:
 - a. Sewage treatment and disposal system.
 - a. Stormwater management system.
 - b. Water supply and distribution system.
 - c. Community consultation strategy.
 - b. A buffering plan that protects adjacent land uses, that meets the objectives and policies of this Plan and that is acceptable to the Village.
 - c. An environmental assessment by registered professional(s) or other candidate deemed acceptable by Council and senior agency personnel, which assesses the impact of the proposed land uses on the surrounding

community and ecological areas, and proposes mitigating measures, supported by:

- i. A fish and wildlife habitat inventory;
 - ii. A land use plan;
 - iii. A hydrological assessment of drainage patterns and proposed stormwater management facilities;
 - iv. A geotechnical stability assessment and recommendations if required by the B.C. Building Code;
 - v. A traffic and parking impact analysis;
 - vi. An assessment of environmental impacts and proposed mitigating measures, including a vegetation management plan and an erosion and sedimentation control plan; and
 - vii. A written statement indicating compliance with the Land Development Guidelines and the No Net Loss (NNL) guiding principle for fish habitat, or where variance with the Land Development Guidelines or NNL is proposed, the extent of and rationale for the proposed variance.
- 3 To the extent that the proposed activity or development can reasonably be expected to have an impact on any of the following, the following may be required in the information to be submitted.
- a. The natural environment of the area affected, e.g. surface drainage and groundwater, ecosystems and vegetation, soils, and identification of areas of environmental sensitivity and any rare plant or animal species, and existing or proposed recreation access trails;
 - b. Public infrastructure in the area affected, e.g. local highways, water supply and sewage disposal systems including wells and ground sewage absorption systems, utilities, parks, local transportation services, local parking facilities and any other affected public services or infrastructure;
 - c. Agricultural or forest land reserve areas, or other existing land uses in the vicinity;
 - d. Aesthetic and heritage values associated with the property and its surroundings;
 - e. Child impact study;
 - f. Estimates about the amount of additional greenhouse gas emissions generated during both the construction and operation of the project, and any abatement measures being taken;

- g. Identification and evaluation of the impacts on the above resources, an assessment of the significance of the impacts and how they might be mitigated.
- .4 An applicant may request reconsideration by the Village of information requirements, setting out the grounds on which the information request is considered inappropriate and what, if any, alternative the applicant considers should be accepted.

5.2 Temporary Industrial Use Permits and Temporary Commercial Use Permits

Temporary Industrial and Commercial Use Permits enable the community to approve industrial or commercial use on lands not designated for the industrial or commercial use for a period up to two years, at which point the use may be reconsidered and renewed for one more year.

- .1 Lands appropriate for a Temporary Industrial Use Permit or Temporary Commercial Use Permit are those that do not conform to the applicable zoning bylaw.
- .2 Issuance of such a permit shall be consistent with the policies of this Plan and provide a detailed description of:
 - a. the proposed use;
 - b. duration of the proposed activity;
 - c. plans for mitigation of community and environmental impacts;
 - d. site rehabilitation plans;
 - e. approvals/permits from applicable provincial and federal agencies;
- .3 A performance bond may be required to guarantee performance of the terms of the permit.
- .4 The Village may require that the applicant provides an invitation to the local community to attend a public meeting on the application.
- .5 Issuance of a permit shall be subject to the public notice and public participation requirements of the "Local Government Act".

5.3 Ensure consistency with the Plan

All municipal plans, policies, bylaws, and program documents prepared subsequent to the adoption of this plan shall include an OCP context statement that:

- References the objectives and policies of this plan;
- Describe how the adoption of the plan, policy, bylaw, or program will contribute to the achievement of an OCP goal.

5.4 Monitoring

Staff and Council will review the OCP on a regular basis to maintain the plan's alignment with the Village priorities.

5.5 Future Initiatives

There are several plans/strategies that the Village of Sayward may pursue in the future that will help to accomplish many of the identified goals above. Recommended plans/strategies are as follows:

- Clean Energy Plan
- Parks and Recreation Master Plan
- Emergency Communication Strategy
- Marine Spill Response Plan
- Boundary Expansion Study
- Newcastle Creek Climate Change Vulnerability Assessment
- Newcastle Creek Watershed Protection Plan

In addition to the recommended future planning work, Village bylaws and regulations may also need to be updated or created as a result of this OCP. The bylaws and regulations are as follows:

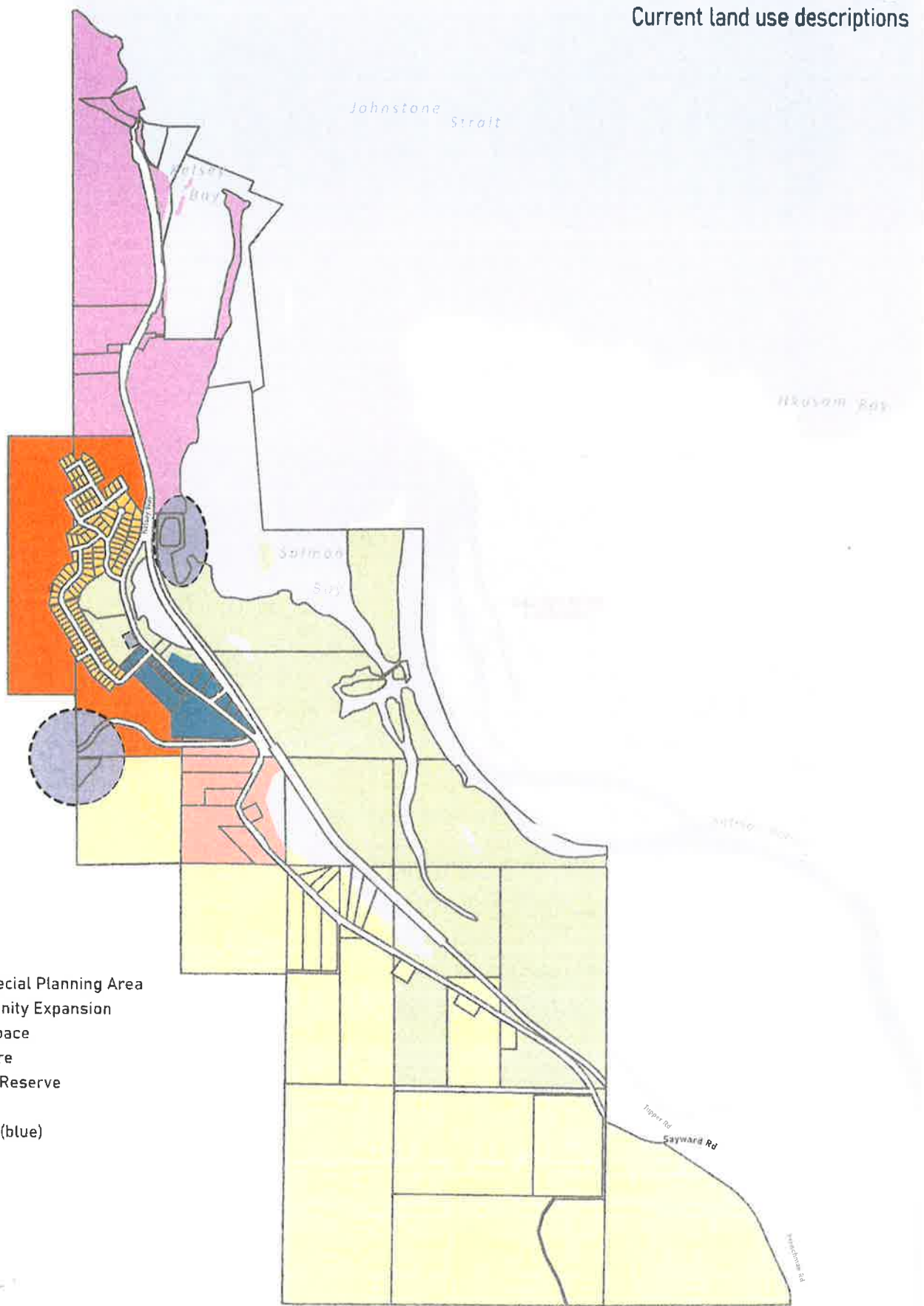
- Zoning Bylaw
- Subdivision Servicing Bylaw
- Fees and Charges Bylaw
- Development Procedures Bylaw
- Amenity Contributions Policy
- Development Cost Charge Bylaw or other cost recovery tools.

Schedule A – Land Use Map

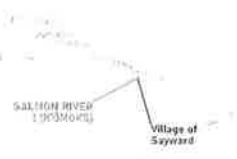
Grasseau Bay
Piper-Sachs Rd

Land Use Map

Current land use descriptions



-  Parcel
- Description**
-  Gateway
-  Kelsey Bay Special Planning Area
-  Future Community Expansion
-  Parks/Greenspace
-  Residential Core
-  Infrastructure Reserve
-  Rural
-  Village Centre (blue)



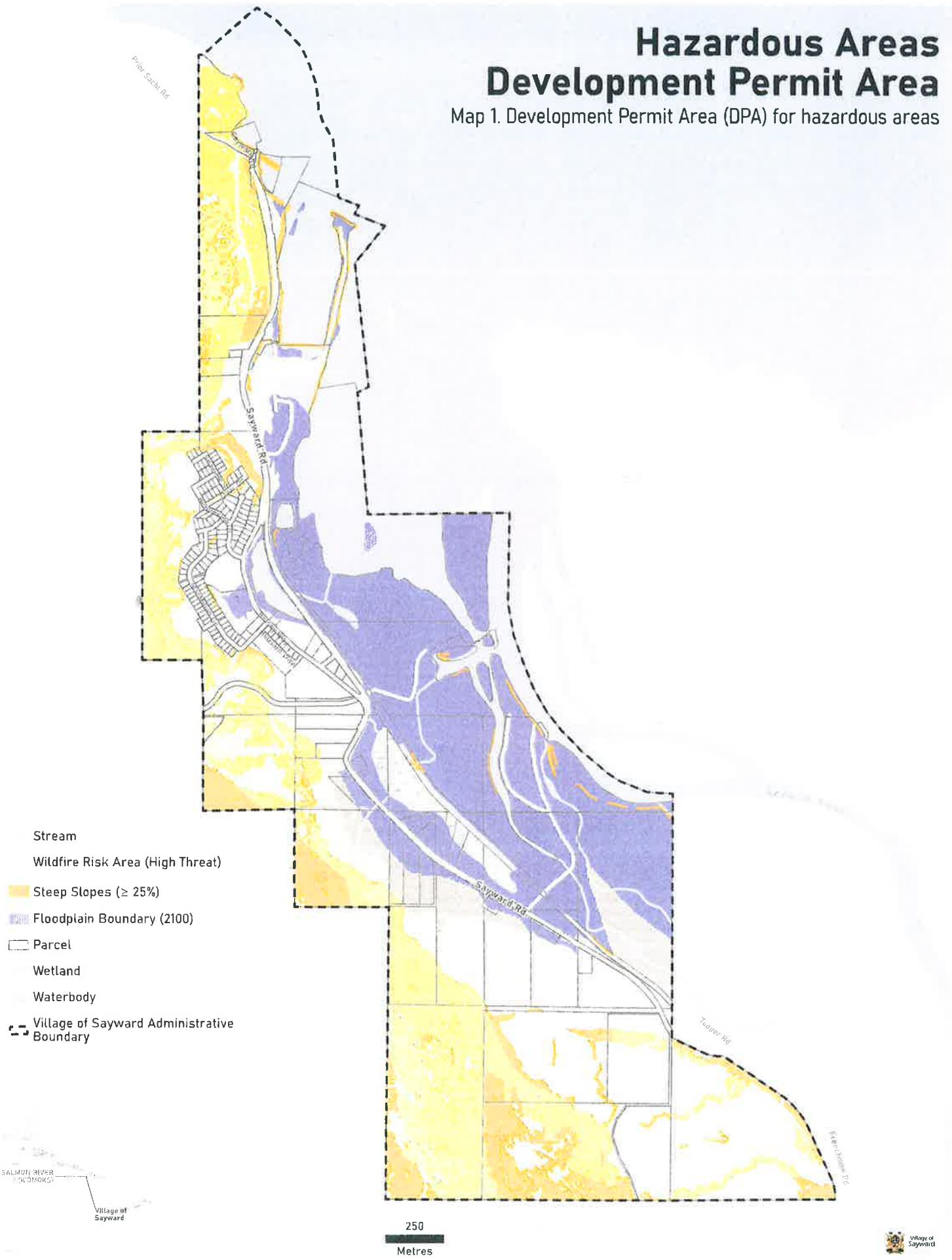
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Metres



Schedule B – Development Permit Area Maps

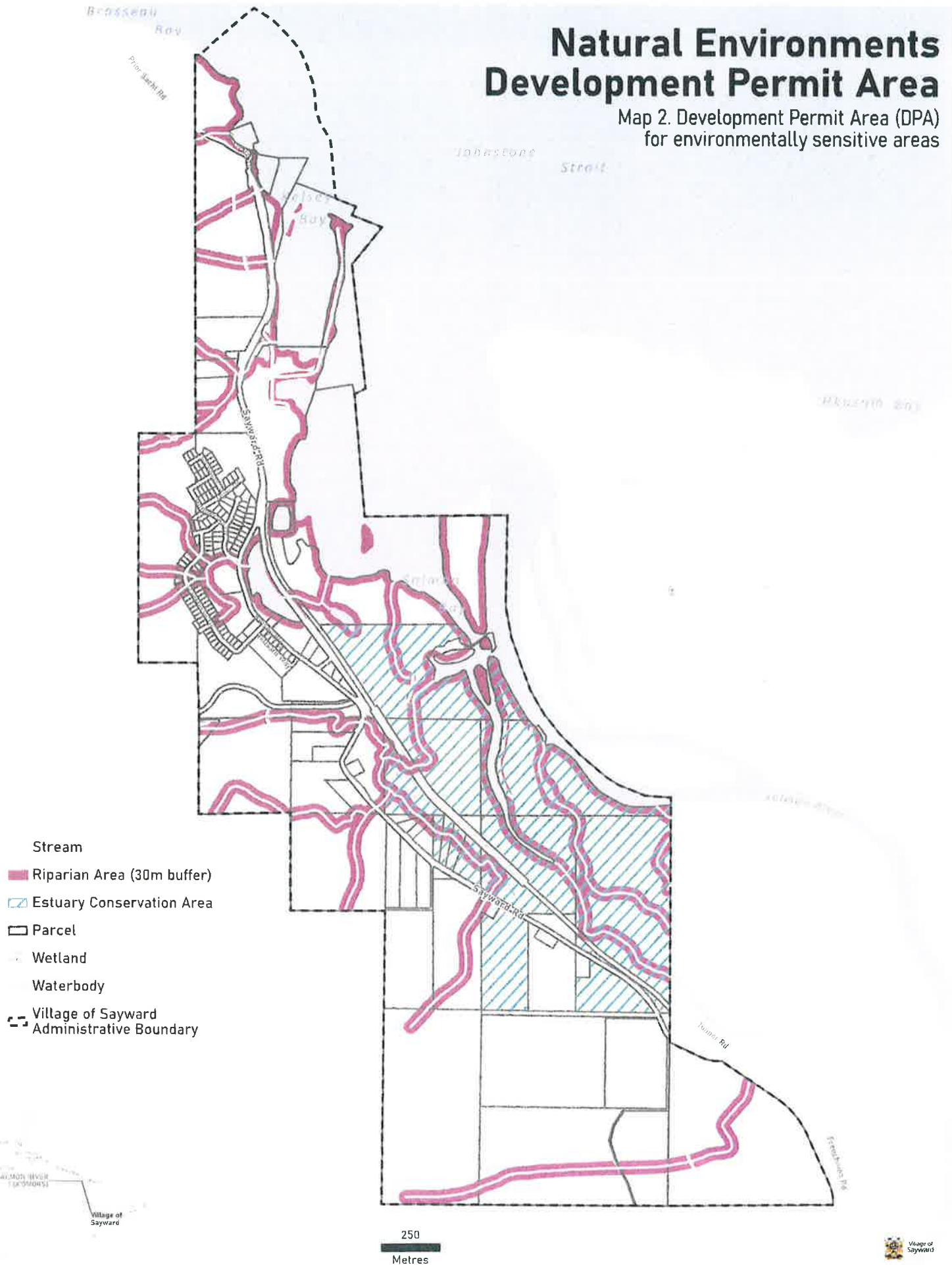
Hazardous Areas Development Permit Area

Map 1. Development Permit Area (DPA) for hazardous areas



Natural Environments Development Permit Area

Map 2. Development Permit Area (DPA)
for environmentally sensitive areas



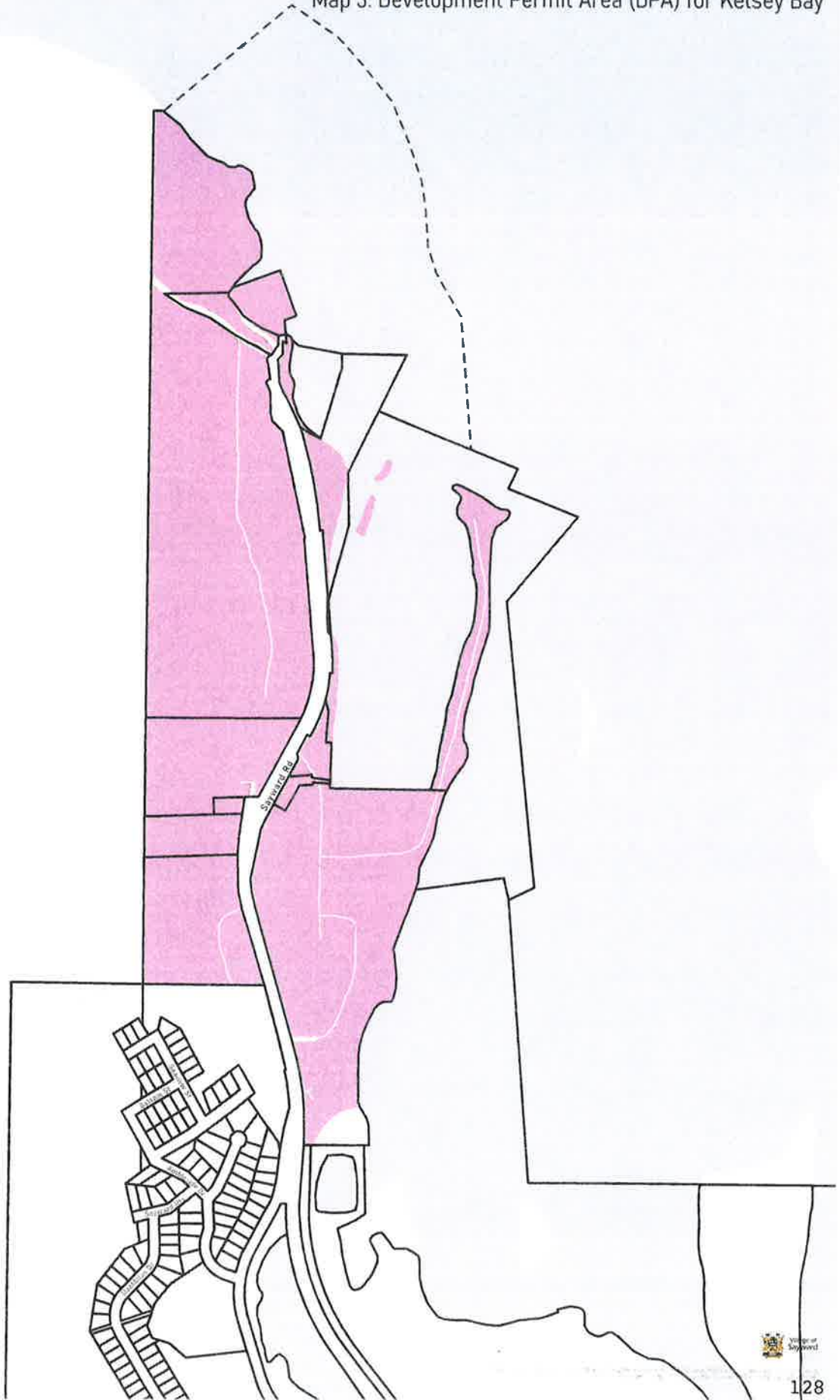
Kelsey Bay Development Permit Area

Map 3. Development Permit Area (DPA) for Kelsey Bay

-  Kelsey Bay Area
-  Parcel
-  Wetland
-  Waterbody
-  Village of Sayward Administrative Boundary

250
Metres

SALMON RIVER
(K'OHOKS)
Village of
Sayward



Schedule C – Kelsey Bay Working Waterfront Map

Kelsey Bay Working Waterfront

Kelsey Bay Working Waterfront Projects



1. Ocean View Homes - Goleas Way, Port Hardy



2. RV campground - Alder Bay RV Park, Port Hardy



3. New Subdivision - Kerball Ave, Gumbriaud



4. The Restrow Pub - Port Renfrew



5. Off-Street Parking - Telegraph Cove



6. Boat Launch with Access to Courtyard Marina Park

- Stream
- Public Access with Trail
- Improved Boat Launch and Day Park
- New RV Park
- New Housing
- Existing Housing
- Parking
- Waterfront Village with Small Shops
- Logging Operations
- Parcel
- Waterbody
- Village of Sayward
- Administrative Boundary

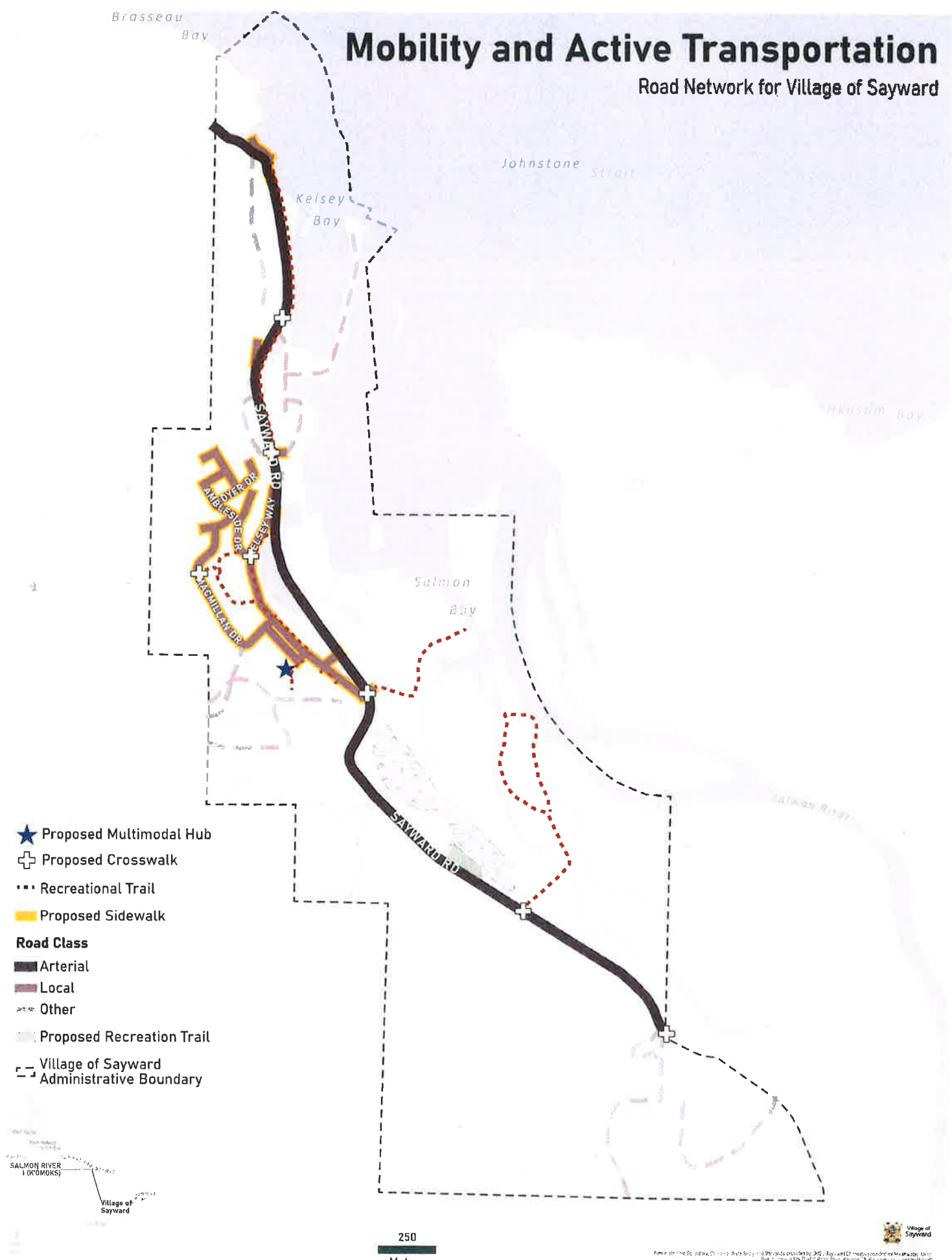
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Schedule D - Mobility and Active Transportation Map

Mobility and Active Transportation

Road Network for Village of Sayward



- ★ Proposed Multimodal Hub
- ⊕ Proposed Crosswalk
- ⋯ Recreational Trail
- Proposed Sidewalk
- Road Class**
- Arterial
- Local
- ⋯ Other
- Proposed Recreation Trail
- Village of Sayward
- Administrative Boundary

250
Metres

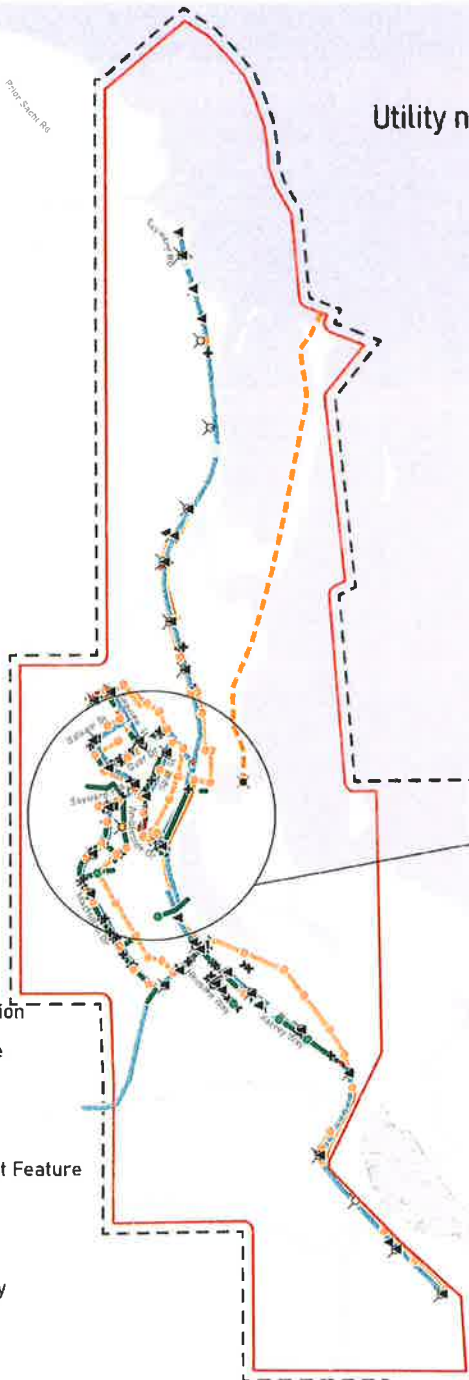


Approved by Council on 2014-05-20. This map is for informational purposes only. It is not intended to be used as a legal document. For more information, please contact the Village of Sayward at 604-893-2222 or sayward@sayward.ca.

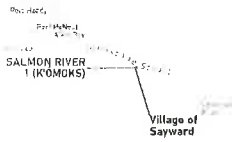
Schedule E – Utility Networks Map

Utility Networks

Utility networks for storm, sanitary/sewer and water infrastructure



- ✕ Sanitary Lift Station
- Sanitary Manhole
- ▷ Water Hydrant
- ◀ Water Valve
- Other Water Point Feature
- Storm Manhole
- + Catch Basin
- ▭ Service Boundary
- Culverts
- Storm Sewer
- Watermain
- Hydrant Leads
- Sanitary Force mains
- Gravity Sewer
- Sewer Outfall
- Waterbody
- Stream
- Village of Sayward Administrative Boundary



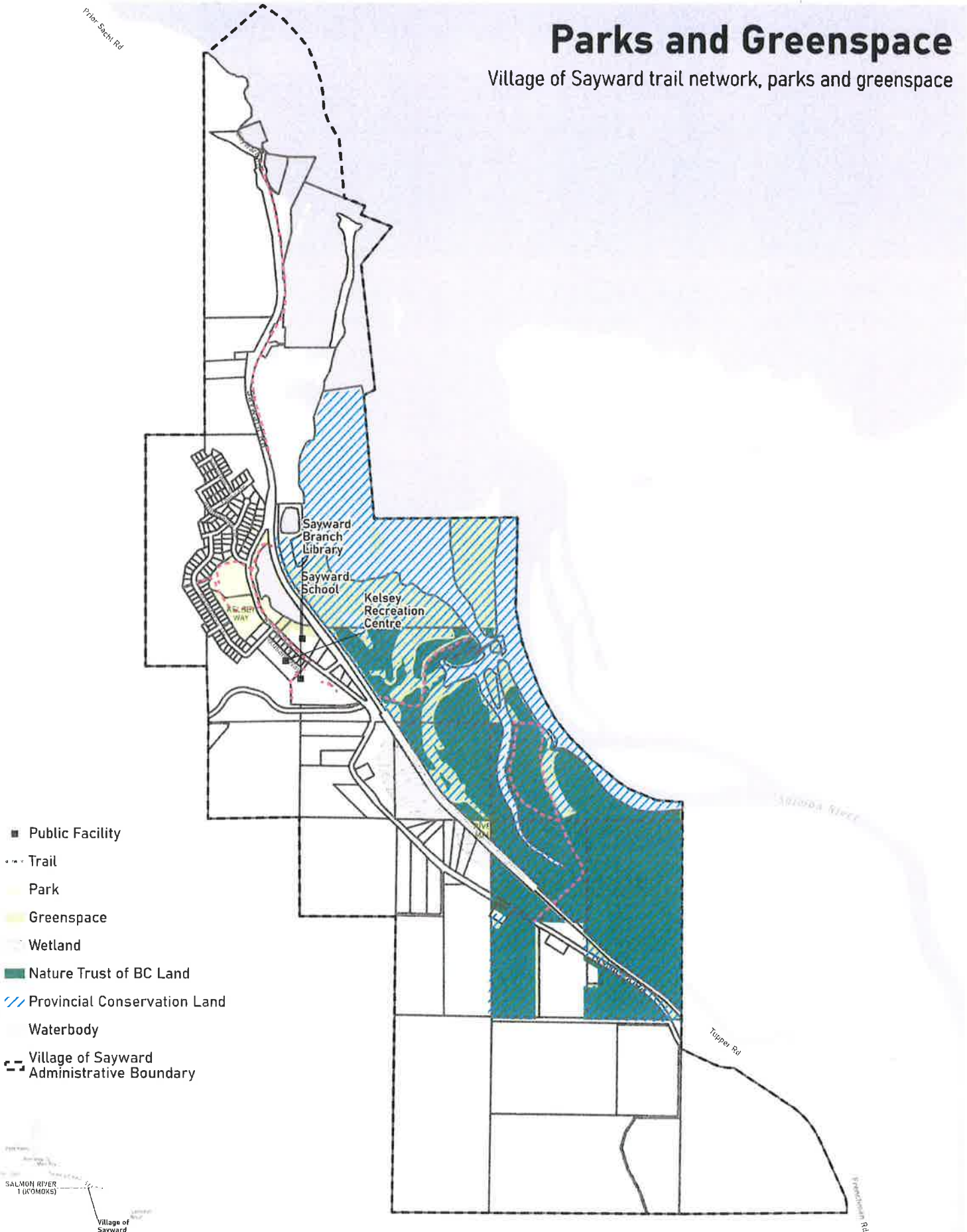
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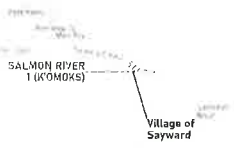
Schedule F – Parks and Greenspace Map

Parks and Greenspace

Village of Sayward trail network, parks and greenspace



- Public Facility
- - - Trail
- Park
- Greenspace
- Wetland
- Nature Trust of BC Land
- Provincial Conservation Land
- Waterbody
- Village of Sayward Administrative Boundary

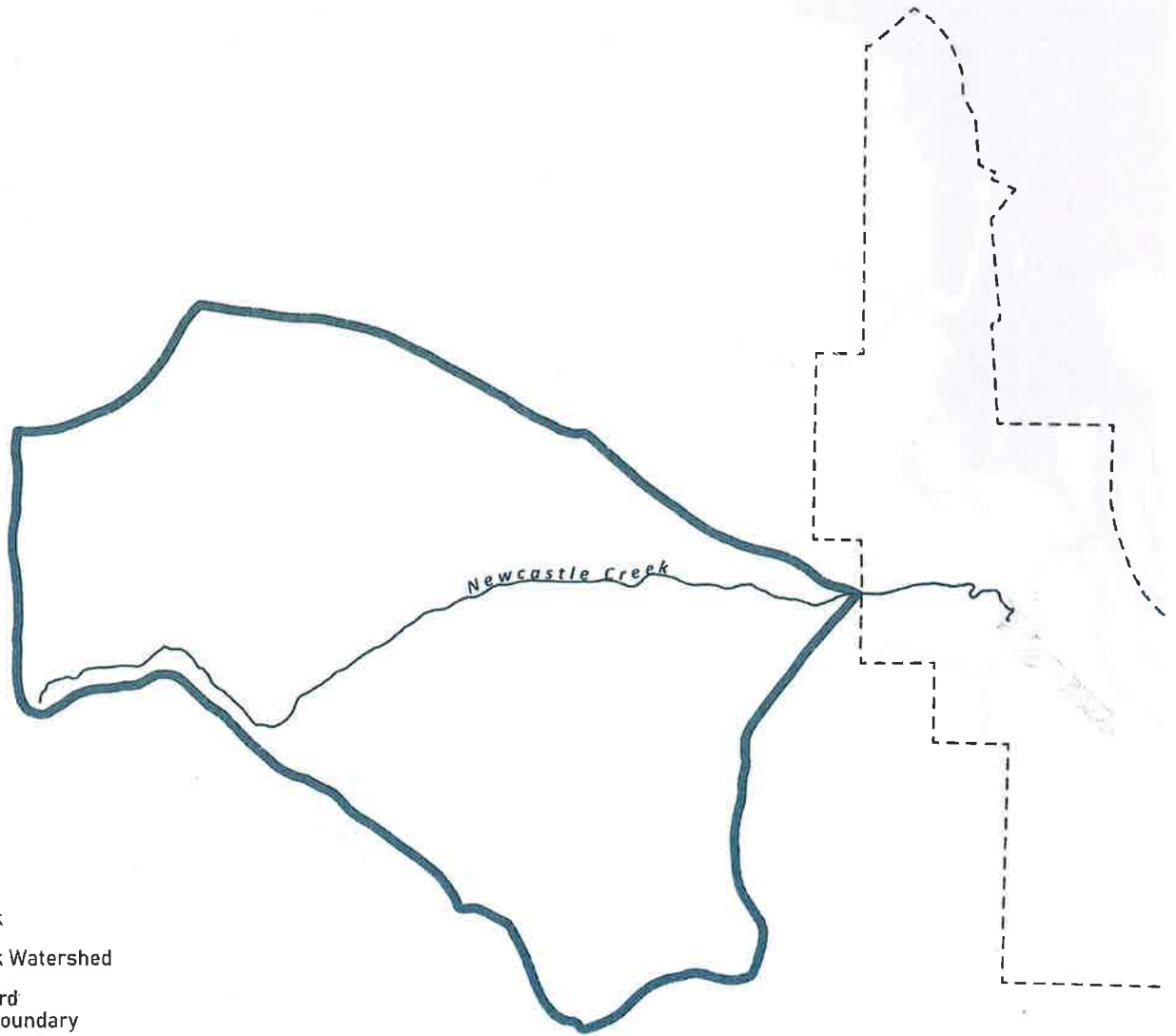


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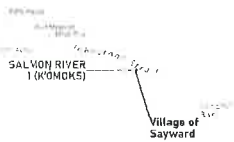
Schedule G – Newcastle Creek Watershed Map

Newcastle Creek Watershed Protection

Newcastle Creek Watershed on the north east coast of Vancouver Island



- Stream
- Newcastle Creek
- ▭ Newcastle Creek Watershed
- - - Village of Sayward Administrative Boundary
- Waterbody
- Wetland



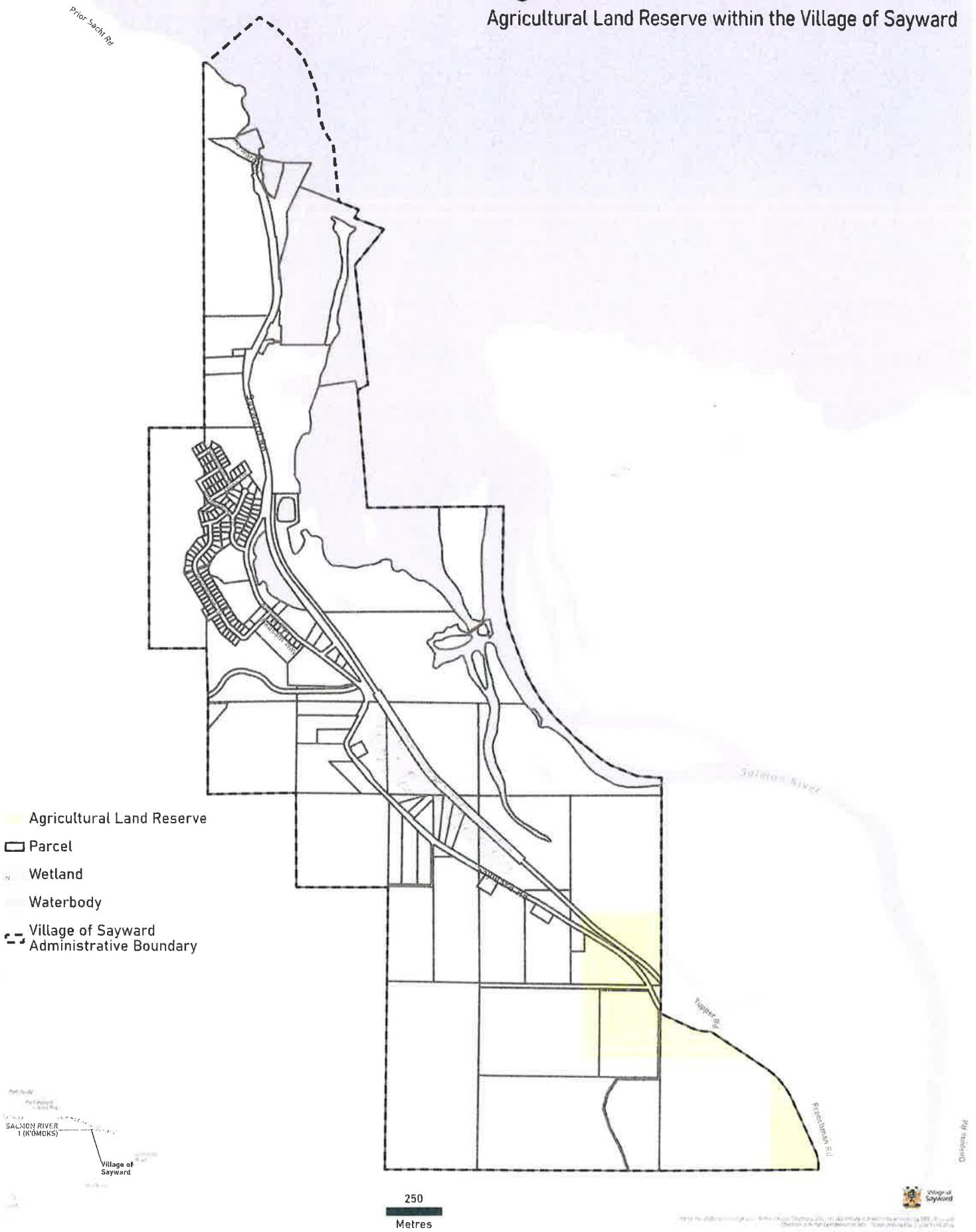
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Schedule H – Agricultural Land Reserve Map

Agricultural Land Reserve

Agricultural Land Reserve within the Village of Sayward



Schedule I – Community Consultation

Community Consultation

This OCP was built as a result of extensive community consultation through a variety of methods. These methods and key takeaways are listed below.

Household Survey

To assist in the development of the Village of Sayward's Official Community Plan update, a community survey was used to gather feedback on the key themes from the existing OCP and collect information on the current trends and experiences in Sayward. The survey was made available in a number of different formats, online, by mail, and for pick up at the Village office. This was intended to make the survey age-friendly and accessible for all residents. There was a total of twenty-eight responses to the survey which allowed us to gain vital information about demographics, community priorities, and overarching goals.

The survey utilized the previous OCP as a baseline and sought to understand how relevant those goals and policies are today. When asked what aspects of Sayward attracted the respondents to live in the community, quality of life, access to outdoor recreation, affordable housing, and retirement were the most commonly chosen answers.

Interested and Invested Party Meetings

In the spring of 2021, the project team facilitated a series of one-hour meetings were held with a with all interested and invested parties within the community. Attendees included

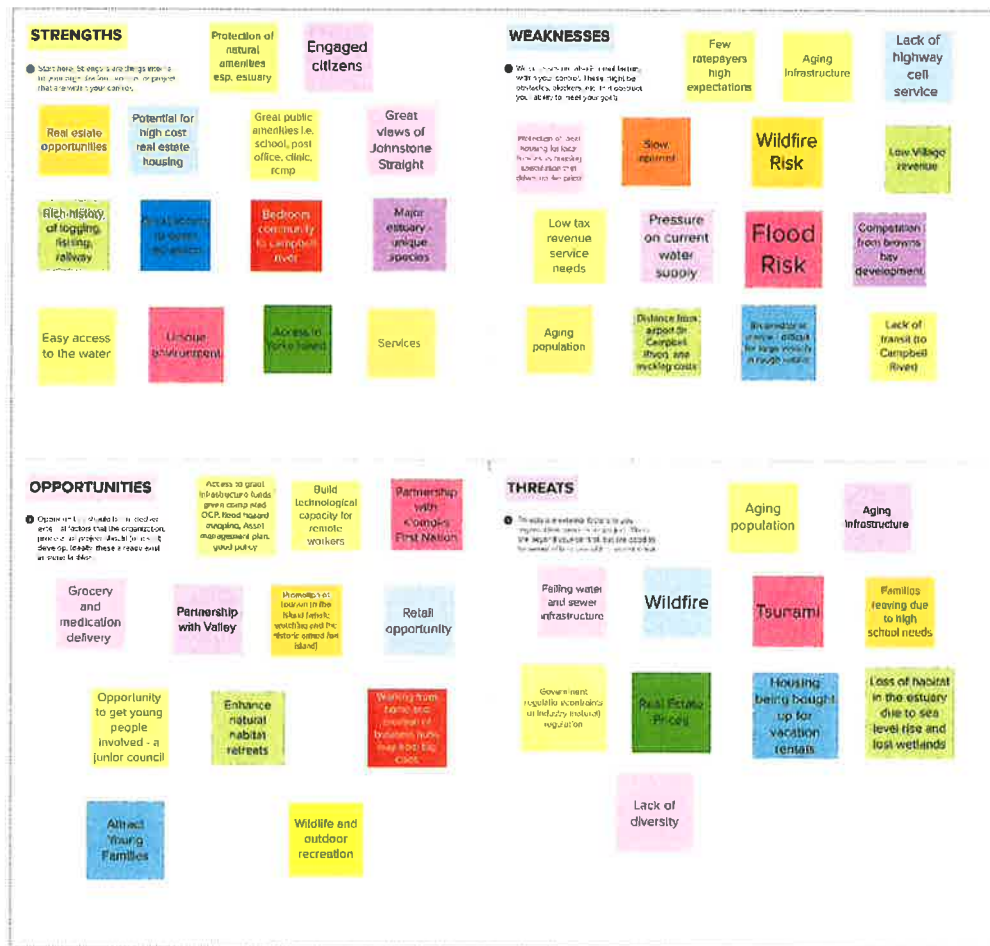
- Major landowners
- Industry partners
- Nature Trust of British Columbia
- The Strathcona Regional District

The Village of Sayward staff will meet with K'ómoks First Nation administration in the fall of 2021 to discuss their vision for the OCP and how it will impact their interests in the region.

These meetings helped the project team to gain an understanding of the various stakeholders in the Sayward Valley and their individual invested interests. Through this process, we were able to structure the resulting OCP in a way that can assist them to accomplish their goals.

Council Workshop

The project team hosted a three-hour workshop with Council and staff to understand the challenges and opportunities facing the community and develop a vision for the OCP. As a part of this workshop, Council and staff took part in a visioning exercise to develop a vision and goals for the future of the community. Ideas developed through the workshop process can be seen in the figure below.



Public Engagement #1

The Sayward Official Community Plan open house was held on July 21, 2021, in the Gazebo in the Village centre. The event was open to the entire Village and ran from 12pm to 8pm. The project team got the opportunity to speak to approximately 30 residents about the priorities for the OCP and how the OCP will shape the future of Sayward. Discussions centered around infrastructure improvements, future growth and the value of Sayward's natural environment. The engagement was structured to be high-level with visioning-style questions, including ones to gauge the public's opinions on the previously identified areas of incorporation.

Active Transportation Engagement

The engagement material featured a mobility and active transportation map where attendees had the opportunity to identify locations for potential improvements. This task was aimed at identifying high priority issues that prevent people from engaging in active transportation opportunities through targeted improvements. This activity was conducted in coordination with the larger open house event.



Key takeaways from the session to direct the development of the draft OCP are as follows:

- There is a large contingent of senior residents who are concerned about their ability to age-in place and access senior specific services such as healthcare, emergency services, and recreation programming and facilities.
- Infrastructure was a common concern for residents, with many voicing their uncertainty as to whether there was enough infrastructure to serve the current population and any future growth including the proposed residential development in the Kelsey Bay area.
- There was a strong directive from participating residents to protect Sayward's natural environment including local wildlife, the Salmon River Estuary and precious green space. Many residents voiced the need for increased wildlife education and signage, for residents and visitors to the area.
- Many residents voiced concerns about escalating housing prices across Vancouver Island in anticipation of growth in the Sayward Valley. Residents urged Village staff and Council to carefully consider residential growth and any impact it will have on affordability into the future.
- Participants were interested in enhancing the community's health and wellbeing through policy as a result of the Official Community Plan. Residents expressed frustration with slow emergency response times and voiced interest in expanding the health care clinic to serve a wider population.

- Most feedback from participants focused on the provision of services, such as a grocery store and restaurant. Tourism was also acknowledged as a way of stimulating economic development, while also supporting many of these services.

Public Engagement #2

The second public engagement was held at the Kelsey Recreation Centre on September 16, 2021. The event was open to the entire Village and ran from 12pm to 6pm. This event showcased the draft OCP to residents and the newly developed policy direction. Discussions centered around climate change policy, recreation infrastructure improvements and future growth.

Key takeaways from the session for revision of the Draft OCP were:

- Attendees wished to see additional policy addressing climate change mitigation and greenhouse gas reduction. Their recommendations include potentially pursuing electric vehicle charging stations.
- Discussion surrounding the old mall property and potential future uses
- Request for additional wayfinding signage for interpretive nature trails to increase access to the estuary.
- Senior residents recognized the Kelsey Recreation Centre as a valuable asset to the community and would like to see infrastructure improvements and increased hours of availability.



Interested and Invested Party Review

Following the second in person engagement in Sayward, the draft OCP was disseminated to key community stakeholders for review. This included:

- K'ómoks First Nation staff
- Major landowners
- Industry partners
- Nature Trust of British Columbia
- The Strathcona Regional District
- The Ministry of Agriculture, Food and Fisheries

Community 2 Community Forum

The Village of Sayward received funding from the Ministry of Municipal Affairs and Indigenous Services Canada to host a Community 2 Community Forum with K'ómoks First Nation. On November 16, 2021, the Village of Sayward Mayor and Council met virtually with Council members from K'ómoks First Nation to discuss the topic of reconciliation, shared interests between the two parties and review the draft OCP. Areas of discussion included:

- Burden of reconciliation on First Nation communities
- Natural resource protection
- Source water protection
- Community development and process for identifying archaeological sites
- Implementation of the K'ómoks First Nation Cultural Heritage Policy
- Continued partnership between K'ómoks First Nation and the Village of Sayward

Policies to support these topics were added into the draft OCP wherever possible.



**VILLAGE OF SAYWARD
BYLAW NO. 502**

A BYLAW TO PREVENT AND PROHIBIT NUISANCES AND DISTURBANCES

WHEREAS the Village of Sayward wishes to promote a safe, comfortable and inviting community for all of its citizens, businesses and visitors.

AND WHEREAS the small minority of persons that create nuisances and disturbances and that, in general, engage in uncivil behaviour threaten the quality of life desired by the population as a whole.

AND WHEREAS it is in the public interest for the Village to take the necessary measures to eliminate nuisances, disturbances and occurrences of uncivil behaviour.

NOW THEREFORE the Council of the Village of Sayward in open meeting assembled hereby enacts as follows:

PART 1 - TITLE

1. This bylaw may be cited for all purposes as “Public Nuisance Bylaw No. 502, 2023”.

PART 2 - DEFINITIONS

2. In this bylaw, unless the context otherwise requires:

Arterial Road	means an Arterial Highway as classified under the British Columbia <i>Highway Act</i> ;
Boulevard	means the area of a Highway between the edge of the pavement or curb of the Roadway and the adjacent property line of the Highway;
Bylaw Enforcement Officer	means a Peace Officer, as defined in the British Columbia <i>Interpretation Act</i> and those Persons designated by Council as a Bylaw Enforcement Officer to enforce the provisions of this Bylaw;
Chief Administrative Officer	means the Chief Administrative Officer duly appointed by Council;

Continuous Noise	means any Noise or sound continuing for a period of five (5) minutes or more in any 15-minute period;
Council	means the Council of the Village of Sayward;
Discarded Materials	includes but is not limited to all materials not in use for the construction or maintenance of a building situated on that property, appliances, furniture, cans, containers, bottles, glass, circulars, pamphlets, handbills, paper or other litter or rubbish, unlicensed or inoperable motor vehicles or motor vehicle parts, boats or boat parts, machinery, animal carcasses, vegetation cuttings or debris, solid or liquid waste, firewood, unless it is neatly piled or stacked against a wall or fence, and all other chattels in a dismantled state or not in use for the purpose for which the manufacturer intended;
Drainage Facility	includes Boulevard drainage inlet, catch basin grate, culvert headwall or lawn basin inlet;
Graffiti	includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, acid etched, painted or drawn on any structure or thing but does not include any of the following; <ul style="list-style-type: none"> a. a sign, public notice, or traffic control mark authorized by a Village Bylaw or Provincial or Federal legislation; or b. in the case of private property, a letter, symbol, or mark for which the Owner of the property on which the letter, symbol, or mark appears has been given prior, written authorization.
Herbicide	means any kind of material that is used to control Noxious Weeds;
Highway or Other Public Place	includes every Street, road, Boulevard, sidewalk, Lane, square, parking lot, courtyard, bridge, viaduct and any other way open to public use and any land, park, green space, building, conveyance, private place or passageway to which the public has, or is permitted to have access or is invited;
Independent Sound Consultant	means a professional engineer, licensed to practice in the Province of British Columbia, with acoustical expertise;

Intersection	means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the Roadways of the 2 Highways which join one another at or approximately at right angles, or the area within which vehicles traveling on different Highways joining at any other angle may come in conflict; and, for the purpose of this definition “Highway” does not include a Lane or way less than 5 meters in width separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the Lane or way;
Lane	means a Street with a right of way not exceeding 8 metres in width;
Noise	includes any loud outcry, clamour, shouting, disturbance or movement or any sound that is loud or harsh or undesirable;
Noxious Weed	means any weed designated as noxious pursuant to the <i>Weed Control Act</i> ;
Occupier	means a Person who occupies Real Property but does not include the Occupier of a unit in an apartment, hotel or institution;
Owner	means the Owner of Real Property;
Panhandle	means to beg for, or, without consideration ask for, money, donations, goods, or other things of value whether by spoken, written or printed word or bodily gesture for oneself or for any other Person but does not include soliciting by the holder of a permit issued by the Village of Sayward;
Peace Officer	has the same meaning as in the British Columbia <i>Interpretation Act</i> and includes a Bylaw Enforcement Officer;
Pedestrian Facility	means a structure for pedestrian use including a walkway, sidewalk, stairs, ramp, and curb letdown;
Person	includes a natural Person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a Person to whom the context can apply according to law;
Pesticide	means any kind of material that is used to control pests, fungi, and insects;
Real Property	means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the Real Property;

Residential Premises, Residential Property and Tenancy Agreement	shall have the same meanings as in the <i>Residential Tenancy Act</i> of British Columbia;
Road Surface	means gravel, asphalt, cement, concrete or material of any kind whatsoever placed upon any Street, road, Highway, bridge, viaduct, Lane, or any other way designed or intended for use by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited;
Roadway	means a portion of a Highway approved for use for vehicular travel;
Sight-Distance	means a clear line of vision between conflicting motorists, cyclists and pedestrians that allows sufficient time for safe maneuvers to be made without significantly affecting the conflicting traffic;
Special Event Permit	means a permit issued by the Village authorizing the use of a Highway or Other Public Place for the purposes of a special event;
Street	means any Highway, Roadway, sidewalk, Boulevard, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians and includes all structures located in any of those areas;
Traffic Control Signal	means a Traffic Control Signal as defined in the <i>British Columbia Motor Vehicle Act</i> ;
Utility Company	means any utility company that has structures, including but not limited to, postal boxes, lamp posts, telecommunication and power boxes and poles, situated on any Highway or Other Public Place within the Village;
Village	means the Village of Sayward.

PART 3 - INTERPRETATION

- 3.0 Words or phrases defined in the *British Columbia Interpretation Act*, *Motor Vehicle Act* or *Community Charter* (or any successor legislation), shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw or the context otherwise requires.

- 3.1 In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.
- 3.2 The headings contained in the Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.
- 3.3 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed, and the severance shall not affect the validity of the remainder.

PART 4 – STREET NUISANCES

Restrictions on Panhandling

- 4.0 No Person shall Panhandle after sunset on any given day.
- 4.1 No Person shall sit or lie on a street for the purpose of Panhandling.
- 4.2 No Person shall continue to Panhandle from a person, or follow a person, after that person has made a negative response.

Use of Highways

- 4.3 No Person shall:
 - a. urinate or defecate on a Highway or other public place;
 - b. impede or obstruct any other person on a Highway or other public place, excluding lawful picketing as provided in the *BC Labour Code*;
 - c. stand or congregate on a Highway or other public place in such a manner as to impede or obstruct the free movement of other persons or vehicular traffic;
 - d. camp or erect a tent or other camping facilities on a Highway or other public place;
 - e. sleep in any vehicle located on a Highway or other public place;
 - f. swear or use indecent, obscene, blasphemous or grossly insulting language on or about a Highway or other public place; or
 - g. carry on any obscene, lewd or indecent activity on a Highway or other public place.

PART 5 – LITTERING

- 5.0 No Person shall deliver circulars, pamphlets, handbills or papers to or within any Real Property or building located on the Real Property, unless such deliveries are deposited within a receptacle provided by the owners or occupiers of the Real Property or building.
- 5.1 No Person shall deposit or throw any discarded materials, in or on any Highway or other public place.

PART 6 – NOISE REGULATION

Exemptions

- 6.0 This Part shall not apply to:
- a. the operation of emergency vehicles;
 - b. the emergency repair of a public Highway;
 - c. operations of a public utility;
 - d. Peace Officers acting in the course of their duties;
 - e. the operation of farm vehicles during planting or harvesting;
 - f. snow clearing;
 - g. the sound of emergency backup power generators during a community wide power outage event. Within thirty minutes of the power being restored, generator noise will not be permitted;
 - h. events held under authority of a Special Event Permit issued by the Chief Administrative Officer or their designate; and
 - i. any person functioning within the limits imposed by a permit issued by the Chief Administrative Officer or their designate;
- 6.1 An application for a permit referred to in Sections 6.0(h) and 6.0(i) of this Bylaw may have a decision under this Bylaw reconsidered by Council by applying in writing for such reconsideration, specifying the decision which the applicant wishes reconsidered and the reason supporting the request for reconsideration.
- 6.2 The permit referred to in Sections 6.0(h) and 6.0(i) will be in a form prescribed by the Chief Administrative Officer or their designate.
- 6.3 Every applicant for a permit referred to in Section 6.0(h) and 6.0(i) shall pay the permit fee prescribed in the Fees and Charges Bylaw.

Regulations

- 6.4 No Person shall make or cause, or permit to be made or caused, any noise, in or on any Highway or other public place or private place which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of any person or persons in the neighbourhood or vicinity.
- 6.5 No Person, who is the Owner or Occupier of real property, shall allow or permit such real property to be used in such a manner that noise emanating from the real property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of a person or persons in the neighbourhood or vicinity.
- 6.6 No Person shall operate any radio, stereophonic equipment or other instrument, or any apparatus for the production or amplification of sound either in or on private premises or in any highway or other public place in such a manner as to disturb the quiet, peace,

rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.

- 6.7 No Person shall own, keep, or harbor any animal or bird which, by its cries, unduly disturbs the peace, quiet, rest, enjoyment, comfort, convenience or tranquility of the surrounding neighbourhood, Persons in the vicinity, or the public at large.

Construction and Garbage Collection Noise

- 6.8 No Person shall, before 7:00 am on any day from Monday to Saturday when such day is not a Statutory Holiday, or before 8:00 am on any Sunday or Statutory Holiday, and after 10:00 pm on any day, construct, erect, reconstruct, alter, repair or demolish any building, structure or thing or excavate or fill in land in any manner which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.
- 6.9 No Person shall, before 7:00 am on any day from Monday to Saturday, or before 8:00 am on any Sunday or Statutory Holiday and after 10:00pm on any day, operate a garbage truck which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of Persons in the vicinity.

Power Tools and Model Airplanes

- 6.10 No Person shall, before 8:00 am and after 10:00 pm on any day, use or operate any power gardening tool or other power tool or machine or any model airplane, boat or car powered by an internal combustion, turbine or rocket engine.

Public Address Systems

- 6.11 No person shall operate any outdoor public address system at any time from any vehicle, real property, place or premises without the permission of the Chief Administrative Officer or their designate.

Commercial or Industrial Operations

- 6.12 Every Owner or operator of an industrial or commercial business which generates a Continuous Noise of a level that disturbs the occupants of the neighbourhood or Persons in the vicinity shall, at the request of the Village, supply the Village with:
- a. a report prepared by an independent sound consultant recommending methods to abate the Noise; and
 - b. a letter of certification sealed by the independent sound consultant that the methods approved by the Chief Administrative Officer for the abatement of noise have been fully implemented.

Motor Vehicle Noise

- 6.13 The following noises are, in the opinion of Council unnecessary, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public:
- a. the squeal of a tire on a Road Surface made by a motor vehicle which is accelerating, stopping or changing direction;
 - b. a loud, roaring or explosive sound emitted by a motor vehicle;
 - c. the amplified sound of a radio or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by someone outside the motor vehicle;
 - d. the sound of the diesel engine of a bus, truck or other vehicle which has been idling or otherwise running continuously for more than five minutes at the same location, except that this clause shall not apply where the bus or truck is located within a garage or depot approved by Village Bylaws and Permits for its long-term parking;
 - e. the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding five (5) minutes or the sound of an automobile security system, but not including its activation status signal, which is made more than three (3) times in a 24-hour period;
 - f. the sound of a horn or other warning device on a motor vehicle used for any purpose other than as an audible warning incidental to the safe operation of the motor vehicle;
 - g. the sound of a brake or other type of engine brake on a motor vehicle used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor vehicle;
 - h. the sound of a vehicle for which the muffler has been cut out, disconnected, modified by the removal of baffle or other part or which has been opened or widened creating a greater noise than is standard.
- 6.14 No person shall make or cause or permit to be made or caused, any objectionable, unnecessary or disturbing Noise set forth in Section 6.12 or operate a motor vehicle so as to cause any objectionable, unnecessary or disturbing Noise set forth in Section 6.13 contrary to the *Motor Vehicle Act Regulations* in effect at that time.

PART 7 – PROPERTY MAINTENANCE

Graffiti

- 7.0 No Person shall place graffiti, or cause graffiti to be placed, on any wall, fence or other structure or thing in any Highway or other public place.

- 7.1 No person shall place graffiti, or cause graffiti to be placed, on any wall, fence, building or structure that is located on Real Property and adjacent to a Highway or other public place.
- 7.2 Every owner of Real Property shall remove graffiti that is located on the Real Property adjacent to a Highway or other public place within five (5) working days of the placement of the graffiti.
- a. Every Utility Company shall remove graffiti that is located on any Utility Company structure that is situated on any Highway or other public place within five (5) working days after receiving notification of the graffiti from the Village;
 - b. A Utility Company is exempt from the requirement in Section 7.2(a) if the Utility Company has entered into an agreement with the Village regarding the removal of graffiti from the Utility Company structures.

Boulevard Maintenance

- 7.3 Every Owner or Occupier of Real Property shall maintain in a clean, tidy and well-kept condition every Boulevard fronting on the Real Property and, without limiting the generality of the foregoing, shall:
- a. remove accumulations of filth, rubbish, discarded materials, hazardous objects and other materials which obstruct a drainage facility;
 - b. keep grassed areas trimmed and free of noxious weeds;
 - c. keep landscaping trimmed so that driveway and intersection vision clearances are unobstructed;
 - d. keep landscaping from encroaching over paved roadways or gravel shoulders.
 - e. not foul, obstruct or impede, or permit the fouling, obstructing or impeding of the flow of any waterway or culvert within the municipality.

Sidewalks and Pedestrian Facilities

- 7.4 Every Owner or Occupier of Real Property shall:
- a. remove rubbish from every pedestrian facility bordering the Real Property;
 - b. keep landscaping from encroaching over a sidewalk, or walkway, from ground level to a height of 2.4 metres.
- 7.5 No person shall:
- a. willfully injure or damage any Boulevard or any tree, shrub, plant, bush or hedge on any boulevard;

- b. erect any sign, fence, wall or other structure on any Boulevard, except with written permission of the Village;
- c. apply a Pesticide or Herbicide to any Boulevard; or
- d. dispose of any vegetation cuttings, rubbish, discarded materials or any liquid or solid waste on any Boulevard or in any Drainage Facility.
- e. section 7.5(c) does not apply to the Village or any other public utility.

Fences

7.6 Every Owner or Occupier of Real Property shall:

- a. In any zone, where an Owner or Occupier of property adjacent to a Highway has erected a fence adjacent to that Highway, the Owner or Occupier shall not allow that fence to fall into a state of disrepair;
- b. An Owner or Occupier of Real Property whose fence erected adjacent to a Highway has fallen into a state of disrepair shall repair it forthwith upon receipt of notice given pursuant to this Bylaw;
- c. In every zone where the keeping of livestock is permitted, every Owner or Occupier of Real Property abutting upon any Highway shall forthwith, upon receipt of notice given pursuant to this Bylaw, erect fences along the boundary of that property abutting on the Highway for the purpose of preventing livestock from straying upon said Highway.

Intersection Vision Clearance

7.7 No Person who owns or occupies Real Property located at any Intersection, shall place or permit to be placed or grow a tree, shrub, plant, fence or other structure with horizontal dimension exceeding 0.46 metres (1.5 feet) within the triangular area formed by two intersecting lot lines and the line joining the points on such lot lines 2.4 metres (7.87 feet) from the point of intersection, between an elevation such that an eye 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface elevation of one road, cannot see an object 1.0 to 2.4 metres (3.28 feet to 7.87 feet) above the surface of the other road.

Street Signs

7.8 No Person shall remove, deface or damage any street name sign or any other sign or marker erected upon any Highway by or at the direction of the Village.

Hazardous Trees and Shrubs

- 7.9 a. If in the opinion of the Village, any trees, hedges, bushes, or shrubs growing or standing on any Real Property are:
- (i) a hazard to the safety of persons on any Highway or other public place;
 - (ii) likely to damage public property, or
 - (iii) seriously inconveniencing persons on any Highway or other public place

the Village may order the Owners or Occupiers of the Real Property on which they grow or stand to trim, remove, or cut down such trees, hedges, bushes or shrubs.

b. If the Person so ordered does not take the required action referred to in Section 7.9(a), the Village may proceed pursuant to Sections 7.19 to 7.21 of this Part.

House Numbering

- 7.10 All Owners and Occupiers of buildings shall display in a conspicuous place on the Real Property on which the building is located, the street number assigned by the Village to such building so that the same is of contrasting colour to its background and readable from the Highway.

Birds

- 7.11 No person shall keep or feed within the Village, birds so that they congregate in such numbers so as to constitute a nuisance or disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood or of persons in the vicinity.

Demolition Sites

- 7.12 On any property where the demolition of any building or structure has taken place;
- a. all debris and material whether to be discarded or retained shall be removed forthwith;
 - b. any basement or other excavation shall be filled in or covered over to lot grade level forthwith, upon receipt of notice served pursuant to the Bylaw.

Unsightly Premises

- 7.13 No Owner or Occupier of Real Property shall permit the Real Property to become or remain unsightly or permit water, rubbish, Discarded Materials or noxious, offensive, or unwholesome matter to collect or accumulate around that real property.
- 7.14 Every Owner or Occupier of Real Property shall:
- a. keep the Real Property clear of Noxious weeds and unsightly and unkempt brush, trees, or other growths;
 - a. keep ground cover vegetation from exceeding 30 cm in height; and
 - b. prevent infestation by caterpillars and other noxious or destructive insects and clear the Real Property of such insects.
- 7.15 Every Owner or Occupier of Real Property shall remove or cause to be removed from the property any unsightly accumulations of filth, discarded materials, brush, trees, vines, Noxious Weeds or other growths, of any kind on a regular basis, or when ordered to do so by the Village.

- 7.16 Every Owner or Occupier of Real Property shall maintain the physical condition and structural repair of the residential premises or residential property to the health, life safety, and fire protection standards of the *British Columbia Building Code* and the Village of Sayward Fire Prevention Bylaw.
- 7.17 Every Owner or Occupier of Real Property shall maintain the general appearance and repair of the Real Property to the standards of other similar properties in the neighbourhood.

Vacant Premises

- 7.18 No Owner of Real Property shall cause or create a nuisance or permit a nuisance to be caused or created by allowing a vacant building on the Real Property to fall into such a state of disrepair that it becomes unsightly or creates a hazard, danger, nuisance or inconvenience to the general public.

Default and Remedial Action Notices

- 7.19 Where an Owner of Real Property or other responsible person fails to comply with the requirements of this Part, Council may make a declaration requiring that the Owner or other responsible person bring the Real Property into compliance with the provisions of this Part within a specified time frame. A Bylaw Enforcement Officer may issue a notice in relation to Council's declaration.
- 7.20 If the Owner or other responsible person fails to comply with the notice requirement within the time limit specified in the notice, the Village by its workers, or others authorized by the Chief Administrative Officer, may, at all reasonable times and in a reasonable manner, enter the Real Property and affect such compliance at the cost of the defaulting Owner or other responsible person. Such cost shall consist of all costs and expenses incurred by the Village in affecting compliance with this Part including, without limitation, administrative costs, costs of attendance at the property by Village employees or its contractors and the costs of removal, clean up and disposal.
- 7.21 If an Owner or other responsible person defaults in paying the cost referred to in Section 7.20 to the Village within 30 days of a demand for payment from the Village, the Village may recover from the Owner or other responsible person, in any court of competent jurisdiction, the cost as a debt due to the Village. If an Owner has not paid the debt by December 31 in the year in which the debt was incurred, the Village may direct that the amount of the cost be added to the Real Property tax roll as a charge imposed in respect of work or service provided to the Real Property of the Owner.

Reconsideration

- 7.22 An Owner or other responsible Person who has been issued a notice pursuant to Sections 7.19, 7.20 and 7.21 of this Part may make representations to Council to have the decision reconsidered by applying in writing for such reconsideration within 14 days of receipt of

the notice, or lesser time if specified in the notice.

PART 8 – ENFORCEMENT AND PENALTY

Right of Entry

- 8.0 A Bylaw Enforcement Officer may, at all reasonable times, enter upon any Real Property in the Village in order to ascertain whether the regulations contained within this Bylaw are being complied with.

Enforcement

- 8.1 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.

Offences and Penalties

- 8.2 Any person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$10,000 (and not less than the fines prescribed in the Village of Sayward Ticketing Offence Bylaw), the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* (British Columbia) or the *Offence Act* (British Columbia). Each violation against this Bylaw shall be deemed to be a separate and distinct offence, and, where the offence is a continuing one, each day that the offence is continued constitutes a separate offence.

PART 9 – SEVERABILITY

- 9.0 If any section, subsection, paragraph, clause, phrase or word within this Bylaw is for any reason held to be invalid by the decision of a court or competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.

PART 10 – REPEAL

- 10.0 Property Maintenance Bylaw No. 384, 2010; Noise Control Bylaw No. 342, 2005; No-Idling Bylaw No. 389, 2011 and Liquor Consumption Bylaw No. 77, 1977 are hereby repealed.

Read a first time on the ___ day of _____ 2023

Read a second time on the ___ day of _____ 2023

Read a third time on the ___ day of _____ 2023

Adopted on the ___ day of _____ 2023

Certified a true copy of Bylaw No. 502
this ___ day of _____, _____

Chief Administrative Officer
Village of Sayward

Mayor

Corporate Officer