

VANCOUVER CHARTER AMENDMENT ACT, 1992**CHAPTER 57**

Assented to June 23, 1992.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1. *The Vancouver Charter, S.B.C. 1953, c. 55, is amended*

- (a) *in sections 7, 9, 34, 36, 39, 40, 44, 45, 52, 55, 58, 64A, 66, 90, 92, 93, 96, 111, 112, 113, 114, 120, 121, 125, 127, 128, 130, 139, 143, 144, 196, 207 and 209 by striking out "Alderman" wherever it appears and substituting "Councillor",*
- (b) *in sections 40, 52, 54, 63, 66, 137, 196 and 486 by striking out "Aldermen" wherever it appears and substituting "Councillors", and*
- (c) *in section 209 by striking out "aldermanic" and substituting "councillor".*

2. *Section 4 is repealed and the following substituted:*

Deputies may be appointed

- 4.** (1) The Council may appoint one or more persons to act as deputy of the Director of Finance, City Clerk or other employee of the city.
- (2) If the person for whom deputies are appointed is absent or ceases to hold office, the deputies of that person shall exercise and discharge the powers, functions and duties of the person during the absence, or, in the case of the person ceasing to hold office, until the Council otherwise determines, and in the meantime all things required or authorized to be done by that person may be lawfully done by such deputies.

3. *Section 185 (2) is repealed and the following substituted:*

- (2) In addition to the proprietary rights of the city to control the use of its property, the Council may, by by-law, regulate the use of, or access to, any land owned or leased to the city.

4. *Section 190 is amended by renumbering the section as section 190 (1) and by adding the following subsections:*

- (2) Notwithstanding anything in this Act, the city may enter into agreements with the Government of Canada or its authorized representative and others, on terms and conditions the Council

considers advisable, for the acquisition, leasing, use and development of that parcel of land within the City of Vancouver described as Block 56, District Lot 541, Plan 15375.

- (3) In relation to the parcel referred to in subsection (2),
- (a) the city may borrow amounts necessary for the purposes of acquiring, leasing, using and developing the parcel, including for the purposes of constructing improvements on the parcel;
 - (b) for the purpose of securing the repayment of amounts borrowed under paragraph (a) and any other amounts payable related to the acquisition, leasing, use and development of the parcel, the city may mortgage, assign or otherwise charge
 - (i) any interest it has in the parcel,
 - (ii) any interest or lease in the parcel that it has granted, and
 - (iii) any monies payable to the city under a lease or other interest in the parcel that it has granted.

5. *Section 292 is amended*

(a) *in subsection (1) by adding the following paragraph:*

- (h) establishing the fees payable to the city by an applicant for a subdivision, which may vary according to the size of the property to be subdivided, the number of lots to be created and the type or classification of the property, and

(b) *by adding the following subsection:*

- (1.1) A fee under subsection (1) (h) must not exceed the estimated average costs of processing, inspection, advertising and administration that are usually related to a subdivision application of the kind to which the fee relates.

6. *Section 306 is amended*

- (a) *in paragraph (q) by striking out "the cost of such demolition or removal" and substituting "the cost of the demolition, removal or amendment",*
- (b) *in paragraph (r) by adding "and bicycles" after "motor-vehicles",*
- (c) *in paragraph (w) by adding "relating to fire safety or energy conservation or" after "rule", and*
- (d) *by adding the following paragraph:*

Withholding of permit

- (cc) for withholding a building permit in respect of any parcel of land situate in a designated flood plain area until the City Building Inspector is satisfied that the elevation or design will reduce or

eliminate the risk of flood damage and for requiring a covenant registered against the land acknowledging the risk of flood damage.

7. *Section 317 (cc) is repealed and the following substituted:*

(cc) for

- (i) authorizing the removal and detention or impounding of a vehicle, whether being driven or not, or other chattel that is unlawfully placed, left, kept or driven on a street,
- (ii) requiring the owner of a vehicle or chattel dealt with under this paragraph to pay to the city the amounts fixed by the by-law as the expenses of the removal and detention or impounding, including towing, storage and other charges,
- (iii) enabling the city to collect expenses referred to in subparagraph (ii) by the sale of the vehicle or other chattel at public auction or private sale as directed by the by-law or by action in a Court of competent jurisdiction,
- (iv) providing that a vehicle which has an automobile security system operating in contravention of a by-law shall be deemed to be a vehicle unlawfully left on a street for the purposes of this section, and
- (v) providing that any other vehicle that comes into the hands of the police shall be held and dealt with in accordance with the provisions of the by-law; .

8. *Section 397 (3) (b) is repealed and the following substituted:*

- (b) assess the property on a supplementary assessment roll.

9. *Section 426 is repealed and the following substituted:*

Withdrawal of parcel from sale

426. Even if the advertising has started, the Collector shall withdraw from the sale any parcel in respect of which there is paid to the Collector before the parcel is actually sold,

- (a) all the delinquent taxes in respect of which the parcel is subject to sale,
- (b) interest to the date of payment, and
- (c) the amount determined by Council to defray any expense reasonably incurred by the city in respect of the offer to sell that parcel.

- 10.** *Section 427 (b) and (c) is repealed and the following substituted:*
- (b) 5% of the delinquent taxes and interest, or \$3, whichever is the greater amount;
 - (c) the current Land Title Office charge.
- 11.** *Section 489B (2) is repealed and the following substituted:*
- (2) A by-law under subsection (1) may
 - (a) provide a greater indemnity for the Chair of the Board than for other members of the Board, and
 - (b) provide that a portion of the annual indemnity to be paid to a member of the Board shall be paid as an allowance for expenses incidental to the discharge of the duties of the member's office.
- 12.** *Sections 491 and 495 are amended by striking out "Chairman" wherever it appears and substituting "Chair".*
- 13.** *Section 508 (o) is repealed and the following substituted:*
- (o) for providing that the members of Council shall be the Court of Revision for the purposes of this Part; .
- 14.** *Section 565 (2) is repealed and the following substituted:*
- (2) A by-law regulating the use or occupancy of land, land covered by water or buildings may
 - (a) permit uses or occupancies existing at a date specified in the by-law as outright uses, and
 - (b) make uses or occupancies existing at a date specified in the by-law conditional approval uses as of that date.
- 15.** *Section 566 is amended by adding the following subsections:*
- (2.1) A fee under subsection (2) may vary depending on the size of the area covered by the proposed rezoning, and the by-law establishing the fee may provide for a reduction of the fee depending upon the complexity or scope of the proposed amendment.
 - (2.2) A fee under subsection (2) must not exceed the average costs of processing, inspection, advertising and administration that are usually related to a zoning by-law amendment of the kind to which the fee relates