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MEMORANDUM

To: Jeff Cook, Chief Councillor & Executive Council Members

Copy: Connie Waddell, Executive Director and Law Clerk

From: Robert H. Botterell, Legal Counsel

Date: March 28th, 2013

Issue: Spring 2013 Regulations

The purpose of this report is to brief Executive Council regarding passage of the regulations set out in the attached table (the “proposed regulations”).

BACKGROUND

On January 9th, 2013 Executive Council approved the drafting of various Regulations, Schedules and Maps.

On February 20th, 2013, Executive Council approved, with amendments, the proposed regulations as set out in the attached table for formal introduction and passage at the March 18th, 2013 and March 28th, 2013 EC meetings.

On March 18th, 2013, my notes indicate that Executive Council passed the following motion in relation to the proposed regulations:

WHEREAS:

- (a) At its January 9th, 2013 meeting, Executive Council passed a resolution in accordance with section 97 of the *Government Act* (GA) instructing the Law Clerk to draft various regulations (the “proposed regulations”);
- (b) The proposed regulations have been drafted, however they remain subject to final legal and legislative review, editing and amendments;
- (c) The *Government Act* requires that a proposed regulation be presented to Executive council by the Chair of the committee responsible for overseeing its development (s.98 of GA) and that, if approved by Executive Council (s. 99 of GA), the proposed regulation will then be introduced at a subsequent meeting of Executive Council (s. 100(b) of GA);

- (d) The proposed regulations were presented and approved, with amendments, by Executive Council at its February 20th, 2013 meeting.

THEREFORE BE IT RESOLVED THAT:

- (1) The proposed regulations, as per the attached schedule, are hereby introduced;
- (2) The Law Clerk is hereby authorized and directed to
 - (a) make final legal and legislative drafting changes to the proposed regulations;
 - (b) update land use and zoning maps to conform with changes to the applicable regulation; andfinalize the proposed regulations for consideration by Executive Council at its March 28th, 2013 meeting.

DISCUSSION

A final legal review and copy edit of the proposed regulations, as well as updating of maps, are being completed as per the direction of Executive Council.

Any substantive amendments resulting from Executive Council direction on March 18th, 2013 and final legal review and copy editing will be highlighted in yellow on the copies of the regulations presented for passage on March 28th, 2013. Legal Council will outline any substantive amendments.

PROPOSED RESOLUTION

WHEREAS:

- (a) On March 18th, 2013 Executive Council introduced the regulations set out in the attached schedule (the “proposed regulations”) and provided the Law Clerk with instructions to finalize the proposed regulations, as amended, for consideration by Executive Council at its March 28th, 2013 meeting;
- (b) The Law Clerk has finalized the proposed regulations in accordance with the instructions of Executive Council.

THEREFORE BE IT RESOLVED TO:

- (1) approve non-substantive amendments resulting from final legal review and copy editing of the proposed regulations;
- (2) approve additional substantive amendments highlighted in yellow on the attached copies of the proposed regulations;
- (3) hereby pass the proposed regulations, as amended; and
- (4) unless another date is specified in the proposed regulation, bring the proposed regulations into force on the date of their enactment.

Summary of Spring 2013 Regulations

	New and Amended Regulations & Schedules	Purpose, Objective and Reason for Regulation	EC Member Responsible
		Finance Committee	
1.	<i>Property Tax Rates Regulation, 2013 - <u>Deferred</u></i>	<ul style="list-style-type: none"> • Implement real property tax framework as necessary and appropriate. • Focus is on exemptions. 	Jack Cook
2.	a. <i>Human Resources Policy Amendment Regulation, 2013</i> b. <i>Human Resource Policy Schedule</i>	<ul style="list-style-type: none"> • Make minor amendments to cover off areas that are unclear. • Make amendments to implement Tribunal Decision #2012-001 recommendations. 	Jack Cook Jeff Cook
3.	<i>Compliance Notice and Ticket Amendment Regulation, 2013</i>	<ul style="list-style-type: none"> • Amend as applicable to implement Tribunal Decision #2012-001 recommendations. 	Jeff Cook
4.	<i>Travel Expenses Amendment Regulation, 2013</i>	<ul style="list-style-type: none"> • Amend travel accommodation allowances for peak season and other minor amendments. 	Jack Cook
5.	<i>Infrastructure Policy Amendment Regulation, 2013</i>	<ul style="list-style-type: none"> • Amend to streamline for small infrastructure projects (under \$50,000). 	Charlie Clappis
		Economic Development Committee	
6.	a. <i>Governance and Fiscal Agreement Regulation</i> b. <i>Governance and Fiscal Agreement Schedule</i>	<ul style="list-style-type: none"> • Enact new regulation governing economic development based on Maa-nulth template. • Repeal/amend existing Regulations. 	John Jack
		Lands and Natural Resources Committee	
7.	<i>Land Interest and Temporary Permit Regulation</i>	<ul style="list-style-type: none"> • Application forms and fees for non-residential land interests, e.g., forestry NRFL and temporary permits. 	Jeff Cook
8.	<i>Development and Building Permits Regulation</i>	<ul style="list-style-type: none"> • Important procedural regulation for wide range of development including building permits. 	Jeff Cook
9.	a. <i>Land Use Plan Amendment Regulation, 2103</i> b. <i>Land Use Plan Schedule</i> c. <i>Maps – To Be Updated</i>	<ul style="list-style-type: none"> • Amend to allow residential development in Lower Anacla and make other changes. 	Jeff Cook

10.	<p><i>a. Zoning Amendment Regulation, 2013</i></p> <p><i>b. Zoning Regulations Schedule</i></p> <p><i>c. Maps – To Be Updated</i></p>	<ul style="list-style-type: none"> • Amend to allow residential development in Lower Anacla and make other changes. 	Jeff Cook
		Citizen Development Committee	
11.	<i>Residential Lease Amendment Regulation, 2013</i>	<ul style="list-style-type: none"> • Amend residential lease regulation to extend deadline for lease registration. 	Sheila Charles
12.	<i>Social Housing Amendment Regulation, 2013</i>	<ul style="list-style-type: none"> • Amend points systems for social housing. 	Sheila Charles
13.	<i>Citizen Development Amendment Regulation, 2013</i>	<ul style="list-style-type: none"> • Amend to allow director or manager to be review officer and extend appointment deadline. 	Sheila Charles
		Miscellaneous	
14.	<p><i>a. Minor Revisions Regulation</i></p> <p><i>b. Binder of minor legislative amendments</i> - Available at PAGO for inspection</p>	<ul style="list-style-type: none"> • Makes minor grammatical corrections to Acts. • Provides for new consolidation of laws to be prepared. 	Jeff Cook