



**The Planning Institute of BC
In partnership with the City of Penticton host:**

Current Topics in Planning Law

With Bill Buholzer and Guy Patterson from Young Anderson Barristers & Solicitors

Thursday, June 16, 2022

9:30am to 3:00pm at the Penticton Trade and Convention Centre
Coffee, Tea and Snacks 9:00am to 9:30am - Lunch break 12:00pm to 1:00pm

Topics to be covered:

1. Approving Officer Decisions: Giving Reasons

- Statutory requirement for reasons for rejection
- Procedural fairness: reasons for decision, approval and rejection, the Vavilov decision
- James Island decision

2. Legislation

- Going paperless: general public notifications
 - Community Charter Public Notice Regulation
- Meeting online
 - Public hearings
 - APC, BOV, Council committees
- Skipping the public hearing
 - Consistency with the OCP
 - Notice of first reading
- Delegating DVPs
 - What kinds of variances?
 - Delegation bylaw requirements: criteria and guidelines

- The Province's trump cards: a review
 - Interpretation Act s.14
 - Bylaws against the public interest of B.C. s.584 LGA
 - Provincial policy guidelines for Part 14 bylaws s.582 LGA
 - Significant Projects Streamlining Act
 - DRIPA decision-making agreements

3. Case Law

- Legal standing to challenge land use management decisions
 - Lantzville Community Association v. Lantzville (District) 2021 BCSC 2260
 - Gonzales Hill Preservation Society v. Victoria (City) Board of Variance 2021 BCSC 2091
- Reasonableness review
 - Reasonableness standard per *Canada v. Vavilov*
 - North Cowichan (Municipality) v. 1909988 Ontario Ltd. 2021 BCCA 414
 - GSR Capital Group Inc. v. White Rock (City) 2022 BCCA 46
 - AIBC v. Langford (City) 2021 BCCA 261
 - Fipke v. Kelowna (City) 2022 BCSC 417
- Mines and Mining
 - O.K. Industries Ltd. v. Highlands (District) 2022 BCCA 12

4. Professional Practice Standards: Review

- PIBC Code of Professional Conduct
- Complaints and investigation process

5. Question Period

Social event to follow - 3:30pm to 6:30pm

Travel by trolley or car to Abandoned Rail Brewing Co. on the Naramata Bench!
1220 Davenport Rd, Penticton, BC V2A 8V1

