



Toll Free: 1-877-727-6978
Phone: 1-250-727-6978
Fax: 1-250-727-6699

Email: info@quickscribe.bc.ca

Website: www.quickscribe.bc.ca

Vol: III – Issue: XI – November 2021

QUICKSCRIBE NEWS:

2021

Who could have predicted that 2021 would prove to be more memorable than 2020? Yet in many ways, it was – and not always for the best reasons. Our team at Quickscribe would like to extend our thoughts and best wishes for the local government regions that were impacted by weather-related events this year, including those impacted by the devastating fires in the summer and the most recent flooding.

With next year being an election year, we will be working hard to provide you with the tools that you need to help you through what will be a very busy year. For example, we've been working behind the scenes on enhancements to the **Date Calculator** feature (left navigation), which is an essential tool for anyone in your office who will be involved in the handling of the upcoming local elections.

You can also expect us to keep you informed about the very latest orders and important other legislative activity impacting your local government operations and community.

We wish you and your families a wonderful holiday season and a very happy New Year!

Latest Bills

The BC Legislative Assembly wrapped up the fall session on November 25th and is set to resume on Tuesday February 8, 2022. A new [Parliamentary Calendar](#) is now available. All government Bills that were introduced achieved Royal Assent, including the following Bills that were introduced in October:

- [Bill 17](#) – Protected Areas of British Columbia Amendment Act, 2021 (*Partially in force*)
- [Bill 22](#) – Freedom of Information and Protection of Privacy Amendment Act, 2021 (*Partially in force*)
- [Bill 23](#) – Forests Statutes Amendment Act, 2021 (*Partially in force*)
- [Bill 24](#) – Environmental Management Amendment Act, 2021 (*In force*)
- [Bill 25](#) – Education Statutes Amendment Act, 2021 (*Partially in force*)
- [Bill 26](#) – Municipal Affairs Statutes Amendment Act (No. 2), 2021 (*Partially in force*)
- [Bill 27](#) – Election Amendment Act, 2021 (*In force*)

Five new bills were introduced in November, as well as two members' bills:

- [Bill 18](#) – Human Rights Code Amendment Act, 2021 (*In force*)
- [Bill 20](#) – Access to Services (COVID-19) Act (*In force*)
- [Bill 28](#) – Forest Amendment Act, 2021 (*Partially in force*)
- [Bill 29](#) – Interpretation Amendment Act, 2021 (*In force*)
- [Bill 30](#) – Attorney General Statutes Amendment Act, 2021 (*In force*)
- [Bill M205](#) – British Columbia Transit Amendment Act, 2021
- [Bill M206](#) – Building Amendment Act, 2021

If you would like to be alerted to new Bills or legislation that includes subject matter that is important to you, we recommend using the customizable [Keyword Alert](#) tool or the BC Legislative Digest alert, located in the [My Alerts](#) page.

New Accuracy Tool

It may not evoke the same level of enthusiasm as some of our previous announcements, but we are giddy about a new admin tool that will help to further ensure the accuracy of all the legislative material on Quickscribe. In addition

to the already stringent quality control mechanisms that are currently in place, Quickscribe has completed work on a tool that will compare word-for-word legislation on Quickscribe with that on the government sites. Because the legislation on the government sites is not as current, Quickscribe has implemented a schedule to routinely check against government sites once they have been updated.

Latest Annotations


New annotations were recently added to Quickscribe. The annotations include contributions from the following individuals:

- [Bill Buholzer](#), Young Anderson Barristers and Solicitors – [Local Government Act](#)
- [Christopher Hirst](#), Alexander Holburn Beaudin + Lange LLP – [Builders Lien Act](#)

If you wish to be alerted when new annotations are published by our contributors, select "[My Alerts](#)" via the top navigation, then select the "View Expert Annotators". Here you can view and "follow" any contributor from the list.

Tip: [Log in to Quickscribe Online](#) prior to clicking Reporter links....

View [PDF](#) of this Reporter.

FEDERAL LEGISLATION – For notification of federal amendments, we recommend you use our [Section Tracking](#)  tool.

[\[Previous Reporters \]](#)

CATEGORIES

COMPANY & FINANCE	LOCAL GOVERNMENT
FOREST & ENVIRONMENT	MOTOR VEHICLE & TRANSPORTATION
HEALTH	OCCUPATIONAL HEALTH & SAFETY
LABOUR & EMPLOYMENT	PROPERTY & REAL ESTATE

COMPANY & FINANCE

Company and Finance News:

BC Employment Incentive Credit – Deadline to Apply December 31, 2021

A reminder that Applications for the BC increased employment incentive (BCIEI) will close on December 31, 2021. The BCIEI was developed as part of BC's Economic Recovery plan and offers a tax credit for employers that hired new employees or increased payroll in Q4 (October 1 to December 31, 2020) compared to Q3 2020 (base period). The increased employment incentive allows employers to apply for a one-time tax credit equal to 15% of the amount that the employer's total [eligible remuneration](#) for all [eligible employees](#) in the qualifying period exceeds the employer's total eligible remuneration for all eligible employees in the base period. Visit the [BC increased employment incentive](#) webpage to learn more details about eligibility and how to calculate and apply.

New Self-regulatory Organization to Replace IIROC and MFDA by the End of 2022

The Canadian Securities Administrators ("CSA") [recently announced](#) that the new self-regulatory organization ("New SRO") that will consolidate the current functions of the Investment Industry Regulatory Organization of Canada ("IIROC") and the Mutual Fund Dealers Association of Canada ("MFDA") is expected to launch by the end of 2022. The CSA announced its plan to create the New SRO earlier this year in [CSA Position Paper 25-404 – New Self-Regulatory Organization Framework](#) (the "Paper"), which we discussed in our [previous blog](#). Read the [full article](#) by Cristian O. Blidariu, Laure Fouin, Nicolas Gervais, Sean Sadler and Rene Sorell with McCarthy Tétrault LLP.

Income Tax Update from the Supreme Court of Canada:

the GAAR Does Not Apply to Treaty Shopping

On November 26, 2021, the Supreme Court of Canada released its decision and reasons in *Her Majesty the Queen and Alta Energy Luxembourg S.A.R.L.*, [2021 SCC 49](#). This case involved the application of the General Anti Avoidance Rule (GAAR) in section 245 of the *Income Tax Act* and "treaty shopping." The taxpayer was successful with the judges splitting 6-3 in their views. The reasons of the majority and the minority are both interesting to read for many reasons. What resonated with me were general comments about the GAAR and about the "Duke of Westminster" principle (The Duke) pertaining to tax planning. The well-accepted Duke of Westminster principle states that "taxpayers are entitled to arrange their affairs to minimize the amount of tax payable." Read the [full article](#) by Ed Kroft, QC with Bennett Jones LLP.

Always Read Before You Sign: When a Contract Is Clear, Courts Will Not Look Past the Written Words

It goes without saying that contracts should always be read before they are signed, as a written contract creates a legal instrument which binds the parties who execute it. Sometimes it is not always that simple, and if one party claims that the contract does not reflect the deal that was made, a court may look into the circumstances that gave rise to the agreement itself. However, as a recent decision from the British Columbia Court of Appeal has shown, where a contract is clear and unambiguous, a party cannot escape its obligation by claiming that the agreement deviated from the underlying deal. In *1001790 BC Ltd. v. 0996530 BC Ltd.*, [2021 BCCA 321](#) the British Columbia Court of Appeal ruled that a failure to read a contract was not a reason to go beyond the "four corners" of the agreement. In doing so, the court shed light on important principles of contractual interpretation. Read the [full article](#) by Daniel Walkman with Pallett Valo LLP.

Canada, US Increase Regulatory Focus on Financial Sector Cyber Risk

OSFI's consultation process is just one of a number of recent developments concerning the regulation of cyber risk for financial institutions in North America. This article briefly reviews these recent developments. The Office of the Superintendent of Financial Institutions (OSFI) has announced a public consultation on Draft Guideline B-13: Technology and Cyber Risk Management. When finalized, B-13 will join OSFI's existing cyber security-related guidelines and tools, which include Guidelines E-21 (Operational Risk Management), B-10 (Outsourcing of Business Activities, Functions and Processes), its Technology and Cyber Security Incident Reporting Advisory, and its Cyber Security Self-Assessment tool. Read the [full article](#) by Brent J. Arnold with Gowling WLG.

CSA Publishes Amendments Aimed at Reducing the Regulatory Burden for Investment Fund Issuers

On October 7, 2021, the Canadian Securities Administrators (the CSA) published amendments (the Amendments) implementing eight initiatives aimed at reducing regulatory burden for investment funds. The Amendments make up the first stage of phase two of the CSA's effort to ease regulatory burdens on investment fund issuers. Please see our bulletin on the CSA's initial request for comment on the Amendments [here](#). The Amendments outlined in workstreams three to eight, as described below, will come into force on January 5, 2022, and the remaining Amendments, as described in workstreams one and two below, will come into force on January 6, 2022. The CSA has also provided an exemption from compliance with the requirements under workstreams one and two for the period before September 6, 2022. Read the [full article](#) by [Stacy McLean](#), [Christopher Yeretsian](#) and [Jessie Dewdney](#) with Blake, Cassels & Graydon LLP.

COVID-19 Tax Update: Comments from the Chief Justice of the Tax Court of Canada

On November 25, 2021, the Honourable Eugene P. Rossiter provided an update on behalf of the Tax Court of Canada at the Canadian Tax Foundation's 73rd Annual Tax Conference. The Chief Justice commented on administrative matters at the Court and identified some significant tax litigation trends. In general, he noted that the Court currently lacks the resources it needs to efficiently address the backlog of cases caused by the Covid-19 pandemic. Adding pressure on the Court are the trends toward longer trials, more adjournment requests, more written discoveries and more discovery-related disputes. Read the [full article](#) by Chris Marta and Sarah Faber with Thorsteinssons LLP.

BC Securities – Policies & Instruments

The following policies and instruments were recently published on the BCSC website:

- [52-513](#) – Exemption from National Instrument 52-112 Non-GAAP and Other Financial Measures Disclosure
- [11-343](#) – Proposal to Establish a CSA Investor Advisory Panel
- [51-107](#) – CSA Notice and Request for Comment Proposed National Instrument 51-107 Disclosure of Climate-related Matters

For more information, visit the BC Securities [website](#).

Act or Regulation Affected	Effective Date	Amendment Information
Designated Accommodation Area Tax Regulation (93/2013)	Nov. 1/21	by Reg. 251/2021
Excluded Employees (Legal Proceedings) Indemnity Regulation (62/2012)	Nov. 26/21	by Reg. 297/2021
Income Tax Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 64 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
	Nov. 29/21	by 2021 Bill 4, c. 18, section 25 only (in force by Reg. 300/2021), Budget Measures Implementation Act, 2021
Income Tax General Regulation (301/2021)	NEW Nov. 29/21	see Reg. 301/2021
Insurance Council Regulation (569/2004)	Nov. 8/21	by Reg. 279/2021
Notaries Regulation (307/2021) (replaces B.C. Reg. 229/2004)	NEW Nov. 29/21	see Reg. 307/2021
Payday Loans Regulation (57/2009)	Nov. 23/21	by Reg. 289/2021
Provincial Sales Tax Rebate on Select Machinery and Equipment Regulation (78/2021)	RETRO to Apr. 1/21	by Reg. 286/2021

FOREST & ENVIRONMENT

Forest and Environment News:

Freeland Says Canada May Retaliate Against U.S. Softwood Lumber Duty Rate

Canada is prepared to retaliate against an American increase of duties on Canadian softwood lumber producers, Deputy Prime Minister Chrystia Freeland said Thursday [November 25].

"We will do precisely what we have done successfully with two previous American administrations: we state our case clearly and rationally. We also make very, very clear that Canada is prepared to retaliate, to defend the national interest," Freeland said in response to criticism in the House of Commons.

Conservative foreign affairs critic Michael Chong said the Liberal government is not being effective against a series of protectionist trade measures by the administration of U.S. President Joe Biden. He was one of several Conservatives to pile on the Liberal government, which is facing mounting criticism over the growing list of trade irritants with Washington. Read the [article](#) published in the Toronto Star.

Bill 28 – Forest Amendment Act, 2021 and Bill 23 – Forests Statutes Amendment Act, 2021

The previously introduced [Forests Statutes Amendment Act, 2021](#) (Bill 23), as well as the new [Forest Amendment Act, 2021](#) (Bill 28), are now both partially in force. As mentioned in the previous Reporter, Bill 23, which was introduced in October, is intended to improve processes for reforestation after large wildfires and to improve collaborative planning between Indigenous nations, government and industry. Changes to the [Forest Act](#), [Forest Practices Code of British Columbia Act](#) and [Forest and Range Practices Act](#) are now in effect. Bill 28 is intended to enable government to redistribute timber harvesting rights to First Nations, communities and BC Timber Sales, establish a clearer framework for compensation rules, increase transparency around forest inventory information, and introduce a new auditing system for fees in lieu under the [Forest Act](#). Please note that the top section of any Bill provides details about which sections are in force and which will come into force at a later date (by regulation).

Indigenous Leaders Concerned Over B.C. Government's Old-Growth Deferral Process

Indigenous leaders and experts in B.C. outlined their concerns Wednesday over the provincial government's process to defer logging in old-growth forests, while underscoring the urgency to preserve at-risk ecosystems.

The province announced Nov. 2 that an independent panel of scientific experts had mapped 26,000 square kilometres of old-growth forests at risk of permanent biodiversity loss. It asked First Nations to decide within 30 days whether they support logging deferrals in those areas or if the plan required further discussion.

Retired judge Mary Ellen Turpel-Lafond told a news conference hosted by the Union of B.C. Indian Chiefs that the government's actions aren't consistent with free, prior and informed consent, a key principle of the UN Declaration on the Rights of Indigenous Peoples. B.C. adopted the declaration through legislation passed in 2019.

The 30-day timeline is too short for many First Nations to make informed decisions, and the process lacks clarity on economic impacts and potential compensation for Nations that elect to set old-growth forests aside from logging, Turpel-Lafond said. Read the [Vancouver Sun article](#).

Changes to the Environmental Management Act

[Bill 24](#), which amends the [Environmental Management Act](#), is now in force by Royal Assent. As previously reported, the intention of the amendments is to establish provincewide bans on the sale, distribution or use of prescribed single-use and short-term products and to apply fees and alternatives to single-use products, where necessary, and/or require that businesses make an item available only by request. Plastic utensils and straws are among the items to be added to the growing list of banned items. Associated regulations are not expected until 2023.

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

[Environmental Management Act](#)

- [Christine McLean v. Director](#) [Application to Amend Notice of Appeal – Granted In Part]
- [Richard Yntema v. Director](#) [Final Decision – Appeal Allowed in Part]

[Water Sustainability Act](#)

- [Larry Jones v. Assistant Water Manager](#) [Summary Dismissal Decision – Dismissed]

Visit the Environmental Appeal Board [website](#) for more information.

Act or Regulation Affected	Effective Date	Amendment Information
Environmental Management Act	Nov. 25/21	by 2021 Bill 24, c. 32, sections 1 to 4 only (in force by Royal Assent), Environmental Management Amendment Act, 2021
		by 2021 Bill 23, c. 37, sections 2, 5 to 11, 16 to 17, 19 to 24, 26 to 27 and 29 only (in force by Royal

Forest Act	Nov. 25/21	Assent), Forests Statutes Amendment Act, 2021
	RETRO to Feb. 23/11	by 2021 Bill 28, c. 38, sections 1 to 15, 17, 19 to 23, 26 to 28, 30, 32 to 33, 35 to 40, 42, 45 to 46, 48 to 50, 52 to 55 and 58 to 60 only (in force by Royal Assent), Forest Amendment Act, 2021
Forest Practices Code of British Columbia Act	Nov. 25/21	by 2021 Bill 23, c. 37, sections 98 to 100 only (in force by Royal Assent), Forests Statutes Amendment Act, 2021
Forest and Range Practices Act	Nov. 25/21	by 2021 Bill 23, c. 37, sections 32, 45, 48, 50, 52, 54 to 56, 58 to 59, 71, 80 to 81, 88 and 90 only (in force by Royal Assent), Forests Statutes Amendment Act, 2021
Ministry of Environment Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 65 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
Protected Areas of British Columbia Act	Nov. 25/21	by 2021 Bill 17, c. 28, sections 1, 3 and 6 only (in force by Royal Assent), Protected Areas of British Columbia Amendment Act, 2021

HEALTH

Health News:

Vaccine Clinics Now Booking Covid Vaccinations for Children Between the Ages Of 5-11

Effective November 29, parents who choose to have their child vaccinated can now do so. Children in this age group will receive a smaller dose of the Pfizer vaccine than youth and adults. Parents are encouraged to register children through the same [Get Vaccination](#) system that has been in place for adults. Consent by a legal guardian is required.

Health Canada Releases Guiding Principles on Artificial Intelligence and Machine Learning for Medical Devices

Medical devices that harness the power of artificial intelligence and machine learning (AI/ML) have the potential to revolutionize the field of healthcare.

Jointly with the U.S. Food and Drug Administration (FDA) and the U.K's Medicines and Healthcare Products Regulatory Agency (MHRA), Health Canada identified ten guiding principles to inform the development of Good Machine Learning Practices (GMLP) in medical devices. Read the [full article](#) by [Edona C. Vila](#), [Keegan Boyd](#), [Benjamin Fuhrmann](#) with Borden Ladner Gervais.

Liberals Introduce Bill to Provide Sick Pay, Ban Intimidation Of Patients and Health-Care Workers

Bill C-3 would make it illegal to intimidate or obstruct health-care workers, patients seeking care

The Liberal government has introduced legislation to provide workers in federally regulated sectors with 10 days of sick pay – while also making it an offence to intimidate or prevent patients from seeking care, or to interfere

with health professionals trying to deliver it.

[Bill C-3](#), which amends the [Criminal Code](#) and the [Canada Labour Code](#), was unveiled today by Labour Minister Seamus O'Regan and Justice Minister David Lametti. Read the [CBC article](#).

Do Medical Professionals Have Freedom of Expression?

Since the advent of the COVID-19 pandemic, state responses to the virus have become the subject of vigorous public debate. While some impugn measures they say are too weak to protect the vulnerable, others lament incursions on their liberties.

Physicians, nurses, and other health care professionals have weighed in, with op-eds, and on social media. When "insiders" – those with special knowledge of the healthcare system, and medical science – voice their opinions publicly, their views can carry special weight. As regulated medical professionals, the law limits the ability of health care professionals to wield their credentials to influence public opinion. In this way, the law limits their freedom of expression. Read the [full article](#) by [Valerie Prather Q.C.](#), [Brynn Harding](#) and [Patrick Schembri](#) with Bennett Jones LLP.

B.C. Government Increases 911 Dispatchers and Supports for First Responders in B.C.

The province says it has hired more 911 dispatchers and will provide more mental health support for paramedics after Emergency Health Services came under fire for slow response times during the heat-wave crisis this summer that left hundreds dead.

Minister Adrian Dix said Friday that BCEHS also has a long term plan to increase mental health support for paramedics and other first responders to better support them and their families. Read the [Vancouver Sun article](#).

Regulatory Context for Patented Pharmaceuticals and Biotechnology Drugs in Canada

Canada has a number of regulations that intersect with the [Patent Act](#) and the drug approval process. These regulations inform the business decisions that innovative companies must make when bringing a new drug to market in Canada.

In this insight, we highlight the importance of communication between a company's patent and regulatory groups at each step of the drug development process, and how the engagement of a Canadian patent agent well versed in these systems, or with access to a lawyer who practices in this area, can help companies make the most informed decisions. Read the [full article](#) by [Beverley Moore](#), [Jennifer Raoul](#), [Chantal Saunders](#), [Zosia Zielinski](#) with Borden Ladner Gervais LLP.

Act or Regulation Affected	Effective Date	Amendment Information
Access to Services (COVID-19) Act	NEW Nov. 25/21	c. 33 [SBC 2021], 2021 Bill 20 (whole Act in force by Royal Assent)
Continuing Care Fees Regulation (330/97)	Nov. 5/21	by Reg. 278/2021
Drug Schedules Regulation (9/98)	Nov. 23/21	by Reg. 292/2021
E-Health (Personal Health Information Access and Protection of Privacy) Act	Nov. 25/21	by 2021 Bill 22, c. 39, sections 56 to 58 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
Fur Farm Regulation (8/2015)	Nov. 26/21	by Reg. 295/2021
	Nov.	

Information Regulation (208/2010)	26/21	by Reg. 297/2021
Pharmaceutical Services Act	Nov. 25/21	by 2021 Bill 22, c. 39, sections 66 to 67 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021

LABOUR & EMPLOYMENT

Labour and Employment News:

BC Ministry Of Labour Announces New Paid Leave For Illness and Injury Under the *Employment Standards Act*, Effective January 1, 2022

As of January 1, 2022, provincially-regulated employers in British Columbia will be required to provide five days of paid sick leave each year to all employees covered by the [Employment Standards Act](#) (the "Act"). This paid leave is in addition to the three days of unpaid sick leave currently required and is distinct from temporary paid COVID-19 leave. While BC is the third province in Canada to legislate paid sick days, its new sick leave program offers the most paid sick days in the country.

Background

In a [previous posting](#), we reviewed [Bill 13 – 2021: Employment Standards Amendment Act \(No. 2\), 2021](#) ("Bill 13"), which amended the Act to provide temporary COVID-19-related paid leave and permanent paid sick leave starting January 1, 2022. The COVID-19 related leave will only be in effect until December 31, 2021, after which the section will be repealed and replaced by permanent paid sick leave benefits on January 1, 2022. The number of permanent paid sick days was unspecified at the time Bill 13 was passed.

Read the [full article](#) by [Lauren Soubolsky](#), [Danielle Douglas](#) and [Alexandra Comber](#) with McCarthy Tétrault.

Mental Health and an Employer's Duty to Inquire

Employers have duties to employees arising from occupational health and safety legislation. They must be sensitive to home-based violence when the home becomes the workplace, as well as physical issues arising from non-standard ergonomic configurations. In some instances, they must watch out for deteriorating employee mental health conditions.

Human rights legislation may impose a duty to inquire into employee well-being and accommodate for undue hardship if the employee has a mental or physical disability. There may also be family status considerations that impact an employee's ability to work the same hours previously worked. Read the [full article](#) by Loraine Champion and Rekha McNutt, published in the CBA National.

Howard Levitt: The Unintended Consequences of Working From Home Will Be Multifold and Worrisome For Canadians

Will ultimately bring unemployment, reduced salaries, transfer of jobs abroad and an underclass of employees

On my Sunday Newstalk 1010 show, a caller complained that while his employer was permitting him to continue working from Costa Rica, it was cutting his pay by 25 per cent. He was unhappy with my advice.

Remote working is at a tipping point. Close to two years ago, most employers were legislatively required to close their offices and employees, those not laid off, were required to work from their homes.

Many Canadians seized upon that to move to their cottages or relocate to less expensive areas, whether rural Canada or not in Canada at all.

The implicit understanding was that, when matters normalized and offices could reopen, they would return to work. My firm shut for all of two months from March to May 2020 and has been going at full tilt, in the office, ever since. But we are an anomaly. Our office building is largely empty as are most of the towers of Corporate Canada. Despite much talk about returning to the office, it has, by and large, not yet taken place. Read the [Financial Post article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Criminal Records Review Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 55 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
		by 2021 Bill 25, c. 29, sections 22 to 25 only (in force by Royal Assent), Education Statutes Amendment Act, 2021
Employer Health Tax Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 59 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
	Nov. 29/21	by 2021 Bill 4, c. 18, section 17 only (in force by Reg. 300/2021), Budget Measures Implementation Act, 2021
Employer Health Tax Regulation (268/2018)	Nov. 29/21	by Reg. 300/2021
Employment and Assistance Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 60 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
Employment and Assistance Regulation (263/2002)	Nov. 29/21	by Reg. 303/2021
Employment and Assistance for Persons with Disabilities Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 61 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
Employment and Assistance for Persons with Disabilities Regulation (265/2002)	Nov. 29/21	by Reg. 303/2021
Human Rights Code	Nov. 25/21	by 2021 Bill 18, c. 35, sections 1 to 2 (in force by Royal Assent), Human Rights Code Amendment Act, 2021
Occupational Health and Safety Regulation (296/97)	Dec. 1/21	by Reg. 222/2021 and Reg. 207/2021
Public Service COVID-19 Vaccination Regulation (284/2021)	NEW Nov. 19/21	see Reg. 284/2021
Salary Range Regulation (152/2017)	Nov. 30/21	by Reg. 310/2021
LOCAL GOVERNMENT		
Local Government News:		

Update on Bill 26 – Local Government Legislation Amendments

As referenced in the [previous Reporter](#), [Bill 26 – Municipal Affairs Statutes Amendment Act \(No.2\)](#) will introduce several significant amendments to local government legislation including:

- a new require local governments to consider developing or updating codes of conduct,
- the enabling of local governments to determine specific notice methods for public notice requirements, and
- streamlining the development approvals process.

The Bill achieved Royal Assent on November 25th; however, most of the sections of the Bill have not yet come into force as of the publication of this Reporter. The changes are expected to be brought in by regulation at a future unknown date. A reminder that you receive notice of when these changes come into force by setting up an alert via the BC Legislative Digest or Keyword Alert via the [My Alerts](#) page on the top navigation.

Update on Significant Amendments to the Freedom of Information and Protection of Privacy Act [Local Government Perspective]

Significant changes to British Columbia's freedom of information and privacy law came into force on November 25, 2021. As our previous bulletin on [Bill 22](#) discusses in more detail, the amendments to the [Freedom of Information and Protection of Privacy Act](#) (FIPPA) include these significant changes:

- a duty to adopt a privacy management program,
- a duty to notify affected individuals and the Office of the Information and Privacy Commissioner (OIPC) of certain privacy breaches,
- enhanced privacy impact assessment requirements,
- repeal of the in-Canada data residency rule,
- a new mandatory exemption to protect certain rights and interests of Indigenous peoples,
- exclusion of some kinds of records from access requests,
- introduction by regulation of a new fee for making an access request, and
- new offence provisions.

All the amendments are now in force except for the first two listed above – along with an amendment adding two named police association organizations as public bodies – all of which will come into force later by regulation. Read the [full bulletin](#) by David Loukidelis & James Barth, Articled Student with Young Anderson Barristers & Solicitors.

Reasonableness Review: A Case Study of *Anderson v Strathcona Regional District*

The BC Supreme Court has released reasons in *Anderson v Strathcona Regional District*, [2021 BCSC 1800](#) [Anderson] which provides an excellent example of the Court applying the reasonableness standard of review, as recently re-articulated by the Supreme Court of Canada in *Vavilov*, to decisions of a local government.

In most circumstances, the judicial review of local government decisions post-*Vavilov* are now conducted pursuant to the standard of reasonableness. This means the Court will assess a decision of the local government to determine whether it generally fell within the range of reasonable outcomes, as opposed to determining whether it was purely "correct". Reasonableness is a more deferential standard that affords a decision maker with greater leeway in interpreting its authority. Read the [full article](#) by Andrew Buckley with Stewart McDannold Stuart, Barristers & Solicitors.

New Rules for Second Residence on Certain ALR Parcels [December 31]

On July 12, 2021, government approved [amendments](#) to the [Agricultural Land Reserve Use Regulation](#) under the [Agricultural Land Commission Act](#). The amendments will come into effect on December 31, 2021. They permit second residences on ALR parcels based on certain conditions. Those amendments mean that as of December 31, 2021, if also permitted in local government bylaws, ALR landowners will be permitted two residences per parcel in specific circumstances. If the parcel has only one residence, a second residence may be built under certain circumstances.

- If the parcel is 40 hectares or less, there will be permission for two residences: one that is 500 m² or less in total floor area, and one that is 90 m² or less in total floor area.
- If the parcel is larger than 40 hectares, there will be permission for two residences: one that is of any size permitted by the *Agricultural Land Commission Act* at the time it was built, and one that is up to 186 m² in total floor area.

Local government or First Nation government permission for residences will still be required, where applicable. Local governments are encouraged to read the full [Guidance](#) document published by the Ministry of Agriculture, Food & Fisheries for further information on how these new rules are to be applied.

BC Reviewing Municipal Flood Responsibility Following Devastating Storms

The provincial government is opening up a review of how flood mitigation is handled across the province, after years of leaving dikes and flood mitigation to municipalities to look after. In 2003, the BC Liberal government ended the flood plain development control program that had been in place since 1975, which was instituted after the Fraser River flooding of 1972. Read the [full article](#) published by *The Free Press*.

BC Court of Appeal Affirms North Cowichan's Denial of Development Permit

A recent case from the B.C. Court of Appeal has reversed the previous B.C. Supreme Court decision in *1909988 Ontario Limited v. North Cowichan (Municipality)*, [2020 BCSC 1666](#). We previously provided a summary of the trial decision, which can be found [here](#). To recap, Council for the District of North Cowichan (the 'District') had delegated by bylaw decision-making authority regarding development permit applications to its Director of Planning and Building and provided for a reconsideration process by Council. Read the [full article](#) by Adrienne Atherton and Kelsey Stuckert with CivicLegal LLP.

Changes to Temporary Use Permits Considered in RDCK Areas

More options could open up for building in the regional district. Amendments to the land use bylaws in several Regional District of Central Kootenay (RDCK) electoral areas could legitimize the practice of building or setting up an accessory building before constructing a primary residence. Previously in place for only commercial and industrial projects in some areas of the RDCK, changes to the [Local Government Act](#) allows the local municipal government power to now govern temporary use permits for residential applications. Read the [full article](#) published in the *Toronto Star*.

Enforceability of Mandatory COVID-19 Vaccination Policies: Guidance from Recent Decisions [Local Government Perspective]

Many employers, including governments and governmental organizations, have implemented mandatory vaccine policies for their employees. However, there are no current PHO Orders or WorkSafe rules requiring mandatory vaccines for local government employees. Therefore, local government employers must consider whether their particular policy is legally enforceable before implementing a mandatory vaccination policy in the workplace. Two recent decisions of Ontario labour arbitrators provide guidance on how to assess whether a mandatory vaccine policy will be able to withstand challenge by a union. Read the [full bulletin](#) by Carolyn MacEachern and Julia Tikhonova with Young Anderson Barristers & Solicitors.

Act or Regulation Affected	Effective Date	Amendment Information
Assessment Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 51 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
Cannabis Licensing Regulation (202/2018)	Nov. 26/21	by Reg. 296/2021
Community Charter	Nov. 25/21	by 2021 Bill 26, c. 30, sections 1 and 8 only (in force by Royal Assent), Municipal Affairs Statutes Amendment Act (No. 2), 2021
First Nations Education Act	Nov. 25/21	by 2021 Bill 25, c. 29, sections 1 to 2 only (in force by Royal Assent), Education Statutes Amendment Act, 2021
	Nov.	by 2021 Bill 29, c. 36, section 1 (in force by Royal

Interpretation Act	25/21	Assent), Interpretation Amendment Act, 2021
Islands Trust Act	Nov. 25/21	by 2021 Bill 26, c. 30, sections 9 to 11 and 13 only (in force by Royal Assent), Municipal Affairs Statutes Amendment Act (No. 2), 2021
Islands Trust Regulation (119/90)	Nov. 1/21	by Reg. 275/2021
Liquor Control and Licensing Regulation (241/2016)	Nov. 29/21	by Reg. 305/2021
Liquor Distribution Regulation (611/76)	Nov. 29/21	by Reg. 305/2021
Local Elections Campaign Financing Act	Dec. 1/21	by 2021 Bill 19, c. 5, sections 1, 3, 5 to 12, 16, 23, 24, 26 to 47, 49, 52, 54, 56, 59 to 64, 67 and 70 only (in force by Reg. 281/2021), Local Elections Statutes Amendment Act, 2021
Local Elections Campaign Financing Prior to 2022 General Local Election Regulation (309/2016) (formerly Local Elections Campaign Financing Expense Limit Regulation)	Dec. 1/21	by Reg. 280/2021
Local Elections Campaign Financing Regulation (281/2021)	NEW Dec. 1/21	see Reg. 281/2021
Local Government Act	Nov. 25/21	by 2021 Bill 26, c. 30, sections 15, 18, 26 to 28, 30, 32 to 33, 35 to 37 and 41 only (in force by Royal Assent), Municipal Affairs Statutes Amendment Act (No. 2), 2021
	Dec. 1/21	by 2021 Bill 9, c. 5, sections 72 to 76 only (in force by Reg. 281/2021), Local Elections Statutes Amendment Act, 2021
Municipalities Enabling and Validating Act (No. 4)	Nov. 25/21	by 2021 Bill 26, c. 30, section 43 only (in force by Royal Assent), Municipal Affairs Statutes Amendment Act (No. 2), 2021
School Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 69 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
	Dec. 1/21	by 2021 Bill 9, c. 5, section 83 only (in force by Reg. 281/2021), Local Elections Statutes Amendment Act, 2021
Teachers Act	Nov. 25/21	by 2021 Bill 25, c. 29, sections 3 to 4, 7 to 16 and 19 to 21 only (in force by Royal Assent), Education

		Statutes Amendment Act, 2021
Vancouver Charter	Nov. 25/21	by 2021 Bill 26, c. 30, sections 52 and 56 only (in force by Royal Assent), Municipal Affairs Statutes Amendment Act (No. 2), 2021
	Dec. 1/21	by 2021 Bill 9, c. 5, sections 86 to 90 only (in force by Reg. 281/2021), Local Elections Statutes Amendment Act, 2021

MOTOR VEHICLE & TRANSPORTATION

Motor Vehicle & Transportation News:

New Vaccination Requirements for Travel within Canada

Effective November 30th, the Government of Canada is requiring all travellers 12 years and 4 months of age or older to be fully vaccinated if travelling by air or rail (Via Rail and Rocky Mountaineer trains or any non-essential passenger vessel) for more than 24 hours. Proof of vaccination is required. BC Ferries is exempt from this requirement. Visit the Government of Canada [travel advisory website](#) for more details.

Two B.C. Employers Charged Over Vehicle Violations

WorkSafeBC has penalized two British Columbia employers for violations relating to transport vehicles in the workplace.

Qualified Contractors Ltd. in Surrey was fined \$7,093.66 after WorkSafeBC and Commercial Vehicle Safety Enforcement (CVSE) found a number of safety deficiencies in the firm's farm worker transport vehicle.

Specifically, they found cargo that wasn't secured, non-compliant lighting, a cracked windshield and worn tire axles. Read the [full article](#) by Jim Wilson published on the Canadian Occupational Safety website.

Rebuilding B.C.'s Destroyed Highways Will Account for Changing Climate

During Thursday's [December 2nd] press conference, Minister of Transportation Rob Fleming confirmed Highway 1 between Abbotsford and Hope is reopening Thursday afternoon, after Tiger Dams were placed across it Sunday night in the Sumas Prairie area.

"The Tiger Dam across Highway 1 that had been a temporary addition to the diking system was taken down," Fleming said.

"It had been a highly successful undertaking and it reflects the exceptional teamwork between Emergency Management BC and the City of Abbotsford." Read the [BIV article](#).

Passenger Transportation Board Bulletins

The following updates were recently published by the BC Transportation Board:

Industry Updates & Advisories

- Festive Season TOPs for Taxis
 - To apply for Festive Season Temporary Operating Permits (FSTOPs), see section 2 of [Reference Sheet 17 \(TOPs\)](#).
- Peak Season TOPs for Limousine
 - To apply for Peak Season Temporary Operating Permits (PS TOPs), see section 3 of [Reference Sheet 17 \(TOPs\)](#).

Applications Received

- [13547-21](#) – Xclusive Limousine Service Ltd.
- [13420-21](#) – Waivin Flags Ltd.
- [13590-21](#) – REHFELDT, Herbert Ernst (Coast Taxi)
- [13591-21](#) – REHFELDT, Herbert Ernst (Coast Taxi)

Application Decisions

- [13191-21](#) – Bluebird Cabs, Ltd. [Approved]
- [12738-21](#) – Pettinati-Cadotte, Alex (Big Bear Limo) [Approved in part]
- [3157-21](#), [13158-21](#), [13159-21](#), [13185-21](#) – Transfer of Licence: PDVA (Taxi) [Approved]
- [13715-21 PS TOP](#) – Jones, Leah Marie (LJ Limo Ride Co) [Approved]
- [13776-21 FSTOP](#) – Penticton Eco Taxi Ltd. [Approved]
- [12387-21](#) – Cobble Hill Taxi 2016 Ltd. [Approved in part]
- [13689-21 FSTOP](#) – Cobble Hill Taxi 2016 Ltd. [Approved]
- [13616-21 FSTOP](#) – Cheam Taxi Ltd. [Approved]
- [13541-21 TOP](#) – Xclusive Limousine Service Ltd. [Refused]
- [12556-21](#) – Silverstar Limousine Service Ltd. [Approved]
- [12895-21](#) – NEJEDLY, Miloslav (Budget Wine Tours) [Refused]

Visit the PT Board [website](#) for more information.

CVSE Bulletins & Notices

The following notices were posted recently by CVSE:

- [Notice 03-21](#) – Oversize and Overweight Restrictions for Barriere River Bridge on Highway 5 – *updated*
- [Notice 04-21](#) – Height Clearance Tool Migration

For more information on these and other items, visit the [CVSE website](#).

Act or Regulation Affected	Effective Date	Amendment Information
Basic Vehicle Damage Coverage Regulation (4/2021)	Nov. 1/21	by Reg 273/2021
	Nov. 29/21	by Reg. 304/2021
Enhanced Accident Benefits Regulation (59/2021)	Nov. 1/21	by Reg 273/2021
Insurance (Vehicle) Regulation (447/83)	Nov. 29/21	by Reg. 304/2021
Insurance (Vehicle) Transitional Regulation (274/2021)	NEW RETRO to May 1/21	see Reg 274/2021
Motor Vehicle Act Regulations (26/58)	Nov. 29/21	by Reg. 306/2021
Violation Ticket Administration and Fines Regulation (89/97)	Nov. 19/21	by Reg. 285/2021
	Nov. 26/21	by Reg. 295/2021 and Reg. 299/2021
	Nov. 29/21	by Reg. 308/2021

OCCUPATIONAL HEALTH AND SAFETY

Occupational Health & Safety News:

Occupational Health and Safety Regulations

Amendments – December 1st

Effective December 1st, changes to the [Occupational Health and Safety Regulation](#) made by [B.C. Reg. 207/2021](#) and [B.C. Reg. 222/2021](#) came into force. These changes affect the following sections:

- Combustible and flammable liquids Parts 1, 5, 22, and 23)
- Radiation dose limits to the lens of the eye (Part 7)
- Traffic Control (Part 18)
- Certification of concrete pump operations (Part 20)
- Blasting Operations (Part 21)
- Arborists (Part 26)
- Logging truck load securement (Part 26)

For specific details on these changes, visit the [WorkSafeBC resources page](#) and click on the Overview PDF.

December 2021 Virtual Public Hearing on Proposed Regulatory Amendments

WorkSafeBC will be holding a public hearing on [proposed amendments](#) to the [Occupational Health and Safety Regulation](#). Due to the COVID-19 pandemic, the public hearing will be held virtually. The virtual public hearing will be streamed live on December 8, 2021 with two session times. The first will take place from **11 a.m. to 1 p.m.** and the second from **3 to 5 p.m.** Visit the [WorkSafeBC website](#) for additional details.

How to Protect Workers Before, During and After a Flood

Still reeling from major floods that have devastated large swathes of the province, B.C. residents are being warned of fresh rainfall that is set to affect thousands. Maritime provinces have also seen heavy rainfall that is causing a lot of damage. So how can businesses and organizations in these provinces prepare to ensure the safety of their workers? There's no cookie-cutter template for handling floods, says Barry Nakahara, Senior Manager, Prevention Field Services, WorkSafeBC. Read the [full article](#) by Maia Foulis, published on Canadian Occupational Safety.

New Public Health Orders

The Public Health Office (PHO) recently issued the following Orders, Notices & Guidance:

Orders:

- [Gatherings and Events – December 3, 2021 \(PDF, 480KB\)](#)
- [Hospital and Community \(Health Care and Other Services\) COVID-19 Vaccination Status Information and Preventive Measures – November 18, 2021 \(PDF, 613KB\)](#)
 - [Guidelines for Request for Reconsideration \(Exemption\) Process – October 8, 2021 \(PDF, 420KB\)](#)
 - [Medical Deferral Form – October 28, 2021 \(PDF, 258KB\)](#)
- [Variance of Gatherings and Events & Food And Liquor Serving Premises Orders to Suspend Reconsideration re Proof of Vaccination – November 12, 2021 \(PDF, 307KB\)](#)
 - [Public Guidelines for Request for Reconsideration \(Exemption\) Process – November 12, 2021 \(PDF, 389KB\)](#)
 - [Public Form for Reconsideration \(Exemption\) Process – November 12, 2021 \(PDF, 395KB\)](#)

Medical Health Officer Order:

- [Gatherings and Events COVID-19 Order for Northern Health Authority – November 30, 2021 \(PDF, 213KB\)](#)

Medical Health Officer Notices:

- [Notice of Repeal of Gatherings and Events COVID-19 Order for Interior Health Authority – December 1, 2021 \(PDF, 213KB\)](#)

Visit the [PHO website](#) to view these and other related orders and notices.

OHS Policies/Guidelines – Updates

WorkSafeBC recently issued the following OHS Updates:

Guidelines – *Workers Compensation Act*

- Part 2 Division 12 - Enforcement
 - [G-P2-84-2 Approval, acceptances, authorizations, or permission under the OHS Regulation](#) (revised)

Guidelines – OHS Regulation

- Part 5 - Chemical Agents and Biological Agents
 - [G5.27 Ignition sources - Combustible liquid normally used as fuel](#) (new)
 - [G5.28 Bonding or grounding containers - Ensuring effectiveness](#) (new)
 - [G5.32 Manual cleaning - Work procedures](#) (revised)
- Part 7 - Radiation
 - [G7.17 Definitions - Calculation of the equivalent dose and the effective dose](#) (revised)
 - [G7.19-1 Exposure to ionizing radiation - Exposure limits and exposure period](#) (revised)
 - [G7.19-2 Notification of worker overexposure to ionizing radiation](#) (revised)
 - [G7.20\(1\)-1 Exposure control plan - General requirements](#) (revised)
 - [G7.22 Monitoring exposure](#) (revised)
 - [G7.24\(a\) Radiation surveys - Clarification of how often to conduct and who can conduct](#) (revised)
- Part 14 Cranes and Hoists
 - [G14.2-1 Standard - Tower cranes](#)
- Part 18 Traffic Control
 - [G18.4 Traffic control supervisor](#) (revised)
 - [G18.6.2\(1\) Traffic control person training](#) (new)
 - [G18.9 Safety headgear for traffic control persons](#) (revised)
 - [G18.9\(a\) Illuminated traffic control paddles](#) (revised)
- Part 21 Blasting Operations
 - [G21.4 Blasting log](#) (revised)
 - [G21.8 Certification of blasters - Qualifications](#) (revised)
 - [G21.8.1 Continuing professional development - Blasters](#) (new)
 - [G21.16 Storage - Detonators](#) (revised)
 - [G21.23 Transportation - Flammable materials](#) (revised)
 - [G21.25\(3\) Mobile drilling rigs](#) (revised)
 - [G21.39 Disposal of explosives - Abandoned](#) (revised)
 - [G21.69 Blasting signals](#) (revised)
 - [G21.75 Cutoffs and unexploded explosives](#) (revised)
 - [G21.82 Underwater blasting](#) (revised)
 - [G21.85\(1\)-1 WorkSafeBC acceptance of procedures for avalanche control](#) (revised)
 - [G21.85\(1\)-2 Assessment of avalauncher device safety in proposed work procedures](#) (revised)
 - [G21.85\(3\) Safety fuse ignition system](#) (revised)
- Part 24 Diving, Fishing and Other Marine Operations
 - [G24.70 Compliance with standards](#) (revised)
- Part 26 Forestry Operations and Similar Activities
 - [G26.69\(2\)\(b\) Safe work procedures for the use of a removal station](#) (revised)

The following guidelines were retired consequential to the December 1 amendments to the OHS Regulation:

- [G18.4\(1\) Supervision - Traffic control person training in a manner acceptable to WorkSafeBC](#)
- [G18.8 Safe position for traffic control person](#)
- [G21.27 Contact with metal](#)
- [G26.68 Binder cinches](#)

The following guideline was revised:

- Part 10 De-energization and Lockout
 - [G10.4\(6\) Use of means other than personal locks](#)

The following guideline was retired.

- Part 7 Noise
 - [G7.3-2 Noise exposure data collected by prevention officers](#)

Check the [WorkSafeBC website](#) to explore these and other important OHS updates.

Act or Regulation Affected	Effective Date	Amendment Information
Occupational Health and Safety Regulation (296/97)	Dec. 1/21	by Reg. 222/2021 and Reg. 207/2021

PROPERTY & REAL ESTATE

Property and Real Estate News:

Constructive Trusts and Certificates of Pending Litigation:

Latest Update on Pleading Requirements

In a recent decision *Zou v Khatkar*, [2021 BCSC 1931](#), the court revisited the topic of pleading requirements in claiming constructive trust to maintain a valid Certificate of Pending Litigation (CPL). In this case, the defendants sought to cancel CPLs registered by the plaintiff against five investment properties owned by the defendants. The underlying dispute involved a purchase by the plaintiff of a residential property from the defendant builders. The plaintiff alleged that shortly after taking possession of the property she discovered various deficiencies with the property. The plaintiff sued the sellers, claiming damages for breach of purchase contract, and misrepresentations relating to the condition of the property. The plaintiff later amended her claim to seek "remedial and/or substantive constructive trust" over the defendants' properties, and registered five CPLs against those properties. Read the [full article](#) by Anna Sekunova with Clark Wilson LLP.

Reminder: Authority to Hold Remote Strata Meetings Until December 31st

On July 9, 2021, [B.C. Regulation 181/2021](#) was brought in to extend the allowance for stratas in BC to conduct remote meetings including annual and special general meetings through to December 31, 2021. The extension applies to all strata corporations whether or not they have a bylaw allowing meetings to be held electronically. Strata corporations that wish to have the option of holding remote/electronic general meetings after December 31, 2021 will need to have a bylaw authorizing this, as allowed under [section 49 of the Strata Property Act](#). Please visit the government's COVID-19 [Information for Strata housing page](#) for the very latest news and information.

B.C. Supreme Court Confirms Validity of Common Form of Allocation of Parking Stalls in Condominium Developments

In a recent decision, the B.C. Supreme Court confirmed the validity of a relatively common form of allocation of parking stalls and storage lockers in condominium developments. The case [One West Holdings Ltd. v. The Owners, Strata Plan LMS 2995](#) ("One West") involved a strata development in Vancouver. During the development process, but before the strata plan was filed, the developer granted an option to lease, and then a lease, over the parkade area (part of the common property of the strata) to a related company. That company then assigned the parking stalls to the purchasers of the strata lots when they purchased units in the development. The parking company also kept a number of stalls that they rented out to the public. Read the [full article](#) by Edward L. Wilson and Sophie Marshall with Lawson Lundell LLP.

BC Working to Strengthen Protection for Home Buyers

On November 4, 2021, the BC Government announced that it will introduce new legislation that requires a cooling-off period for resale properties and newly built homes. The Ministry of Finance and B.C. Financial Services Authority (BCFSA), stated in their announcement that the new legislation will include a limited period of time during which a buyer can change their mind and cancel their future purchase with limited legal consequences. The Ministry of Finance stated that this cooling-off period will be similar to the seven day period that is already in place for pre-construction condominium sales under section 21 of BC's [Real Estate Development Marketing Act](#) (REDMA) Read the [full article](#) by Mark V. Lewis, Mandev Mann and Kiera Stel with Bennett Jones LLP.

CHOA – Condo Smarts: Common vs Limited Common Property

Dear Tony: As a new condo owner, I am quite concerned by the directions given to owners by our strata corporation. We have been advised that owners in the town houses must clear the leaves and snow from our walkways, driveways, and balconies, cut the grass in our back yards and clear the drains next to our townhouses. The windows on the apartment buildings are under a contract paid by the strata corporation but the townhouse owners are responsible for their own window cleaning. This seems unfair as the owners in the apartment buildings have everything done by the strata corporation. Before we challenge the strata council on how they are administering the use of property, how do we confirm who has the responsibility for the maintenance of property outside of our homes? Read the [full article](#) by Tony Gioventu, published in the CHOA bulletin Condo Smarts.

Act or Regulation Affected	Effective Date	Amendment Information
Land Owner Transparency Regulation (250/2020)	Nov. 2/21	by Reg. 276/2021
Land Title Act	Nov. 25/21	by 2021 Bill 23, c. 37, section 109 only (in force by Royal Assent), Forests Statutes Amendment Act, 2021
Speculation and Vacancy Tax Act	Nov. 25/21	by 2021 Bill 22, c. 39, section 71 only (in force by Royal Assent), Freedom of Information and Protection of Privacy Amendment Act, 2021
	Nov. 29/21	by 2021 Bill 4, c. 18, section 78 only (in force by Reg. 300/2021), Budget Measures Implementation Act, 2021
Speculation and Vacancy Tax Regulation (275/2018)	Nov. 29/21	by Reg. 300/2021

The content of this document is intended for client use only. Redistribution to anyone other than Quickscribe clients (without the prior written consent of Quickscribe) is strictly prohibited.

QUICKSCRIBE SERVICES LTD.

DISCLAIMER

The Reporter includes articles that should be used for information and educational purposes only and are not intended to be a source of legal advice. Please consult with a lawyer before choosing to act on any information included in the Reporter. The content in each article is owned by its respective author.

UNSUBSCRIBE FROM THIS EMAIL SERVICE
To unsubscribe from this service, click [here](#).