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| <p>ANNOTATED BRITISH COLUMBIA LOCAL GOVERNMENT ACT AND COMMUNITY CHARTER Peter Johnson Release No. 1, April 2024</p> |
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Under the editorial leadership of Peter Johnson, this work is a publisher’s unofficial consolidation of the British Columbia *Local Government Act*, R.S.B.C. 2015, c. 1, the British Columbia *Community Charter*, S.B.C. 2003, c. 26, and selected regulations.

This release features updates to case law and commentary under the *Local Government Act* and the *Community Charter*.

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Highlights

- **Local Government Act — § 740:1 — *Anderson v. Strathcona Regional District*, 2024 CarswellBC 141** — The British Columbia Court of Appeal held that the appellant was entitled to be indemnified for her reasonable legal costs in relation to the disqualification proceedings that had been unsuccessfully brought against her. The Court affirmed that the purpose of the regional district’s indemnification bylaw was to protect officials from the cost of a legal attack brought against them in connection with the exercise or performance of their official powers, duties or functions. The Court ruled that the unsuccessful disqualification proceedings qualified as a “claim, action or prosecution” within the meaning of the indemnification law. The Court reasoned that the only reasonable interpretation was that the bylaw provided for mandatory indemnification for all costs incurred in defending all types of legal proceedings connected to an official’s actions taken in an official capacity.
- **Community Charter — § 50:1 — *Central Saanich (District) v. McHattie*, 2023 CarswellBC 3613** — The British Columbia Court of Appeal held that the “development” of a parcel can connote the act of modifying the land in order to make it suitable for a permitted use or uses. Development of a parcel is a necessary precursor to, and distinct from, a permitted use. The word “density” must be informed by the uses permitted under applicable zoning designations.
- **Community Charter — § 117:1 — *Anderson v. Strathcona Regional District*, 2024 CarswellBC 141** — Section 117 of the *Community Charter* imposes a duty to keep confidential Board records and information in confidence by shielding them from public disclosure. The language of section 117 does not preclude an elected official from disclosing confidential Board information to a lawyer for the purpose of obtaining personal legal advice since a lawyer is duty-bound by solicitor-client privilege to maintain confidentiality in all information provided by a client.

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