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ANNOTATED BRITISH COLUMBIA LOCAL GOVERNMENT ACT AND COMMUNITY CHARTER

Peter Johnson

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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.

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Highlights

- **WORDS AND PHRASES—DRAINING LAND—**". . . the most obvious meaning attributable to the term "draining land" would be the active process of removing existing water from it, so that it can then be farmed. However. . . in its ordinary sense the term is sufficiently broad to also encompass putting in place a system by means of which the land can continue to be passively drained to maintain its usefulness, even if that might be more accurately described as installing, or improving drainage." *(Richmond (City) v. Jantunen* (2026), 2026 BCSC 40, 67 M.P.L.R. (6th) 129, 2026 CarswellBC 98 (B.C. S.C.) at para. 128 Schultes J.).
- **WORDS AND PHRASES—LAND DEDICATION—**". . . a municipality from whom certain development approvals are sought may require as a condition of such approval that the owner of the land convey to the municipality at no expense portions of the land in accordance with the municipality's official plan, a process known as "land dedication."" *(Regional Municipality of York v. 2090396 Ontario Ltd*. (2026), 2026 ONSC 3430, 2026 CarswellOnt 9939 (Ont. Div. Ct.) at para. 45 Schreck J.).
- **WORDS AND PHRASES—PUBLIC INTEREST—**". . . "public interest" is an expansive term. . . the term is unitary and it reflects the cultural, professional, and societal values of a particular space and time. . . the public interest consists of multiple interests as well as multiple publics. The publics may constitute local residents and businesses, developers, community organizations, local government and others." (*2357596 Alberta Ltd v. Antoniuk* (2026), 2026 ABKB 81, 2026 CarswellAlta 268 (Alta. K.B.) at para. 120 Akgungor J.).
- **WORDS AND PHRASES—SHADOW OF EXPROPRIATION—**"Expropriation of a property is an ongoing process. This may include the "shadow" of the taking where steps that precede the formal acquisition causes damage to an owner. . ." (*S & R Sawmills Ltd. v. Greater Vancouver Sewerage and Drainage District* (2025), 2025 CarswellBC 3881, 2025 BCSC 2453 (B.C. S.C.) at para. 162 Gibb-Carsley J.).