



# VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

## REGULAR COUNCIL MEETING

**Date:** Monday, November 16, 2015  
**Time:** 7:00 p.m.  
**Location:** Council Chambers, 495 Hot Springs Road  
Harrison Hot Springs, British Columbia

<b>1. CALL TO ORDER</b>		
Meeting called to order by Mayor Facio.		
<b>2. INTRODUCTION OF LATE ITEMS</b>		
<b>3. APPROVAL OF AGENDA</b>		
<b>4. ADOPTION OF COUNCIL MINUTES</b>		
(a) THAT the Minutes of the Regular Council Meeting held on November 2, 2015 be adopted.		Item 4(a) Page 1
<b>5. BUSINESS ARISING FROM THE MINUTES</b>		
<b>6. CONSENT AGENDA</b>		
i. Bylaws		
ii. Agreements		
iii. Committee/ Commission Minutes		
iv. Correspondence	(a) Letter dated November 5, 2015 from the Auditor General for Local Government regarding a new Auditor General.	Item 6.iv(a) Page 7
<b>7. DELEGATIONS/PETITIONS</b>		
(a) Petition re: Property Maintenance Bylaw		Item 7(a) Page 9
<b>8. CORRESPONDENCE</b>		
(a) Emailed dated November 4, 2015 from Joyce Seidel regarding support for Strata Plan LMS 2443's application to the Heart & Stroke Foundation PAD program.		Item 8(a) Page 11
<b>9. BUSINESS ARISING FROM CORRESPONDENCE</b>		
<b>10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS</b>		

<b>11. REPORTS FROM MAYOR</b>	
<b>12. REPORTS FROM STAFF</b>	
(a) <b>Report of Chief Administrative Officer/Corporate Officer – November 4, 2015</b> Re: 2016 Regular Council Meeting Schedule  THAT the proposed Regular Council meeting schedule for 2016 be approved as submitted.	Item 12(a) Page 13
(b) <b>Report of Chief Administrative Officer/Corporate Officer – November 10, 2015</b> Re: Pay Parking Implementation - Amendment  THAT the resolution approved at the Regular Council meeting June 1, 2015 wherein:  "THAT pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), <u>Cedar Street (north)</u> and Spruce Street (north) be implemented in the Spring of 2016,  AND THAT no changes for parking be implemented in 2015."  be amended to read:  "THAT pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), <u>Chehalis Street (north)</u> and Spruce Street (north) be implemented in the Spring of 2016;  AND THAT no changes for parking be implemented in 2015."	Item 12(b) Page 15
(c) <b>Report of Manager of Development Services – November 12, 2015</b> Re: Analysis of Revitalization Tax Exemption Bylaw No. 1033, 2013  THAT the report titled "Analysis of Revitalization Tax Exemption Bylaw No. 1033, 2013" be received for information.	Item 12(c) Page 17
<b>13. BYLAWS</b>	
<b>14. QUESTIONS FROM THE PUBLIC</b> <b>(pertaining to agenda items only)</b>	
<b>15. ADJOURNMENT</b>	

**VILLAGE OF HARRISON HOT SPRINGS  
MINUTES OF THE REGULAR MEETING OF COUNCIL**

**DATE:** November 2, 2015  
**TIME:** 7:00 p.m.  
**PLACE:** Council Chambers  
 495 Hot Springs Road  
 Harrison Hot Springs, BC

**IN ATTENDANCE:** Mayor Leo Facio  
 Councillor John Buckley  
 Councillor Sonja Reyerse  
 Councillor John Hansen  
 Councillor Samantha Piper

Chief Administrative Officer/CO, Debra Key  
 Manager of Development and Community Services, Lisa Grant

**ABSENT:**

*Recording Secretary: Jaclyn Bhatti*

**1. CALL TO ORDER**

Mayor Facio called the meeting to order at 7:00 p.m.

**2. INTRODUCTION OF LATE ITEMS**

- Adopt-a-trail
- Remove First Class Waste delegation

**3. APPROVAL OF AGENDA**

Moved by Councillor Piper  
Seconded by Councillor Hansen

THAT the agenda be approved as amended.

**CARRIED  
UNANIMOUSLY**

**4. ADOPTION OF COUNCIL MINUTES**

Moved by Councillor Buckley  
Seconded by Councillor Reyerse

THAT the Minutes of the Regular Council Meeting held on October 19, 2015 be adopted.

**CARRIED  
UNANIMOUSLY**

**5. BUSINESS ARISING FROM THE MINUTES**

None

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
November 2, 2015*

**6. CONSENT AGENDA**

**i. Bylaws**

**ii. Agreements**

**iii.  
Committee/  
Commission  
Minutes**

**iv.  
Correspondence**

Letter dated October 27, 2015 from UBCM regarding Community to Community Forum funding approval.

**Moved by Councillor Reyerse**  
**Seconded by Councillor Hansen**

THAT the correspondence be received.

**CARRIED  
UNANIMOUSLY**

**7. DELEGATIONS**

- Dr. Wayne Phimister and Ken Becotte, Executive Director, Chilliwack Division of Family Practice

Dr. Phimister and Mr. Becotte gave a PowerPoint presentation. An overview on the "A GP for Me" program was provided as well as details on Patient Attachment Mechanism (PAM).

**Moved by Councillor Buckley**  
**Seconded by Councillor Reyerse**

THAT Council waive the rules of procedure to allow the delegation additional time to present.

**CARRIED  
UNANIMOUSLY**

Information was also provided regarding the Agassiz Community Health Centre's current services and their new Open Access service, Physician recruitment and retention as well as the training of UBC Medical Students.

**8. CORRESPONDENCE**

None

**9. BUSINESS ARISING OUT OF CORRESPONDENCE**

None

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
November 2, 2015*

10.

**REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS**

**Councillor Reyerse**

- Attended the Fraser Valley Regional Library board meeting. They reported that has been a 10% increase in the number of participants in the Summer Reading Club and gave an overview of the proposed 2016 budget was provided.

11.

**REPORTS FROM MAYOR LEO FACIO**

- Reported that Tuesday, November 24, 2015 is the set up day for the Festival of Trees at the Harrison Hot Springs Resort & Spa and the tress will be available for viewing from November 25, 2015 to January 4, 2016. The \$25 registration fee will be donated to the Agassiz Harrison Community Services Food Bank.
- Received a thank you letter from Audrey Johnstone for the Village's contributions to the community garden.
- Reported that on November 11, 2015 a Remembrance Day Ceremony will be held at Agassiz Elementary Secondary School followed by wreath laying at the Cenotaph.
- Reported that the Agassiz Harrison Healthy Communities Committee are in the process of planning community volunteer recognition for 2016.
- Reported on water safety signs from Preventable BC.
- Attended the 7<sup>th</sup> Annual Peace Officers and & First Responders Appreciation Day in Agassiz on October 25, 2015.
- Presented with the "First Poppy" for Harrison Hot Springs from the Agassiz Legion on October 23, 2015.
- Attended the Agassiz Harrison Area First Nations Business Forum on October 20 & 21, 2015 at the Harrison Hot Springs Resort & Spa.

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
November 2, 2015*

12.

**REPORTS FROM STAFF**

**Report of Manager of Development and Community Services – October 21, 2015**

Re: Implementation of the Regional Organics Ban for Single Family Households

**Moved by Councillor Buckley**  
**Seconded by Councillor Reyerse**

THAT the Village of Harrison Hot Springs implement an organics ban for single family residential households,

AND THAT the Village "Waste Collection and Disposal Bylaw No. 959, 2010" be amended to incorporate the organics program;

AND THAT the 2016 Five Year Financial Plan include the costs to purchase the collection bins to support the program;

AND THAT a public engagement program for the organics program include a public open house, newsletters and an information page on the Village's website.

**CARRIED  
UNANIMOUSLY**

13.

**BYLAWS**

None

14.

**QUESTIONS FROM THE PUBLIC**

Q: Regarding organic waste and having organic waste and yard waste together, fruit flies should be taken into consideration. Green waste should stay in a separate bin because there will not be fruit flies in it and it can be kept outside.

A: Thank you, we will take that into consideration.

Q: Will a bylaw come along with this organics ban and will there be monetary penalties.

A: The current bylaw for waste collection will be amended with the same regulatory provisions. The details will be worked out later.

Q: I pay for my own garbage service – will the costs of the bins come from general tax payers or will it only be as a user pay system for the people who are using this service.

A: If it does happen it will be with the utility bills, so only the people who use the service.

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
November 2, 2015*

Q: If there is a fine associated with the organics ban, it will only apply to single household families. What about everyone in the condos?

A: Strata complexes are responsible for their waste collection. Multi-family homes will eventually have to comply with the organics ban.

Q: Is there going to be any cost from the service provider for implementing the organics ban?

A: We do not know until they make a presentation.

Q: What is the Village doing for organic waste, particularly dog poo?

A: We are working on a strategy for the Village and beach front.

15.

**ADJOURNMENT**

**Moved by Councillor Reyerse**

**Seconded by Councillor Buckley**

THAT the meeting be adjourned at 8:14 p.m.

**CARRIED  
UNANIMOUSLY**

\_\_\_\_\_  
Leo Facio  
Mayor

\_\_\_\_\_  
Debra Key  
Corporate Officer





**AUDITOR GENERAL FOR  
LOCAL GOVERNMENT**

ACCESSIBILITY • INDEPENDENCE • TRANSPARENCY • PERFORMANCE



**BRITISH  
COLUMBIA**

November 5, 2015

Ref 164949

**To: Mayors and Councillors  
Chairs and Directors of Regional District Boards  
Chairs and Directors of Greater Boards**

I am pleased to introduce myself as British Columbia's new Auditor General for Local Government (AGLG). I am excited by the opportunity to lead this office, to work with local governments and to assist you in your operations through performance audits and other reports that provide advice and recommendations. I believe we share a common goal - to deliver the best possible services to taxpayers in the most cost efficient way.

By way of background, I am a professional accountant, a FCPA, FCGA with more than 25 years of experience that includes an extensive background working in local government at the regional level here in British Columbia. I strongly believe in this office's potential to add value for local governments and while I know there were challenges during the first two years of AGLG operations, there have been significant changes over recent months and we are now well positioned to deliver on that potential.

This is a year of transition for our office. We have made changes in response to a review carried out for the Audit Council (Trumpy Report) and to the recommendations in a report published by the Union of British Columbia Municipalities. These changes included re-balancing the use of internal staff resources with that of external consultants and releasing an updated 2015/16 Annual Service Plan that set reasonable expectations for the office and is consistent with our capacity and budget. I intend to work hard, with the office's capable staff, to achieve these goals.

As you know, performance audits are quite different from financial audits. They can be valuable tools for local governments by pointing out areas that could be improved while – equally importantly – also providing assurance in areas where a local government already has good practices. We can play a constructive role by highlighting such practices and recommending them to other local governments.

I believe that the best way to meet our objectives is to work together. While the office is independent, success almost always depends on collaboration. Over coming weeks and months, I intend to become better acquainted with local governments and begin actively working in collaboration with you.

I very much look forward to working with you and welcome any questions or feedback that you may have.

Sincerely,

Gordon Ruth, FCPA, FCGA  
Auditor General for Local Government

cc: Chief Administrative Officers



NOV 02 2015

## Petition

from: The South Harrison forgotten property owners

To: Mayor and council

WE the undersigned are surprised that nothing has been done to clean up the house and yard at 411 emerald avenue We know you have been contacted about this and have seen the problem but have chosen not to do anything about it.

RATS

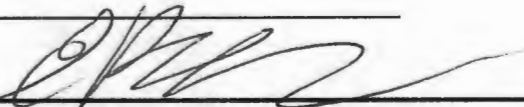
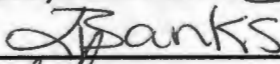
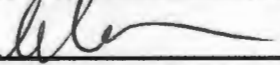
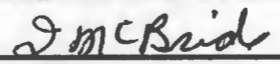
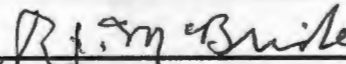
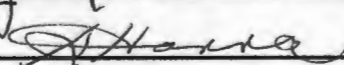
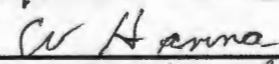

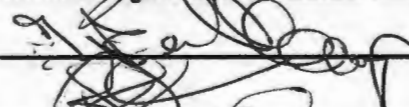
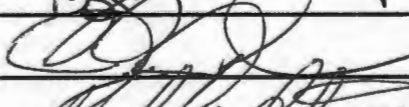
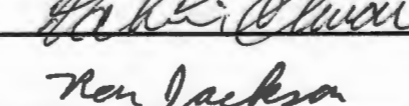


Not only is this unsightly but all junk will attract ~~Rats~~ and the dog do, aided with the fall rains will seep into our ground water contaminating our wells.

This is devaluating our properties

We want to know what you are intending to do about this problem

- Name & Address Please Print

Signature

EBACHMAN 450 EMERALD	
Lisa Banks 431 Emerald	
Mat Bodega 431 Emerald	
Isabel McBride 460 Emerald	
Richard McBride 460 Emerald	
<del>Sheila</del> HANNA 441 Emerald	
Shayne HANNA 441 EMERALD	
Janice Gilbert 421 Emerald	
FRED DELLEZAY 421 EMERALD	
PHYLLIS JOHNSMAN 785 DIAMOND ST.	
JAMES JOHNSMAN 785 DIAMOND ST	
VALERIE STEWART 760 DIAMOND ST	
RON JACKSON 760 DIAMOND ST	

Archie 760 Diamond St  
Mignon 760 Diamond St.

Will L

~~Maida Woodruff 410 Emerald Dr~~  
Darius Bell 431 Emerald Ave

~~Woodruff~~  
Darius Bell

Richard 760 McCombs

Marie T. Turner 760 McCombs.

Richard  
Marie T. Turner

**Debra Key**

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**Subject:**

FW: Written Support For Our Application to the Heart & Stroke Foundation (PAD Programme)

From: Joyce Seidel

Date: 11-04-2015 12:28 PM (GMT-08:00)

To: Leo Facio

Cc: Joyce Seidel

Subject: Written Support For Our Application to the Heart & Stroke Foundation (PAD Programme)

Mr. Mayor:

As per our conversation of November 2, 2015, below is the requested letter .....

Strata Plan LMS 2443 (Harrison Lake Estates) is currently in the application process with the B.C. Heart & Stroke Foundation PAD initiative. As part of the application process we must include a letter of support from the Village of Harrison Hot Springs.

As you know, every year, about 40,000 Canadians experience out of hospital sudden cardiac arrest (SCA) — that's one incident every 12 minutes. SCA can strike without warning, affecting people of all ages and all degrees of fitness. When treating these events, speed is of the essence. If delivered in the first few minutes of a cardiac arrest, for example, early defibrillation and cardiopulmonary resuscitation (CPR) can raise survival rates up to 75%. But each passing minute, the probability of survival decreases by 7% to 10%. Making defibrillators easily accessible can potentially save thousands of lives as we can attest to with two (2) saves in Harrison alone.

The goal of the National AED program is to improve the survival rate of people who've experienced sudden cardiac arrests in Canada. The program provides funding to place greater numbers of automated external defibrillators (AEDs) and to help Heart & Stroke Foundation instructors train Canadians to use them.

As you may know we are a 55+ strata community located at 730 McCombs Drive. Our clubhouse is not only used for internal events (Christmas/New Years Eve gatherings, Friday night socials, birthday and farewell parties and private family functions to name a few) but has also hosted the Red Hatters, garage sales and various realtor's open houses.

As there is no cost to be absorbed by the Village for either the AED or its training we hope you will support us in writing with this valued initiative.

Sincerely,

Joyce Seidel

President

P.O. Box 30, Harrison Hot Springs, BC

V0M 1K0

604-819-8723



## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

**TO:** Mayor and Council **DATE:** November 4, 2015  
**FROM:** Debra Key,  
Chief Administrative Officer/CO **FILE:** 0550-01  
**SUBJECT:** 2016 Regular Council Meeting Schedule

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#### ISSUE:

To adopt the 2016 Regular Council meeting schedule.

#### BACKGROUND:

Subject to Section 127(1) of the *Community Charter*, Council must prepare a schedule of dates, times and places of Regular Council meetings for the next full calendar year.

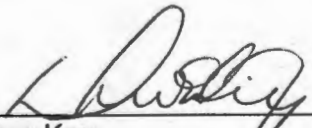
Due to the closure of the Village Office from December 24, 2015 to January 1, 2016, it is recommended that there be no Council meeting on January 4, 2016.

Accordingly, please find attached a "draft" of the proposed schedule.

#### RECOMMENDATION:

THAT the proposed Regular Council meeting schedule for 2016 be approved as submitted.

Respectfully submitted for your  
consideration;

  
Debra Key,  
Chief Administrative Officer/CO

## VILLAGE OF HARRISON HOT SPRINGS REGULAR COUNCIL MEETINGS 2016

January 2016						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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21	22	23	24	25	26	27
28	29					

March 2016						
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20	21	22	23	24	25	26
27	28	29	30	31		

April 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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10	11	12	13	14	15	16
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24	25	26	27	28	29	30

May 2016						
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29	30	31				

June 2016						
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19	20	21	22	23	24	25
26	27	28	29	30		

July 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2016						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2016						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2016						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

	Statutory Holidays
	Regular Council Meetings
	Leadership Forum (LGLA) February 3-5 (Richmond)
	LMLGA Conference – May 11-13 (Whistler)
	FCM Conference – June 3-5 (Winnipeg)
	LGMA Convention – June 21-23 (Nanaimo)
	UBCM Convention – September 6-30 (Victoria)



## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

**TO:** Mayor and Council **DATE:** November 10, 2015  
**FROM:** Debra Key **FILE:** 5480-01  
Chief Administrative Officer  
**SUBJECT:** Pay Parking Implementation - Amendment

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#### ISSUE:

Park Parking Implementation Amendment

#### BACKGROUND:

At a Regular Council meeting on June 1, 2015, Council approved the implementation of pay parking for selected streets in the Village Core. During the discussions at the Council meeting, pay parking options were to include Esplanade Avenue and the side streets off of Esplanade Avenue. While staff was reviewing background information and the Report to Council of May 27, 2015, it was discovered that Cedar Street (North) was identified as a street for pay parking in the downtown core area.

Although the intent was to implement pay parking on Esplanade Avenue, St. Alice Street (North), Maple Street (North), Chehalis Street (North) and Spruce Street (North), the resolution approved by Council inadvertently identified Cedar Street (North) instead of Chehalis Street (North).

Accordingly, staff is recommending that the resolution approved at the June 1, 2015 Regular Council meeting be amended to reflect the correct street for implementation of pay parking.

#### RECOMMENDATION:

THAT the resolution approved at the Regular Council meeting June 1, 2015 wherein:

"THAT pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), Cedar Street (north) and Spruce Street (north) be implemented in the Spring of 2016,

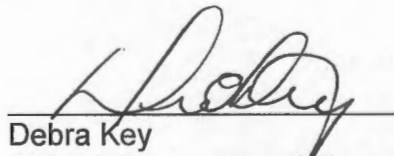
AND THAT no changes for parking be implemented in 2015."

be amended to read:

"THAT pay parking for Esplanade Avenue, St. Alice Street (north), Maple Street (north), Chehalis Street (north) and Spruce Street (north) be implemented in the Spring of 2016;

AND THAT no changes for parking be implemented in 2015."

Respectfully submitted for your  
consideration;



Debra Key  
Chief Administrative Officer





## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

TO: Mayor and Council DATE: November 12, 2015

FROM: Lisa Grant FILE: 3900-20-16  
Manager of Development and Community Services

SUBJECT: Analysis of Revitalization Tax Exemption Bylaw No. 1033, 2013

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#### ISSUE:

Monitoring report on the effectiveness of the Revitalization Tax Exemption Bylaw No. 1033, 2013.

#### BACKGROUND:

When considering methods to attract development to a community, many factors impact viability of a development proposal:

- Market conditions
- Land cost
- Construction costs
- Municipal cost (e.g. development cost charges)

While the above affect the viability of a development, local governments have certain tools provided that may help attract and to support a certain type of development in a specific area:

- Increase density
- Reducing municipal costs
- Reduce parking requirements
- Property tax exemptions

In 2013, the Revitalization Tax Exemption Bylaw No. 1033, 2013 was adopted. The intention of the bylaw was to provide a tax incentive to encourage specific development in certain areas of the Village. Section 226 of the *Community Charter* provides for the revitalization tax exemptions. Attachment A shows the properties eligible/included in the bylaw area.

The following are components of the tax revitalization bylaw:

- a. Construction of new improvements in excess of \$200,000;
- b. Exterior alterations of an existing improvement where the alterations has a value in excess of \$200,000.

The Bylaw is designed so that property taxes are frozen at pre-development levels for a 5-10 year period. This is not a loss of property taxes, but a delay to increasing property taxes as new development and/or exterior upgrades to structures is completed. The bylaw applies to commercial properties and residential properties that result in 4 or more dwelling units.

The Revitalization Tax Exemption Bylaw No. 1033, 2013 is provided for your information in Attachment B.

#### **DISCUSSION:**

As with many policy changes, monitoring and evaluating the effectiveness of a bylaw is essential to understand if implementation is successful or if changes/amendments are required.

In the almost two and half years since the bylaw was adopted no applications have been received for a tax exemption. There are two potential properties that may choose to make application for tax exemption on improvements to an existing or new development. Although the deadline has passed for 2016, the earliest a project could qualify is 2017 for an exemption.

While the Village has not received an application to-date, repealing this bylaw may be premature at this time. As mentioned above, many factors impact development viability – market conditions being one of them. As the real estate market continues to improve in Harrison (as evident from recent building starts), more development may begin. Within the tax revitalization bylaw boundary approximately 12 lots are currently vacant and several more uses are not achieving the highest and best uses as prescribed by the Official Community Plan.

In some cases the vacant lots have zoning in place that maximizes density and use, others do not and would require a zoning bylaw amendment. All of these impact the viability of a development proposal. Developers at times compete with investors (individuals that may hold a property until market conditions outweigh rental income for a holding property). Therefore, market conditions must be strong enough to trigger property re-development.

Moving forward, Council has the following options to consider:

1. Repeal the bylaw; or
2. Re-assess the bylaw in 2018 to determine if the bylaw has achieved its purpose to attract development to the Village.

The short period the bylaw has been in place may warrant additional time to see if other factors affecting development may change. Leaving the bylaw in place for a 5 year period (until 2018) would allow for a second analysis to be completed to determine if any development has been stimulated.

However, Council has the option to repeal the bylaw, and if desired, explore alternative options such as reducing municipal fees and parking requirement that

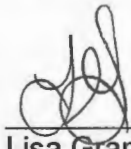
influence development. Staff cautions that each scenario presents compromises and different challenges. If Council wishes to pursue this option, a more detailed report would be presented that explores alternative options.

Staff recommends at this time, to leave the bylaw in place and reassess in 2018 to determine if it has had the proposed incentives to attract development.

**RECOMMENDATION:**

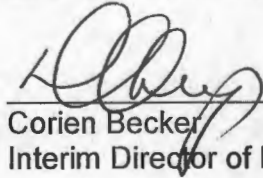
THAT the report titled "Analysis of Revitalization Tax Exemption Bylaw No. 1033, 2013" be received for information.

Respectfully submitted for your consideration;



Lisa Grant  
Manager of Development and Community Services

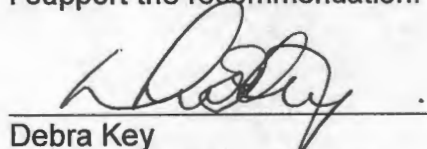
**DIRECTOR OF FINANCE COMMENTS:**



for Corien Becker  
Interim Director of Finance

**CHIEF ADMINISTRATIVE OFFICER COMMENTS:**

I support the recommendation.



Debra Key  
Chief Administrative Officer

## Schedule A – Revitalization Area



Village of Harrison Hot Springs Revitalization Area



## VILLAGE OF HARRISON HOT SPRINGS BYLAW NO. 1033

### VILLAGE CORE REVITALIZATION TAX EXEMPTION

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**WHEREAS** under the provisions of Section 226 of the *Community Charter* the Council may by bylaw adopt a tax exemption program for the purpose of encouraging revitalization in a portion of the municipality;

**AND WHEREAS** the *Community Charter* provides that a revitalization tax exemption program bylaw may only be adopted after notice of the proposed bylaw has been given in accordance with Section 227 of the *Community Charter* and this notice has been given;

**NOW THEREFORE** the Council of the Village of Harrison Hot Springs, in open meeting assembled enacts as follows:

#### I. CITATION

This Bylaw may be cited for all purposes as the "Revitalization Tax Exemption Bylaw No. 1033, 2013".

#### II. INTERPRETATION

##### 1. In this bylaw:

"Approving Officer" means the person appointed by Council as the Chief Administrative Officer (CAO) or their designate;

"Base Amount" means an assessed value of land and improvements used to calculate municipal property tax payable on a parcel located in the Revitalization Area during the Base Amount Year;

"Base Amount Year" means the calendar year prior to the first calendar year in respect of which an Agreement set out in Schedule "B" applies to a parcel in the Revitalization Area set out in Schedule "A";

"Full Assessment" means the amount of municipal property tax that would be payable in respect of a parcel in the revitalization area after the calendar year during which an Agreement set out in Schedule "B" is made, as if the Agreement had never been made;

"Basic Development Project" means a set of conditions which a standard level of revitalization tax exemption will apply;

"Green Development Project" means a set of conditions under which an extended level of revitalization tax exemption will apply, these projects must have LEED certification of Silver, Gold, or Platinum;

"Revitalization Area" means an area designated and shown on Schedule "A";

"Commercial Property" means a property which is zoned for commercial use under the Village's Zoning Bylaw No. 1020.

"Residential Property" means a property with four or more family dwelling units.

2. There is an established a revitalization tax exemption program which includes the following:
  - (1) Property tax exemptions prescribed by this bylaw in respect of
    - (a) a construction of a new improvement in excess of \$200,000.00, or
    - (b) exterior alteration of an existing improvement where the alteration has a value in excess of \$200,000.00.
  - (2) The maximum exemption under this bylaw must not exceed the increase in the assessed value of land and improvements on the parcel between:
    - (a) the year before the construction or alteration began, and
    - (b) the year in which the tax exemption certificate under this bylaw is issued.
  - (3) The amounts of exemptions and terms provided under this Bylaw are such that the municipality property tax payable, in Schedule "A" Revitalization Area Map, is as follows:
    - (a) Basic Development Project of value between \$200,000 and \$500,000
      - Years 1-4: base amount;
      - Year 5: base amount plus 50% of the difference;
      - Year 6: full assessment.
    - (b) Basic Development Project of value between \$500,000 and \$1.5 million
      - Years 1-5: base amount;
      - Year 6: base amount plus 50% of the difference;
      - Year 7: base amount plus 75% of the difference;
      - Year 8: full assessment.
    - (c) Basic Development Project of value over \$1.5 million
      - Years 1-6: base amount;
      - Year 7: base amount plus 50% of the difference;
      - Year 8: base amount plus 75% of the difference;
      - Year 9: full assessment.



(d) Green Development Project of value between \$200,000 and \$500,000

Years 1-5: base amount;  
Year 6: base amount plus 50% of the difference;  
Year 7: full assessment.

(e) Green Development Project of value between \$500,000 and \$1.5 million

Years 1-6: base amount;  
Year 7: base amount plus 50% of the difference;  
Year 8: base amount plus 75% of the difference;  
Year 9: full assessment.

(f) Green Development Project of value over \$1.5 million

Years 1-7: base amount;  
Year 8: base amount plus 50% of the difference;  
Year 9: base amount plus 75% of the difference;  
Year 10: full assessment.

3. To be eligible for consideration for a Revitalization Tax Exemption under this bylaw the following conditions must be met:
- (1) With regard to the Basic Development Project:
    - (a) the parcel is located within the Revitalization Area shown on Schedule "A";
    - (b) a construction of a new improvement or an alteration of an existing exterior improvement where the construction has a value in excess of \$200,000.00;
    - (c) the owner of the parcel has entered into an Agreement with the Village.
  - (2) With regard to the Green Development Project:
    - (a) all conditions specified for the Basic Development Project exemption in paragraph 3(1), and
    - (b) the building has received a LEED certification of Silver, Gold, or Platinum.
4. This bylaw does not apply to a revitalization project unless:
- (a) the property that is being revitalized is a commercial property, or
  - (b) a residential property with four or more dwelling units at the completion of the improvement.
5. Once the conditions established under Section 3 and the Agreement set out in Schedule "B" have been met, a revitalization tax exemption certificate must be issued for the parcel in accordance with the Agreement.
6. The revitalization tax exemption certificate must, in accordance with the conditions established in Section 3 and the Agreement set out in Schedule "B", specify the following:
- (1) the amount of the tax exemption or the formula for determining the exemption;
  - (2) the term of the tax exemption;



- (3) the conditions on which the tax exemption is provided;
  - (4) that a recapture amount is payable if the certificate is cancelled and how that amount is to be determined.
7. If an Owner wishes a tax exemption under the bylaw, the Owner must apply to the Chief Administrative Officer in writing, prior to October 31 of the preceding year and must submit the following with the application:
- (1) a certificate that all taxes assessed and rates, charges, and fees imposed on the Lands have been paid, and where taxes, rates, or assessments are payable by instalments, that all instalments owing at the date of the certificate have been paid;
  - (2) a completed written application in a form prescribed by Council and available in the Village office,
  - (3) description of the new improvements or the alteration of the existing improvement that would be eligible under the bylaw for a municipal tax exemption with supporting documentation;
  - (4) an examination fee in the amount of \$100.00;
  - (5) a copy of the Agreement duly executed by and on behalf of the Owner.

In compliance with section 227 of the *Community Charter*, public notice was given March 22, 2013 and March 29, 2013 in accordance with section 94 of the *Community Charter*.

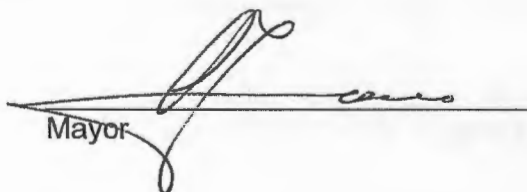
### III. READINGS AND ADOPTION

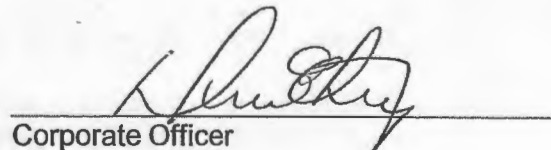
READ A FIRST TIME THIS 18<sup>th</sup> DAY OF MARCH, 2013

READ A SECOND TIME, AS AMENDED, THIS 15<sup>th</sup> DAY OF APRIL, 2013

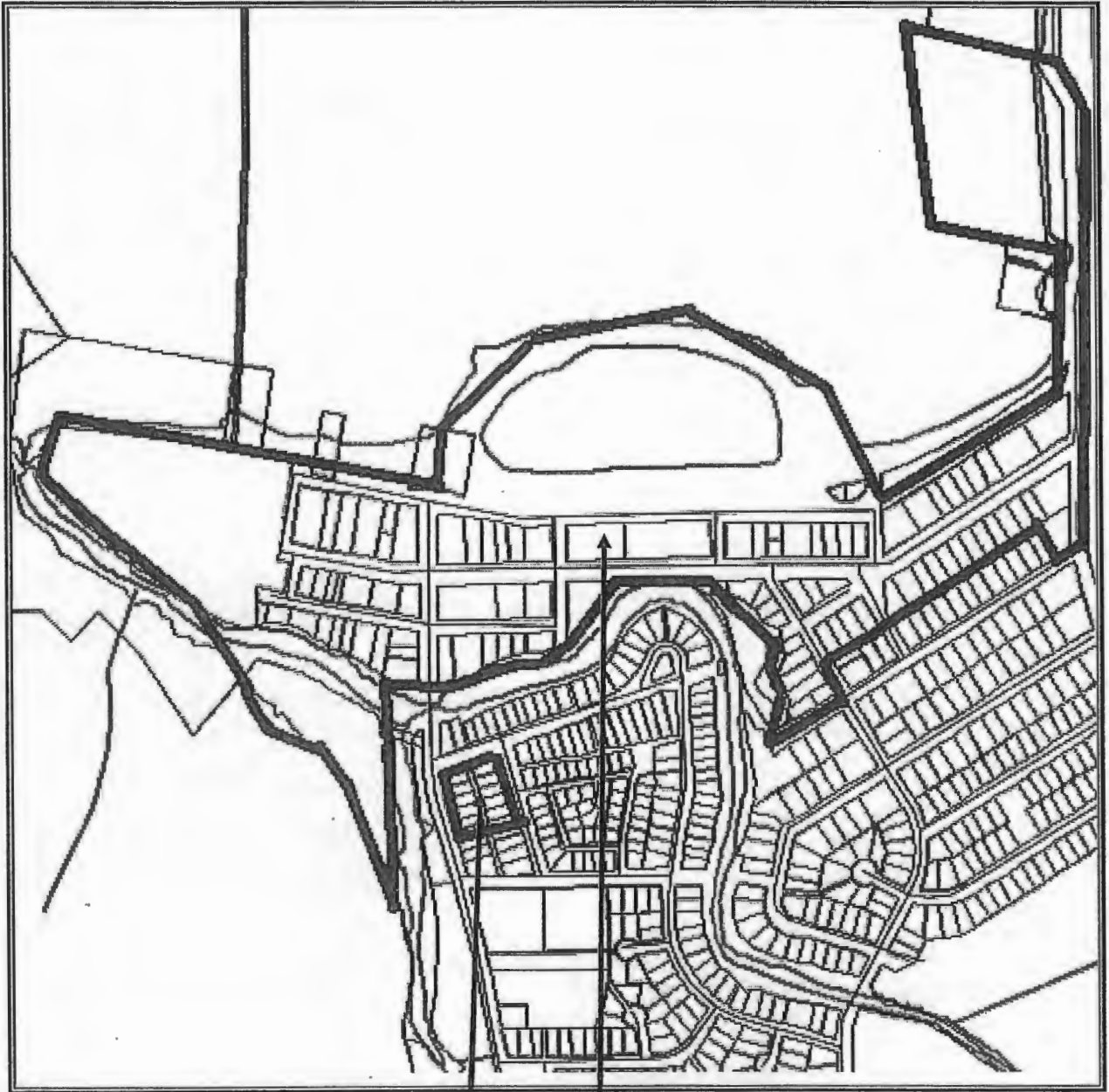
READ A THIRD TIME, AS AMENDED, THIS 15<sup>th</sup> DAY OF APRIL, 2013

ADOPTED THIS 6<sup>th</sup> DAY OF MAY, 2013.

  
Mayor

  
Corporate Officer

## Schedule A – Revitalization Area



Village of Harrison Hot Springs Revitalization Area

**SCHEDULE "B"**  
**Revitalization Tax Exemption Agreement**

THIS AGREEMENT dated for reference the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BETWEEN

[INSERT name and address of owner of parcel in respect of which the revitalization exemption will apply]

("Owner")

AND

Village of Harrison Hot Springs  
P.O. Box 160, 495 Hot Springs Road,  
Harrison Hot Springs, B.C.  
V0M 1K0

**GIVEN THAT**

- A. The Village has under the Bylaw defined in this Agreement established a revitalization tax exemption program for the purpose of encouraging revitalization of an area of the municipality,
- B. The Lands that are the subject of this Agreement are located in an area designated by the Village's Council as a revitalization area,
- C. The Owner is a registered Owner of the Lands defined in this Agreement,
- D. This Agreement contains the terms and conditions respecting the provision of a municipal property tax exemption under the bylaw defined in this Agreement,
- E. The Owner and the Municipality wish to enter into this Agreement and register it against the title to the Lands as a covenant under Section 219 of the *Land Title Act*,

THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements contained in this Agreement and the payment by the Owner to the Village of consideration in the amount of \$10.00 (Ten) Dollars, the receipt and sufficiency of which are acknowledged by the Village, the Village and Owner covenant and agree with each other as follows:

## **DEFINITIONS**

1. In this Agreement the following words have the following meanings:

"Agreement" means this Agreement, including the standard charge terms contained in this Agreement, together with the General Instrument defined in this Agreement;

"Assessed Value" means the most recent assessed value of the Lands as determined by the assessment authority in the area in which the Lands are located; if such value is not available then the assessed value means the highest price in terms of money that the real property will fetch under all conditions requisite to a fair sale with the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus as estimated by a real estate appraiser accredited in the jurisdiction in which the Lands are located;

"Bylaw" means "Revitalization Tax Exemption Bylaw No. 1033", in force from time to time;

"CPI" means the All Items Consumer Price Index for Vancouver, British Columbia, published from time to time by Statistics Canada, or its successor in function, where the base amount year, defined in this Agreement, equals 100;

"Dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release or agree to do any of those things;

"General Instrument" means the Form C under the Land Title (Transfer Forms) Regulation as amended, and all schedules and addenda to the Form C charging the Lands and citing the terms and conditions of this Agreement as the "standard charge terms" for the purposes of the Form C;

"Lands" means the lands legally described in Item 2 of the General Instrument and any part into which the Lands are subdivided;

"LTO" means the New Westminster Land Title Office or its successor;

"Owner" means the transferor described in the General Instrument and any subsequent owner of the Lands or any parts into which the Lands are subdivided, and includes any person who is a registered owner in fee simple of the Lands from time to time;

"Prime Rate" means the annual rate of interest, expressed as a percentage, used as a reference rate by the Prospera Credit Union.

## **TERM**

2. The Owner covenants and agrees with the Village that the term of this Agreement is:

(1) [Insert the applicable term from Section 3.(4) of the Bylaw]

#### **APPLICABLE IMPROVEMENTS**

3. The tax exemption provided for under the bylaw applies in respect of

- (1) a construction of a new improvement in excess of \$200,000.00 on the Lands, or
- (2) the exterior alteration of an existing improvement, where the value of the alteration referred to in the building permit is in excess of \$200,000.00

on the Lands.

#### **REVITALIZATION TAX EXEMPTION CERTIFICATE**

- 4. (1) Once the Owner has completed the construction of the new improvement or alteration of an existing improvement referred to in Section 3, and the Village has issued an occupancy permit under the Village's Building Regulation Bylaw, in force from time to time, in respect of the new improvement or alteration of an existing improvement, the Village's Council must issue a revitalization tax exemption certificate to the Owner for the Lands if the Owner and the Lands are otherwise in compliance with this Agreement.
- (2) An interim certificate may be issued.
- (3) A revitalization tax exemption certificate must, in accordance with the Bylaw and this Agreement, specify the following:
  - (a) the amount of the tax exemption or the formula for determining the exemption;
  - (b) the term of the tax exemption;
  - (c) the conditions on which the tax exemption is provided;
  - (d) that a recapture amount is payable if the certificate is cancelled and how that amount is to be determined.

#### **TAX EXEMPTION**

- 5. So long as a revitalization tax exemption certificate in respect of the Lands has not been cancelled, the Lands are exempt, to the extent, for the period and subject to the conditions provided in the certificate, from municipal property taxation.
- 6. The revitalization tax exemption certificate may be cancelled by the Council of the Village
  - (1) on the request of the Owner, or
  - (2) if any of the conditions in the certificate are not met.

## **OWNERS OBLIGATIONS**

7. The Owner must pay to the Village the cost of all tie-ins of works and services associated with the new improvements or alteration to improvements, to existing storm and sanitary sewers, water mains, water meters, driveways, and other municipal services.
8. The Owner must comply with
  - (1) all enactments, laws, statutes, regulations and Orders of any authority having jurisdiction, including bylaws of the Village, and
  - (2) all federal, provincial, municipal and environmental licenses, permits and approvals required under applicable enactments.

## **OBLIGATIONS OF VILLAGE**

9. The Village must issue a revitalization tax exemption certificate to the Owner in respect of the Lands once the Owner has applied for and obtained an occupancy permit from the Village under the Village's Building Regulation Bylaw, in force from time to time, in relation to the new improvements or alterations to an existing improvement, so long as the Owner and the Lands are otherwise in compliance with the Bylaw and this Agreement.

## **VILLAGE'S RIGHTS AND POWERS**

10. Nothing contained or implied in this Agreement prejudices or affects the Village's rights and powers in the exercise of its functions or its rights and powers under any public and private statutes, bylaws, orders, or regulations to the extent the same are applicable to the Lands, all of which may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Owner.

## **GENERAL PROVISIONS**

11. It is mutually understood, agreed, and declared by and between the parties that Harrison Hot Springs has made no representations, covenants, warranties, guarantees, promises, or agreements (oral or otherwise), express or implied, with the Owner other than those expressly contained in this Agreement.
12. The Owner covenants and agrees to use best efforts to do or cause to be done, at the expense of the Owner, all acts reasonably necessary to grant priority to this Agreement as a covenant over all charges and encumbrances which may have been registered against the title to the Lands in the New Westminster/Vancouver Land Title Office, save and except those specifically approved in writing by the Village or in favour of the Village.
13. The covenants set forth in this Agreement shall charge the Lands pursuant to Section 219 of the *Land Title Act* and shall be covenants the burden of which shall run with the Lands



and bind the Lands and every part or parts thereof, and every part to which the Lands may be divided or subdivided, whether by subdivision plan, strata plan, or otherwise.

14. The covenants set forth in this Agreement shall not terminate if and when a purchaser becomes an owner in fee simple of the Lands or any portion thereof, but shall charge the whole of the interest of such purchaser and shall continue to run with the Lands and bind the Lands and all future owners for the time being of the Lands or any portion thereof, except the Owner will be entitled to a partial discharge of this Agreement with respect to any subdivided parcel of the Lands on acceptance of the works and on compliance by the Owner with all requirements under this Agreement with respect to the subdivided portion of the Lands.
15. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the Village and this Agreement may only be modified by agreement of the Village with the Owner, or discharged by the Village pursuant to the provisions of Section 219 of the *Land Title Act* and this Agreement. All of the costs of the preparation, execution, and registration of any amendments or discharges shall be borne by the Owner.
16. This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.
17. The Owner shall, on the request of the Village, execute and deliver or cause to be executed and delivered, all such further transfers, agreements, documents, instruments, easements, statutory rights of way, deeds and assurances, and do and perform or cause to be done and performed, all such acts and things as may be, in the opinion of the Village necessary to give full effect to the intent of this Agreement.
18. Time is of the essence of this Agreement.
19. This Agreement constitutes the entire agreement between the Owner and the Village with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written of the Village with the Owner.
20. Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and either delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

to the Owner at:  
[insert name]  
[insert address]  
Attention: [insert contact]

and:

to the Village at:  
Village of Harrison Hot Springs  
P.O. Box 160, 495 Hot Springs Road,  
Harrison Hot Springs, B.C.



VOM 1K0  
Attention: CAO

or to such other address to which a party hereto from time to time notifies the other parties in writing.

21. (a) No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement.  
  
(b) Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
22. This Agreement is not intended to create a partnership, joint venture, or agency between the Owner and the Village.
23. This Agreement shall be construed according to the laws of the Province of British Columbia.
24. A reference in this Agreement to the Village or the Owner includes their permitted assigns, heirs, successors, officers, employees, and agents.
25. This Agreement is effective from and after the reference date in this Agreement, but only if this Agreement has been executed and delivered by the Developer and executed by the Village.
26. The parties intend, by their execution and delivery of this Agreement, to create a covenant granted to the Village under Section 219 of the *Land Title Act*, a contract, and a deed executed and delivered to the Village under seal.
27. Unless otherwise expressly provided in this Agreement, whenever the Village is permitted to make or give any decision, direction, determination, or consent, the Village may act in its sole discretion, but will act reasonably.
28. Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and covenants of the Owner contained in this Agreement, and of all matters incidental to them, is solely that of the Owner.
29. The Owner represents and warrants to the Village that
  - (1) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;
  - (2) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;
  - (3) neither the execution and delivery, nor the performance, of this Agreement shall breach any other Agreement or obligation, or cause the Owner to be in default of any other Agreement or obligation; respecting the Lands; and
  - (4) the Owner has the corporate capacity and authority to enter into and perform this Agreement.



Village of Harrison Hot Springs  
SCHEDULE "C"  
REVITALIZATION TAX EXEMPTION APPLICATION

Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Application No. \_\_\_\_\_  
Property Owner/Applicant \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_ Cell No. \_\_\_\_\_

**Subject Property:**

Roll No. \_\_\_\_\_ Civic Address \_\_\_\_\_  
Legal Description \_\_\_\_\_  
Zoning Designation \_\_\_\_\_  
Current Use \_\_\_\_\_  
Current Assessed Value \_\_\_\_\_  
Description of Proposed Revitalization \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Year(s) Applying For: \_\_\_\_\_  
Value of Construction: \_\_\_\_\_ Building Permit No. \_\_\_\_\_

Note: Additional Information may be required.

I hereby certify that the above information is to my knowledge accurate, and that I have received and read the Revitalization Tax Exemption Bylaw No. 1033 and applicable schedules.

\_\_\_\_\_  
Signature Property Owner/Applicant Date