VILLAGE OF HARRISON HOT SPRINGS

NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: **Monday, March 17, 2014**
Time: **7:00 p.m.**
Location: **Council Chambers, 495 Hot Springs Road**
Harrison Hot Springs, British Columbia

1. CALL TO ORDER		
Meeting called to order by Mayor Facio		
2. INTRODUCTION OF LATE ITEMS		
3. APPROVAL OF AGENDA		
4. ADOPTION OF COUNCIL MINUTES		
THAT the Special Regular Council Meeting Minutes of February 26, 2014 be adopted.		**Item 4.1 Page 1**
THAT the Regular Council Meeting Minutes of March 4, 2014 be adopted.		**Item 4.2 Page 5**
5. BUSINESS ARISING FROM THE MINUTES		
6. CONSENT AGENDA		
i. Bylaws		
ii. Agreements		
iii. Committee/ Commission Minutes		
iv. Correspondence	Letter date March 4, 2014 from Mayor Derek Corrigan, City of Burnaby Re: Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation	**Item 6 iv.a Page 9**
7. DELEGATIONS		
• Barclay Pitkethly Re: Fraser Valley 2011 Trip Diary Results – Transportation Trends		**Item 7.1 Page 25**

8. CORRESPONDENCE	
9. BUSINESS ARISING FROM CORRESPONDENCE	
10. REPORTS FROM COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS	
11. REPORTS FROM MAYOR	
L. Facio - Verbal	
12. REPORTS FROM STAFF	
Report of Manager of Development and Community Services Re: Request to discharge a covenant at 190 Lillooet Avenue (Ramada) Recommendation: THAT Council approve the discharge of covenant BK138897. And that all costs for the preparation and discharge of BK138897 be paid by the property owner.	**Item 12.1** **Page 39**
13. BYLAWS	
Report of Deputy Chief Administrative Officer/ Corporate Officer – March 11, 2014 Re: Bylaw No. 1050, 2014 Water Regulation and Fee Amendment Recommendation: THAT Water Regulation and Fee Amendment Bylaw No. 1050, 2014 be given first, second and third reading.	**Item 13.1** **Page 53**
Report of Deputy Chief Administrative Officer/ Corporate Officer – March 11, 2014 Re: Bylaw No. 1051, 2014 Sewer Regulation and Fee Amendment Recommendation: THAT Sewer Regulation and Fee Amendment Bylaw No. 1051, 2014 be given first, second and third reading.	**Item 13.2** **Page 59**
14. QUESTIONS FROM THE PUBLIC **(pertaining to agenda items only)**	
15. ADJOURNMENT	

4.1

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL MEETING OF COUNCIL

DATE: February 26, 2014
TIME: 8:45 a.m.
PLACE: Harrison Hot Springs Resort and Spa, Fraser Room
100 Esplanade Avenue, Harrison Hot Springs,
British Columbia

IN ATTENDANCE: Mayor Leo Facio
Councillor Allan Jackson
Councillor Sonja Reyerse
Councillor John Buckley
Councillor Zoltan Kiss

CAO, Ian Crane
DCAO/Corporate Officer, Debra Key
Manager of Development and Community Services, Lisa Grant
Manager of Revenue Services, Cindy Richardson
Director of Finance, Dale Courtice
Operations Manager, Ian Gardner
CTQ Consultant, Michelle Sorenson

Krystal Sobie, Recording Secretary

ABSENT:

1. **CALL TO ORDER**

Mayor Facio called the meeting to order at 8:45 a.m.

2. **INTRODUCTION OF LATE ITEMS**

- Re-Branding

3. **APPROVAL OF AGENDA**

Moved by Councillor Buckley
Seconded by Councillor Reyerse

THAT the agenda be approved as amended.

CARRIED UNANIMOUSLY

4. **DELEGATIONS**

5. REPORTS FROM STAFF

Report of Manager of Development and Community Services – February 20, 2014
Re: Land Economics

Lisa Grant, Manager of Development and Community Services introduced Jay Wollenberg from Coriolis Consulting Corporation.

Mr. Wollenberg provided Council with an overview of urban development and how that may be facilitated or encouraged. In the presentation, Mr. Wollenberg provided an analysis of the financial feasibility of proceeding with a project; what factors affect its viability, including market conditions, land cost, construction cost and municipal costs; and, the availability of incentives that impact its success.

He also noted that decreasing parking may not be a selling feature. This is an item that should be kept in a policy/bylaw.

Some communities are eliminating DCC's, in particular areas throughout the community, to encourage development.

Property tax revitalization exemptions work well for commercial space and rental residential but there is no proof in the marketplace yet stating that it works for a strata title unit.

Properties that require rezoning are often a deterrent for developers. Developers are willing to take market and construction risks, but political risks are often a deal breaker.

He concluded by saying, "the key to encouraging development is being aware of what you want the community to look like in the future".

Re-Branding

Discussion ensued regarding an initiative to create an image making Harrison a destination that will encourage people to want to move and live in Harrison. Tourism is well established; however, livability needs more focus and it was suggested that a new marketing scheme might include the environment and outdoor recreation. It was suggested that the new website might showcase stories about the Village and what is available. The item was referred back to staff to develop some further suggestions or ideas for presentation to Council.

6. BYLAWS

7. QUESTIONS FROM THE PUBLIC

8. ADJOURNMENT

Moved by Councillor Buckley
Seconded by Councillor Kiss

THAT the meeting be adjourned to February 26, 2014 at 1:00 p.m.

CARRIED UNANIMOUSLY

Leo Facio	**Debra Key**
Mayor	**Corporate Officer**

4.2

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

DATE: March 4, 2014
TIME: 10:30 a.m.
PLACE: Council Chambers
495 Hot Springs Road, Harrison Hot Springs, BC

IN ATTENDANCE: Mayor Leo Facio
Councillor John Buckley
Councillor Zoltan Kiss
Councillor Allan Jackson

Chief Administrative Officer, Ian Crane
Deputy Chief Administrative Officer/CO, Debra Key

Recorder: C. Friesen

ABSENT: Councillor Sonja Reyerse

1. CALL TO ORDER

Mayor Facio called the meeting to order at 10:30 a.m.

2. INTRODUCTION OF LATE ITEMS

- Jane Kivett, Registration for Women's Arboriculture Conference

3. APPROVAL OF AGENDA

Moved by Councillor Buckley
Seconded by Councillor Jackson

THAT the agenda be approved as amended.

CARRIED UNANIMOUSLY

4. ADOPTION AND RECEIPT OF MINUTES

Moved by Councillor Buckley
Seconded by Councillor Jackson

THAT the minutes of the Regular Council Meeting of February 17, 2014, be adopted.

CARRIED UNANIMOUSLY

5. BUSINESS ARISING FROM THE MINUTES

None

6. CONSENT AGENDA

i. Bylaws

ii. Agreements

iii. Committee/ Commission Minutes

iv Correspondence

Letter dated February 14, 2014, from Private Secretary to the Lieutenant Governor with respect to "Sing Me a Song";

Letter dated February 18, 2014, from the Corporation of the City of New Westminster with respect to "Concerns Regarding Recent Amendments to the Canada Postal System";

Letter dated February 18, 2014, from the District of Kent with respect to the "Lower Fraser River Management Plan"; and,

Letter dated February 24, 2014, from the City of Pitt Meadows with respect to "Provincial Emergency Notification System".

Moved by Councillor Kiss
Seconded by Councillor Jackson

THAT the correspondence be received.

CARRIED UNANIMOUSLY

7. DELEGATIONS

John Allen - New Sewer Line Connection South and East Harrison

Mr. Allen identified the areas of south and east Harrison where improvements and upgrades need to be considered to the sewerage and disposal system and presented possible permanent as well as interim solutions.

The Chief Administrative Officer noted that the 2014 budget allocates $100,000 for the design and planning work for 2014 with replacement scheduled for 2015.

8. CORRESPONDENCE

9. BUSINESS ARISING OUT OF CORRESPONDENCE

10. REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS

11. REPORTS FROM MAYOR FACIO

Provided comment on his attendance at the Strategic Planning Session presented by the Agassiz RCMP on March 3, 2014.

12. REPORTS FROM STAFF

Report of Deputy Chief Administrative Officer/ Corporate Officer – February 25, 2014, with respect to the "Age-friendly Plan Contract Award".

Moved by Councillor Kiss
Seconded by Councillor Buckley

THAT the Age Friendly Plan contract be awarded to Cherie Enns Consulting in the amount of $24,967.50, including GST.

CARRIED UNANIMOUSLY

Moved by Councillor Buckley
Seconded by Councillor Jackson

THAT Jane Kivett be authorized to attend a single day Women's Arboriculture Conference to be held on March 7, 2014, and that the registration fee in the amount of $178.00 plus GST be approved.

CARRIED UNANIMOUSLY

13. BYLAWS

None.

14. QUESTIONS FROM THE PUBLIC

None.

15. ADJOURNMENT

Moved by Councillor Jackson
Seconded by Councillor Buckley

THAT the meeting be closed to the public, except for Council and senior staff and for the purpose of receiving and adopting Closed Meeting Minutes convened in accordance to Section 90 of the *Community Charter* and to consider matters pursuant to:

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:51 a.m.

Leo Facio
Mayor

Debra Key
Corporate Officer

6iv.a

FILE #	DATE
0400-50	Mar 7/14
☒ CAO	☐ CO
☐ DCAO	☐ ADMIN/ FINANCE
☐ DIRF	☐ B/L ENF
☐ MGR REV SVCS	☒ MAYOR
☐ CEDO	☒ COUNCIL
☐ OP. MGR	
ITEM A B C	
COUNCIL AGENDA DATE Mar 17/14	
	INITIAL
(ITEMS: A-REQ. ACTION: B - INFO - WRESP: C - INFO ONLY) File: 0300-02	

RECEIVED

MAR 07 2014

BY VILLAGE OF HARRISON HOT SPRINGS

CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

2014 March 04

Mayor and Council
Village of Harrison Hot Springs
495 Hot Springs Road PO Box 160
Harrison Hot Springs, BC V0M 1K0

Dear Mayor and Council:

Subject: Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation
(Item No. 01, Manager's Reports, Council 2014 February 17)

Burnaby City Council, at the Open Council meeting held on 2014 February 17, received a report from the Director of Planning and Building regarding the Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation and adopted the following recommendations contained therein, AS AMENDED:

1. THAT Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:

   a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;

   b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;

   c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;

   d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government

obligations related to the statutory notification of property owners and citizens;

e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize City-owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.

2. THAT Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report, and to the Federation of Canadian Municipalities (FCM).

3. THAT a copy of this report be sent to:

   - Burnaby MLA's and MP's;
   - The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development;
   - BC Chief Electoral Officer - Mr. Keith Archer, Elections BC;
   - All Members of the Lower Mainland Local Government Association (LMLGA), the Union of BC Municipalities (UBCM) and Metro Vancouver;
   - Federation of Canadian Municipalities;
   - Canadian Union of Postal Workers (CUPW) – National Office (377 Bank Street, Ottawa, Ontario K2P 1Y3, and CUPW- Pacific Region (999 Carnarvon Street, New Westminster, B.C. V3M 1G2).

4. THAT this report be forwarded to the Social Issues Committee, Traffic Safety Committee, Environment Committee and the Mayor's Task Force on Graffiti, Voices of Burnaby Seniors and the Seniors Centres in Burnaby for information.

In accordance with the recommendation no. 3, a copy of the report is *enclosed* for your information.

Very truly yours,

Derek Corrigan

Derek R. Corrigan
MAYOR

Item	01
Meeting	2014 February 17

City of Burnaby

Meeting 2014 February 17

COUNCIL REPORT

TO:	CITY MANAGER	**DATE:**	2014 February 11
FROM:	DIRECTOR PLANNING AND BUILDING	**FILE:**	2125 20
		Reference:	*UBCM*

SUBJECT: COMMUNITY IMPACTS OF THE PROPOSAL TO ELIMINATE HOME MAIL DELIVERY SERVICE BY THE CANADA POST CORPORATION

PURPOSE: To outline the City's opposition to the proposal to eliminate Home Mail Delivery Service by the Federal Government and the Canada Post Corporation.

RECOMMENDATIONS:

1. **THAT** Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:

   a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;

   b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;

   c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;

   d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property owners and citizens;

   e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize City-owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.

2. **THAT** Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report.

3. **THAT** a copy of this report be sent to:

   - Burnaby MLA's and MP's;
   - The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development;
   - BC Chief Electoral Officer - Mr. Keith Archer, Elections BC;
   - All Members of the Lower Mainland Local Government Association (LMLGA), the Union of BC Municipalities (UBCM) and Metro Vancouver;
   - Federation of Canadian Municipalities;
   - Canadian Union of Postal Workers (CUPW) – National Office (377 Bank Street, Ottawa, Ontario K2P 1Y3, and CUPW- Pacific Region (999 Carnarvon Street, New Westminster, B.C. V3M 1G2).

4. **THAT** this report be forwarded to the Social Issues Committee; Traffic Safety Committee; Environment Committee and the Mayor's Task Force on Graffiti for information.

REPORT

1.0 INTRODUCTION

At its meeting on 2014 January 27 under 'New Business', Council requested staff to prepare a report outlining the issues and implications of the recently announced Canada Post service changes. Canada Post has developed a proposal that would eliminate the existing home mail delivery service for urban centers, which would cause significant impacts and issues for Canadian communities and citizens.

In response to Council's request, this report outlines the context and implications of the decision by the Federal Government to proceed with the plan advocated by the Canada Post Corporation. Specifically, this report details issues identified related to the lack of the required public process and consultation; security of private information and property; service for seniors and persons with mobility restrictions; statutory obligations related to legislated government notification to citizens and property owners; and the appropriateness and impact of existing Canada Post powers related to the use of municipally-owned property.

In light of the significant and direct impacts the proposal presents, this report highlights specific concerns for the City and its residents, including the safety of our most vulnerable citizens. In response, this report calls for the immediate review of the proposal to cancel home delivery in

urban centres to ensure full public consultation and actions to protect the interests of all Canadians.

2.0 BACKGROUND

Canada Post is a Crown Corporation, operating under the Canada Post Corporation Act, and overseen by the Federal Minister of Transportation – the Honourable Lisa Raitt. It is governed by a Board of 11 individuals, including the Chairperson and the President and Chief Executive Officer. All directors, other than the previously mentioned two positions, are appointed by the Minster for a term of up to four years, which can be renewed.

The Chairperson and President and CEO are appointed by the Governor in Council[1] for an appropriate term. The current Chairperson of Canada Post is Mr. Marc A. Courtois and the President and CEO is Mr. Deepak Chopra.

On 2013 December 11, Canada Post announced its '5-Point Action Plan'[2]. The plan's five main components are:

- **Community mailboxes:** Over the next five years, Canada Post will phase out home delivery to urban centers, to be replaced by community mailboxes. The plan states that this change will not affect the two thirds of residential addresses that currently receive their mail through community mailboxes, grouped or lobby mailboxes (i.e. high density residential buildings such as apartment towers or seniors homes), or rural mailboxes.
- **Tiered Pricing:** Beginning 2014 March 31, pending regulatory approval, stamp purchases in booklets or coils will cost $0.85 per stamp. Individual stamp purchases, not in booklets or coils, will cost $1 each.
- **Postal Franchises:** Canada Post will expand its retail network and open more franchised postal outlets in stores, while retaining corporate (Canada Post owned) post offices.
- **Operational Changes:** Operations will be centralized and/or streamlined with technology (i.e. more centralized warehouses, with mail sorter equipment).
- **Labour Restructuring:** Canada Post expects to eliminate 6,000 – 8,000 jobs partially through retirement (the 'Plan' states that 15,000 employees are expected to retire in the next 5 years). Pension plan adjustments will also be considered.

On 2014 January 29, Canada Post released a statement outlining that affected postal walks in densely populated urban areas will be the last stage for implementation in the 5-year process, given the acknowledged complexity of siting large community mailboxes installations in these environments. Canada Post is expected to announce which communities will be subject to the installation of community mailboxes and cancellation of home delivery service by the end of February, 2014.

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[1] The Governor in Council (GIC) appointments process is a core function of the Senior Personnel Secretariat in the Privy Council Office, on behalf of the Prime Minister and his Office.

[2] For a full copy of the 'Plan', please visit: https://www.canadapost.ca/cpo/mc/assets/pdf/aboutus/5_en.pdf

The local governments of Vancouver, Victoria, Saanich, New Westminster, Medicine Hat, Montreal, Sault Ste. Marie and Ottawa and the Union of Nova Scotia Municipalities have all passed motions, directed to Canada Post through the Federation of Canadian Municipalities (FCM), and/or released statements outlining their opposition or stating their concerns with the approach and requesting more information.[3]

The Official Opposition – the Federal New Democratic Party (NDP), and the Federal Liberal Party have both expressed their concerns regarding the '5 Point Action Plan'. The Liberal Party has filed several 'Access to Information and Privacy' requests through the Treasury Board of Canada, for documents of communication between Transport Canada, the Privy Council office and Canada Post.

On 2014 January 28, MP Olivia Chow of the Federal NDP tabled an opposition motion in the House of Commons regarding the Canada Post service changes. According to the motion, should this implementation move forward, Canada would be the only country, among the G7 nations[4], not to have any level of door-to-door mail delivery service within its urban centres.

On 2014 January 29, Canada Post CEO Mr. D. Chopra, through the FCM, released a statement to Canadian local governments. This statement outlined that Canada Post will investigate 'alternative approaches' for persons with disabilities, seniors and others who would find travelling to a community mailbox an unacceptable hardship. The release also stated that many businesses will continue to have their mail delivered directly to their premises – specifically businesses in well-established commercial centres and those receiving a large volume of mail. However, some other businesses in more isolated areas, excepting those served by rural mailboxes, may be affected. These details were also included in the nation-wide Canada Post news statement of the same date referenced above.

3.0 COMMUNITY ISSUES

This section outlines the identified major issues, concerns and impacts of the proposal by Canada Post to eliminate home delivery service, as identified by staff as part of the analysis of the '5 Point Action Plan', accompanying press releases and limited background information made available by Canada Post. These identified issues and impacts will affect both Burnaby and other local governments across the country.

3.1 Lack of Consultation with the Public and Key Stakeholders

Of significant concern with regard to the Canada Post proposal has been the overall lack of consultation regarding this important postal service issue with the public and key stakeholders,

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[3] This list may not be complete, as additional local governments may have issued statements or passed motions since the time this report was written.

[4] The 'G7' is the current 'wealthiest countries' by measure of national net wealth – the United States, Japan, France, Germany, Italy, U.K. and Canada.

including local governments. From the limited available information it has been determined that the consultation completed to date has been advanced without benefit of the general public being provided with information of the specific proposals presented for implementation.

Public Consultation

Canada Post maintains that their consultation process focussed on engaging with members of the public and the business community. According to the limited information being released by Canada Post, the corporation contends that it conducted a 5-month public consultation process from April – August, 2013. This 'consultation process' included a 2013 April 24 news release, an online forum available for discussion through the Canada Post website, signage in post offices and franchise outlets, information on printed postal receipts, and participation of Canada Post leaders in over 40 talk and call-in shows. In addition, Canada Post maintains that it held 46 community forums with invited representatives from different sectors (e.g. business) and neighbourhoods with different types of delivery service. In the Lower Mainland, these conversations occurred in Vancouver and Coquitlam.

Generally, however, staff would conclude that the process undertaken for this consultation process does not meet the basic threshold required for either public engagement or consultation for an issue of such national importance and scope. Given the implications of the changes proposed, a wider and more sustained discussion should have included presentation of facts and issues, followed with specific options that reflected public feedback and concerns. Additionally, the general public should have been provided an opportunity to participate in the process and attend public information meetings. At a basic level, the Canada Post Corporation's claim of wide public consultation and engagement is not well supported, as it was too broad, high-level, severely limited direct public involvement and did not disclose the true intent of the wide-spread and important changes being contemplated for immediate implementation.

Stakeholder Consultation – Local Government

Local governments, as a key stakeholder, would be most directly impacted by these proposed changes in terms of the proposal's impact on residents, corporate services, urban form and land-use policies. Canada Post maintains that as part of its consultation process that it met directly with the Mayors and senior administrative officials of six local governments. It is noted that the information provided by Canada Post does not identify the six communities or the range of issues that were reviewed or if any of the known technical aspects related to the proposal were advanced for review. The size, location and nature of the communities has also not been disclosed by Canada Post.

Again, given the importance of the issues being advanced, the lack of engagement with Canada's local governments, or their regional or national organizations, erodes confidence that the stakeholder review process was in any sense complete or comprehensive. As British Columbia's third largest City, Burnaby should have had an opportunity to review the proposals being advanced and to participate in a technical review to analyze and comment on specific proposals.

As outlined, to the City's knowledge, no urban municipality, or agency representing Canadian cities, was specifically engaged on the issues of replacing home delivery services with community mailboxes.

Given the implications of the Canada Post proposal to all urban municipalities and their citizens, staff are of the opinion that a more sustained and substantive consultation process with local governments prior to the service delivery changes being decided upon and announced would have been of benefit in identifying and determining issues and impacts of these service changes, including possible remediation approaches.

It is therefore proposed that Council advance its opposition to the proposal on the basis of the lack of wide public and local government review, and request the Federal Government require full and meaningful public consultation and engagement with municipalities, in order to review all options related to preserve continued home mail delivery in Canada's urban centres.

3.2 Mail Security

Another immediate and important concern with the proposal to eliminate home-delivery service is the high level of crime and vandalism experienced at existing community mailboxes. While Canada Post maintains that it locates community mailboxes in areas of natural surveillance, community mailboxes are more prone to many security concerns regardless of their location. The most serious concern is theft of mail through vandalism and breaking locks and access points to community mailboxes. The design and quality of the Canada Post community mailboxes have proven not to be secure and have left citizens' property vulnerable to theft. Additionally, mailboxes are a target of vandalism through graffiti and damage.

According to an investigative report by the Canadian Broadcasting Corporation (CBC), community mailboxes in the Lower Mainland and other urban/suburban areas are particular targets. Burnaby itself is reported to have had several dozen incidents over the past 5 years, including one act of arson, four acts of theft, and several Canada Post mailboxes being over turned and damaged. The number and severity of incidences appear to increase in communities with more community mailboxes already in place. For example, the City of Surrey is reported to have experienced almost 900 incidences over the same period, while the District of Maple Ridge and the City of Langley and District of Langley are reported to have experienced upwards of 400 incidences[5].

The issue of crime and vandalism of the existing community mailbox program has other widespread impacts that have been demonstrated in a number of recent incidents across Canada. Canada Post does not have the capacity or infrastructure to maintain the existing community mailbox program in order to respond quickly and effectively to repair all of the mailboxes that can be damaged by organized criminal activities. In some instances several community

[5] For more information, see the CBC Investigative Report at: http://www.cbc.ca/news/canada/british-columbia/are-canada-post-s-community-mailboxes-really-safe-1.2460515.

mailboxes within a city are targeted within a single crime event. The impacts to citizens include the suspension of mail delivery for several weeks to affected communities. In some cases resident's mail would be made available through a Canada Post outlet until repairs can be completed. However, these locations can be located far away from affected neighbourhoods and without the staffing available to effectively serve the public.

The proposal to increase the number of community mailboxes in urban areas will exacerbate the issue of mail theft and impact many more citizens on an ongoing basis. Of specific and serious concern is the vulnerability of community mailboxes to crimes related to identity theft through access to personal information and sensitive mail. Direct theft of cheques, currency, gifts, and parcels has also been reported and associated with community mailboxes. The impact of crime associated with the introduction of community mailboxes on local police detachments through an increase in service calls has not been analyzed or reviewed. Additionally, none of these issues have been fully addressed by Canada Post or included in any public consultation efforts related to the discussion of the proposal to cancel home mail delivery.

It is therefore proposed that Council advance its opposition to the proposal on the basis of the lack of study and information related to implementation of provisions for theft prevention and mail security, and request the Federal Government ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property.

3.3 Safety and Access for Seniors and Persons with Mobility Restrictions

For many senior citizens and persons with mobility restrictions, living in areas currently receiving the home delivery postal service, the proposal to restrict their mail delivery to community mailboxes will represent a significant hardship. For many such persons, it may be difficult or impossible to travel to community mailboxes particularly in inclement weather, if they do not drive, are not in an area well-serviced by public transit, or have few family members and/or others whom they can ask for assistance.

For some persons with disabilities, there may also be hand-dexterity considerations as keys are required to open each mail slot.[6] Another potential issue is with the height of assigned mail slots. For some persons utilizing a wheelchair or another mobility device, or who have limited upper body movement, they may be unable to reach up significantly to access their mail slot. Finally, for many individuals isolation is also a factor and the 'human connection' of home delivery service provides a much needed and valuable opportunity for daily conversation, interaction and connection to the wider community.

It is of great concern that Canada Post did not identify these important social planning issues as part of any public consultation program for citizens which should have ensured that vulnerable citizens and their issues were adequately addressed as part of the proposed change to the home

[6] When persons move into a neighbourhood serviced by a community mailbox, keys to an assigned slot are available for pick-up at a local postal outlet.

delivery service. Subsequent assurances by Canada Post to further study the issue, as outlined in Section 2.0 of this report, further emphasize the lack of planning and consultation that has occurred to date regarding this important issue and does not provide any confidence that the matter would be resolved through a consultative public process.

It is therefore proposed that Council advance its opposition to the proposal and request the Federal Government ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions.

3.4 Provincial Statutory Public Notification Procedures

Of significant concern is the fact that the Canada Post proposal has been advanced without consultation and review with regard to addressing any conflicts with existing B.C. Provincial Statutory Public Notification procedures. While these processes, and any requirements of mail notification through Canada Post, remain the responsibility of the Provincial Government, there are many impacts on local governments and its citizens. These include but are not limited to the Local Government Act, Elections BC and other statutory municipal notifications.

The proposal to cancel home mail delivery has been advanced without benefit of oversight or any review related to the legal implications regarding a local municipality's responsibility to ensure public notification under the Local Government Act. These laws were originally developed under the basis of existing daily home mail delivery services. For example, notices of a Public Hearing must, as mandated by Section 892 (4)(b) of the Local Government Act, be mailed or otherwise delivered by local governments to all property owners at least 10 days before the hearing date. While Canada Post may maintain that community mailboxes would provide postal service to all residents, many issues remain of concern. Notification may not be deemed to have occurred within the statutory timeframe as property owners would only receive their mail upon collection at a community mailbox, which may not provide timely notification. However, currently home mail service has been deemed to provide legal notification to property owners upon its delivery to a private residence.

Additionally, Burnaby, other local governments and government agencies have not had the opportunity to review and comment on the potential impact of the proposal related to its internal corporate and bylaw practices concerning the legal notification of property owners and residents. This includes taxation notices, bylaw infraction notices, local elections notices and emergency response information and procedures. It is unclear at this point whether the existing notification procedures and stated periods are still adequate or need to be reviewed and updated, based on the current or future mail delivery changes being considered by Canada Post.

Canada Post has also not addressed how it will maintain mail service to hundreds of thousands of citizens that occupy legal and illegal secondary suites, located in single-family homes, duplexes and other building types, which are common in many of the country's urban centres. A high percentage of these citizens may be new immigrants and/or have low incomes. Tenants of private properties, for a variety of reasons (lack of knowledge, language barriers, etc.), may not

have the opportunity, knowledge, or financial ability to make application and maintain their own mailing addresses and community mailboxes under the proposal by Canada Post.[7] Although many tenants now share a common home delivery mailbox and therefore can receive and reasonably safeguard their own mail, this opportunity could be lost through the proposed system of community mailboxes. Concerns include a tenant's mail not being safeguarded, or conveniently available, as their access to mail may effectively be controlled by a property owner, who could maintain sole access to the property's designated community mailbox.

These important issues, which have not been identified or addressed by Canada Post, have many implications for all citizens and communities. The proposed discontinuance of the home mail system in urban areas may lead to the erosion of maintaining accurate mailing address lists and government databases, as tenants may not continue to report their own home mailing addresses as they would lose direct access to Canada Post mail delivery.

Elections BC in part provides voting rights on the presentation of various identifications, which includes providing a residential mailing address. Additionally, Elections BC provides mailed 'Voter Notifications' to residential addresses to provide citizens with the location of their designated polling stations. The proposal by Canada Post to cancel home mail delivery has the potential to take away the right of all citizens to be provided with their rightful enumeration and notification by mail for inclusion and participation in Federal, Provincial, and local elections and/or public referendums. The overall impact of the Canada Post proposals would not only erode the reliability of public notification and citizen enumeration, but could harm the very fabric of Canada's ability to serve and ensure that all citizens have an opportunity to fully participate with the election system, which has to date relied primarily on the home mail delivery system.

Given these important inter-related and complex issues, a full review of the position and responsibility of the senior levels of government needs to be completed and fully addressed in any proposal by Canada Post. As stated, this consultation with key stakeholders would specifically include, but not be limited to, the B.C. Minister for Community, Sport and Cultural Development who oversees the Local Government Act and the Chief Elections Officer who is responsible for Elections BC. This consultation should be undertaken with the full notification to and engagement of all citizens, B.C. municipalities and other impacted government agencies.

It is therefore proposed that Council request the Federal Government to address specific issues related to the impact of any proposed home mail delivery changes to existing Federal, Provincial, and local government responsibilities related to the statutory notification of property owners and all citizens.

---

[7] It is noted that the cost of the replacement of lost or stolen Community Mailbox keys is currently $29.

3.5 Location of Community Mailboxes on City-owned property

The proposal to cancel home delivery in favour of community mailboxes by Canada Post poses specific urban land use issues that have not been fully reviewed or addressed and reflect the lack of consultation with local governments that was outlined in Section 3.1 of this report. In dense urban communities, such as Burnaby, the location and placement of the proposed community mailboxes raises a number of important issues and implications for the City. These include increased legal liability for municipalities who would be faced with many new locations on public property for large installations of community mailboxes, which could pose safety hazards for drivers and pedestrians.

The power to impose this type of development without municipal approval or consultation is provided by the Federal Government through the Canada Post Corporation Act and the regulations made under this Act including the "Mail Receptacles Regulations"[8]. The broad sweeping power of this imposition on local governments was originally intended to serve the distribution of mail under the current system of a home mail delivery model. The use of this power to implement community mail boxes within densely populated urban places was never contemplated or advanced with any consultation with local government concerning the potential impacts.

It is unclear what process Canada Post intends to implement to locate the new community mailboxes. The dimensions of Canada Post's typical suburban community mailboxes are approximately 1668 mm (5.5 feet) long and 470 – 490 mm (1.7 feet) wide. The proposal for urban community mailboxes are expected to be much larger to accommodate more mailboxes including enough space for package delivery.

Canada Post's current criteria[9] for the placing of community mailboxes in new sub-divisions or other suburban residential developments, states that community mailboxes should be:

- placed a minimum of nine metres from intersection corners;
- not installed at major intersections;
- placed in areas not with heavy traffic volume;
- visible to multiple houses or buildings for natural surveillance;
- installed in proximity to the addresses it serves;
- located adjacent to areas where 'pulling over' into the shoulder or street parking area is allowable 24 hours a day;
- installed near a natural 'entry point' to a neighbourhood or development; and
- installed near existing street lighting fixtures.

---

[8] Specifically, "The Corporation may install, erect or relocate or cause to be installed, erected or relocated in any public place, including a public roadway, any receptacle or device to be used for the collection, delivery or storage of mail." [Canada Post Corporation Act, Mail Receptacles Regulations (SOR/83-743)]

[9] For more information, please visit: http://www.canadapost.ca/cpo/mr/assets/pdf/business/standardsmanual_en.pdf

Currently, Canada Post places its required infrastructure on the City of Burnaby lands without the approval or any consultation with city staff (for the small letter mailboxes or postal carrier mail pick-up boxes). As a result, the Engineering Department would be required to contact Canada Posted should any traffic or community issues be identified by staff or citizens. Canada Post currently is not obliged by law or any corporate policies to comply with community concerns regarding the location of its postal boxes. Canada Post has also developed no criteria that would provide guidelines for the implementation of Community mailboxes in dense urban areas, such as Burnaby. These guidelines would presumably also be reflected in an updated "Mail Receptacles Regulations" which would be amended by the Government of Canada.

There is some uncertainty if the proposal could be successfully integrated into some neighbourhoods given the lack of space within the streetscape to accommodate large installations of this type in multiple locations. This will pose difficult choices in locating community mail boxes and may be intrusive and of great inconvenience for many neighbourhoods and citizens. Additionally, it is unclear whether or not the "Mail Receptacles Regulations" provides the legal right for Canada Post to place community mailboxes on any municipal, school district or provincially-owned titled properties which may be included in the definition of the law's use of the term "public place". There are a host of concerns that have been identified related to Burnaby accommodating community mailboxes on City-owned lands which include:

- the availability and suitability of locations for mailboxes to serve all neighbourhoods;
- the ability to serve rapidly expanding residential areas effectively;
- the visual impact of community mailboxes in an urban environment;
- the impact on neighbouring properties and local land uses;
- the need for selective sidewalk and road improvements;
- the need and responsibility for community consultation;
- safety or access concerns (i.e. blocks traffic 'sight lines' or does not leave sufficient sidewalk space for a wheelchair to pass);
- any legal costs or liability from arising injuries or accidents;
- ability for location to accommodate the need for resident street parking;
- traffic volumes, movement and safety around community mailbox locations;
- security and lighting;
- snow and ice removal;
- vehicle access for Canada Post delivery staff;
- vandalism, graffiti and theft; and
- the need for provisions for litter clean-up and garbage removal.

All of these concerns carry with them a new level of municipal responsibility and costs that could become a significant financial burden for Burnaby's taxpayers and other municipalities.

It is therefore proposed that Council, as part of its opposition to the overall program, request the Federal Government to remove the discretion of the Canada Post Corporation to utilize City-owned property for an expanded community mailbox program for urban centres, without the direct consultation and specific approval of any affected local government.

4.0 LMLGA AND UBCM RESOLUTION

In light of the significant, complex, unaddressed issues outlined in this report and that the proposed Canada Post service delivery changes are of considerable scope and affect both Burnaby and other local governments nation-wide, the following resolution has been prepared for Council's consideration. It has been reviewed for submission with the concurrence of the City Solicitor, the Director Engineering, the Director Parks, Recreation and Cultural Services, and the RCMP 'Officer in Charge':

RESOLUTION: Suspension of Canada Post Home Delivery Service

> **WHEREAS** local governments have a direct interest in the security and stability of Canada's postal system, both in terms of municipal corporate operations and services available to citizens;
>
> **AND WHEREAS** the service delivery changes would directly impact local governments, including in relation to land-use policy, requirements for municipal land and rights-of-ways, infrastructure for paving, lighting, and waste management, and public safety considerations (etc.);
>
> **THEREFORE BE IT RESOLVED** that the Lower Mainland Local Government Association (LMLGA) and the Union of BC Municipalities (UBCM) call on the Federal Government and Canada Post, through the Federation of Canadian Municipalities and other avenues as appropriate, to suspend the Canada Post delivery changes until a sustained, substantive consultation process with local governments and the public is completed and identified issues are addressed.

It is therefore proposed that Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) in order to advance to Annual General Meeting of the Union of BC Municipalities (UBCM) Convention. Further it is proposed that Council advance a copy of this report to all members of Metro Vancouver, the LMLGA and the UBCM for their information.

5.0 CONCLUSION

This report provides, for Council's information, a broad overview of the major identified issues and impacts of the proposed Canada Post service delivery changes and its specific implications for the City of Burnaby and other local governments. Although it is acknowledged that this review has been based on limited information released by Canada Post, there remain too many

important issues of great concern to local governments and citizens that require immediate response. These issues include the lack of consultation with the public and local governments; mail security, safety and access for seniors and persons with limited mobility; impacts on existing federal, provincial and local government obligations related to statutory notification; and issues associated with the location of community mailboxes in urban areas including the impacts on the operations and legal liabilities for municipalities.

It is therefore proposed that Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the Federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:

- require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery in Canada's urban centres;
- ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
- ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
- address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property owners and citizens;
- remove the discretion of the Canada Post Corporation to utilize City-owned property for an expanded community mailbox program in urban centres, without the direct consultation and approval of local governments.

These issues are of wide interest to all Canadians and other local governments and warrant the City to advance a resolution to garner the support of the LMLGA and UBCM.

A resolution has been prepared for Council's consideration to seek support from other affected local governments for its concerns regarding the potential impacts of the decision by the Canada Post Corporation. This is for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report.

It is recommended that a copy of this report be sent to: Burnaby MLA's and MP's; The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development; BC Chief Electoral Officer - Mr. Keith Archer, Elections BC; all Members of the Lower Mainland Local Government Association (LMLGA) and the Union of BC Municipalities (UBCM); the Federation of Canadian Municipalities; and the Canadian Union of Postal Workers (CUPW) and CUPW- Pacific Region.

A copy of this report is proposed to be forwarded to the Social Issues Committee; Traffic Safety Committee; Environment Committee and the Mayor's Task Force on Graffiti for information.

Lou Pelletier, Director
PLANNING AND BUILDING

RM/JW:sa:sla

cc: Deputy City Managers
Director Engineering
Director Finance
Director Parks, Recreation and Cultural Services
OIC – RCMP
Fire Chief
Chief Building Inspector
Chief Librarian
City Solicitor
Deputy City Clerk

R:\Long Range Clerical\DOCS\JW\Council Reports\2014\Impact of Canada Post Service Changes.docx

7.1

HARRISON HOT SPRINGS
Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS

Request to Appear as a Delegation

In order to make a presentation to Council at a Council Meeting, you are required to submit a written request to the Corporate Administration Department no later than 4:30 p.m. on the Wednesday before the regular meeting. The request can either be a copy of this completed form or a separate letter that you have written which contains the information requested on this form. All requests must be accompanied with background information which will be included in the agenda package. You can submit your request in person, by mail at PO Box 160 Harrison Hot Springs, BC V0M 1K0, fax at 604-796-2192 or e-mail at ksobie@harrisonhotsprings.ca.

The Corporate Administration Department will advise you when you are scheduled to appear before Council. Council meetings commence at 7:00 p.m. in the Village Council Chambers at 495 Hot Springs Road, Harrison Hot Springs, BC.

You are limited to a maximum of 10 minutes to present your material, regardless of the number of presenters in your delegation.

Date: March 5, 2014 Requested Meeting Date: March 17th, 2014

Organization Name (if applicable): Fraser Valley Regional District

Name of Presenter: Barclay Pitkethly

Name of Applicant if Other than Above: Catherine Overgaard

Contact Phone Number & E-Mail: 604 702 5042 covergaard@fvrd.bc.ca

Mailing Address with Postal Code: 45950 Cheam Ave, Chilliwack, BC V2P1N6

Audio/Visual requirements: Power Point Presentation

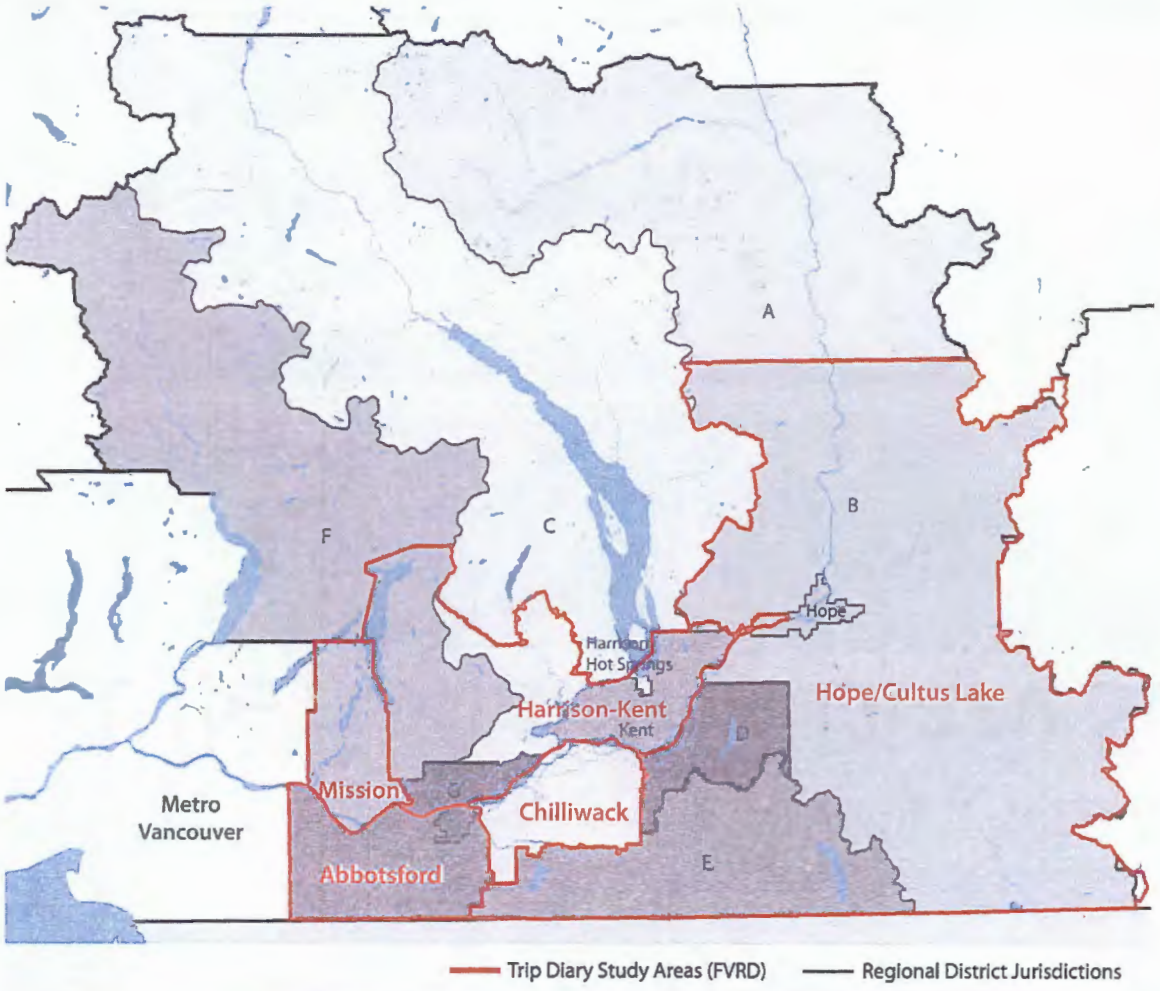
Topic: Fraser Valley 2011 Trip Diary ~~Rep~~ Results and Report. Transportation Trends in the Region

Action you wish Council to take: None

Fraser Valley Regional District

2011 Regional Trip Diary Survey

FVRD Trip Diary Study Area

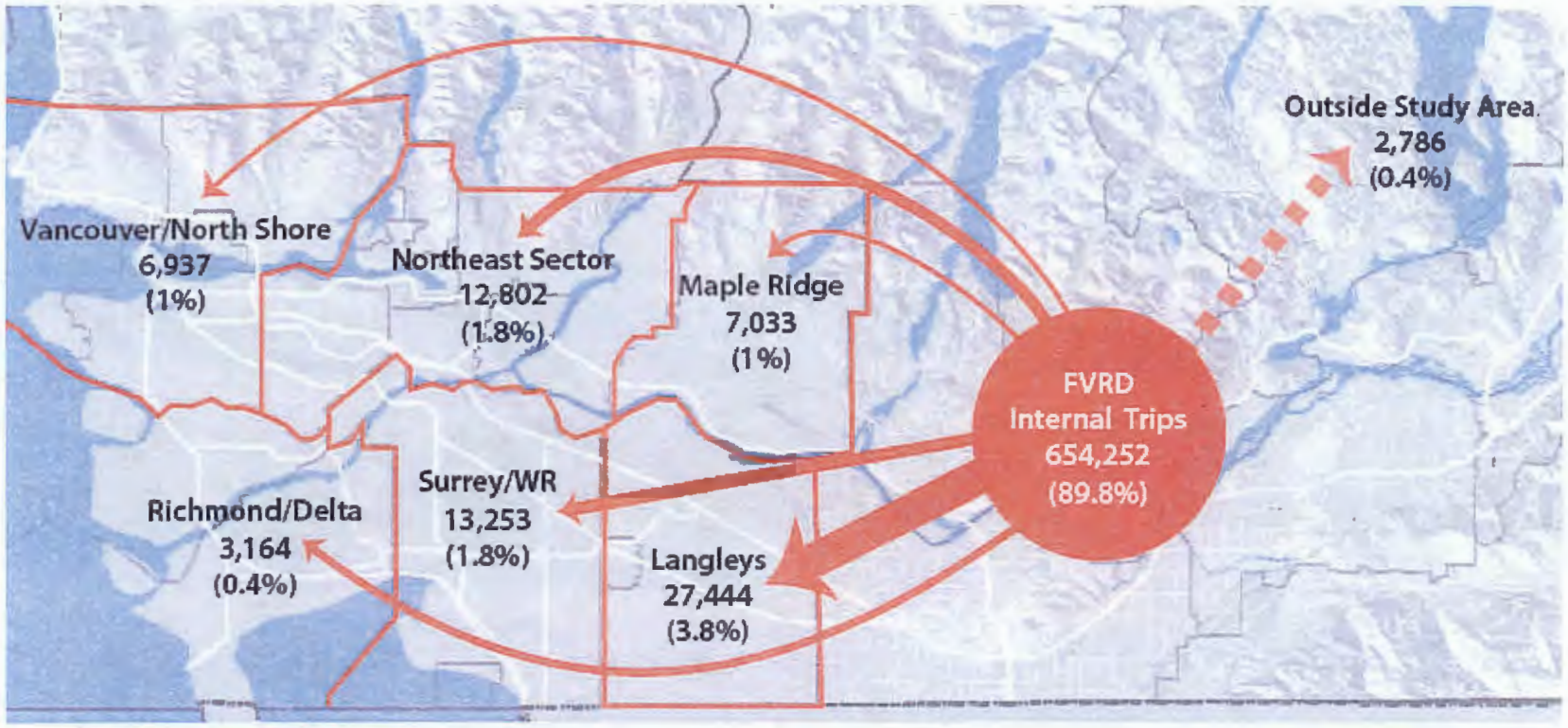


Fraser Valley Regional District

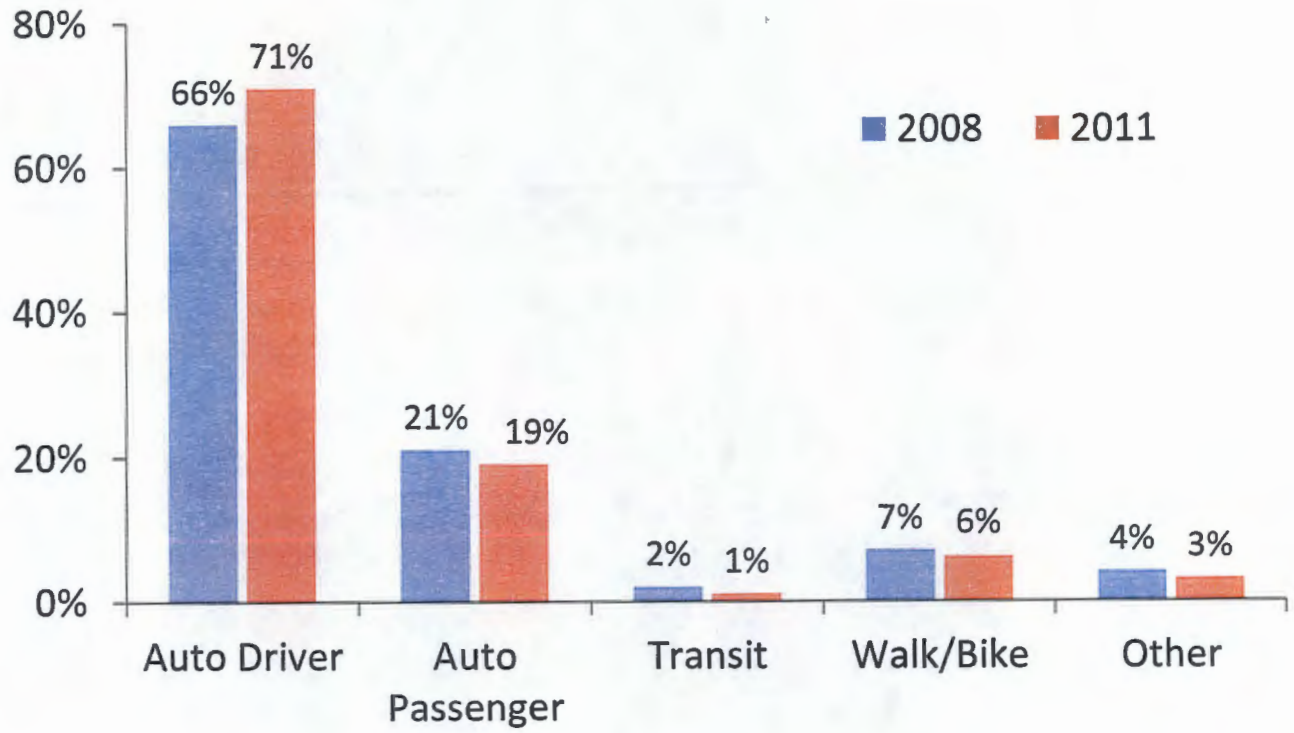
Regional Travel Trends: Overall Trips

	2004	2008	2011	% Change (2004-2011)
Population	259,811	276,103	286,937	10.4%
Trips	709,800	642,000	728,489	**2.6%**
Trip Rate	2.7	2.3	2.5	

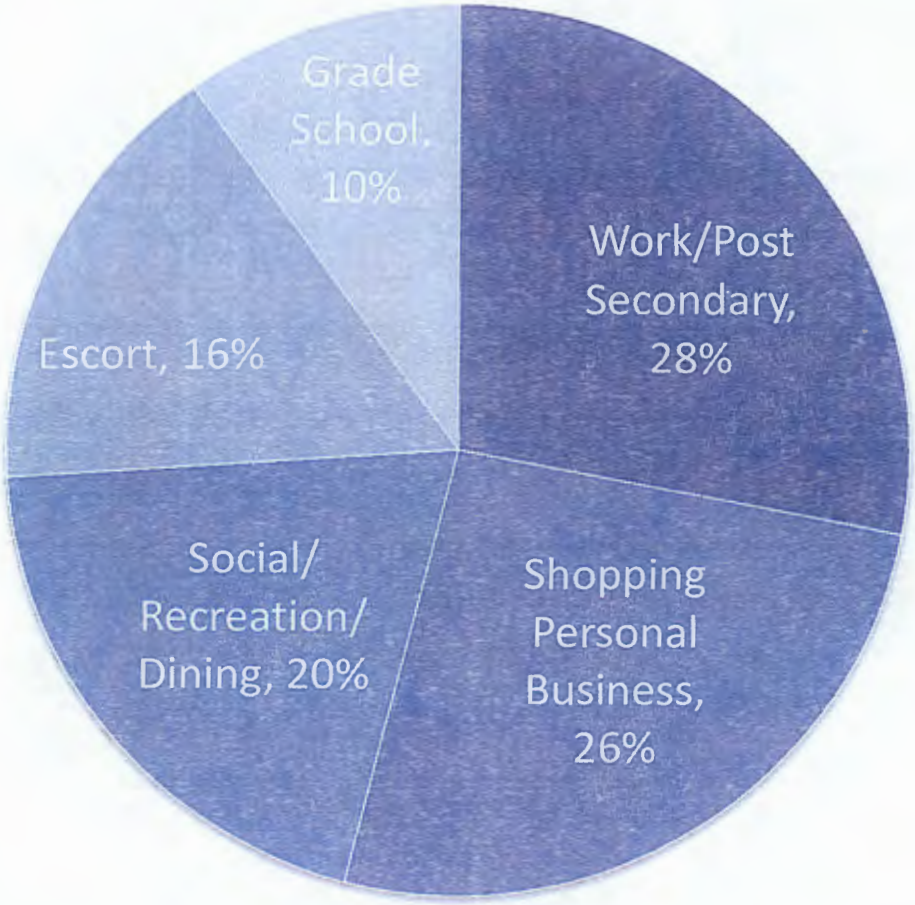
Where are we going?



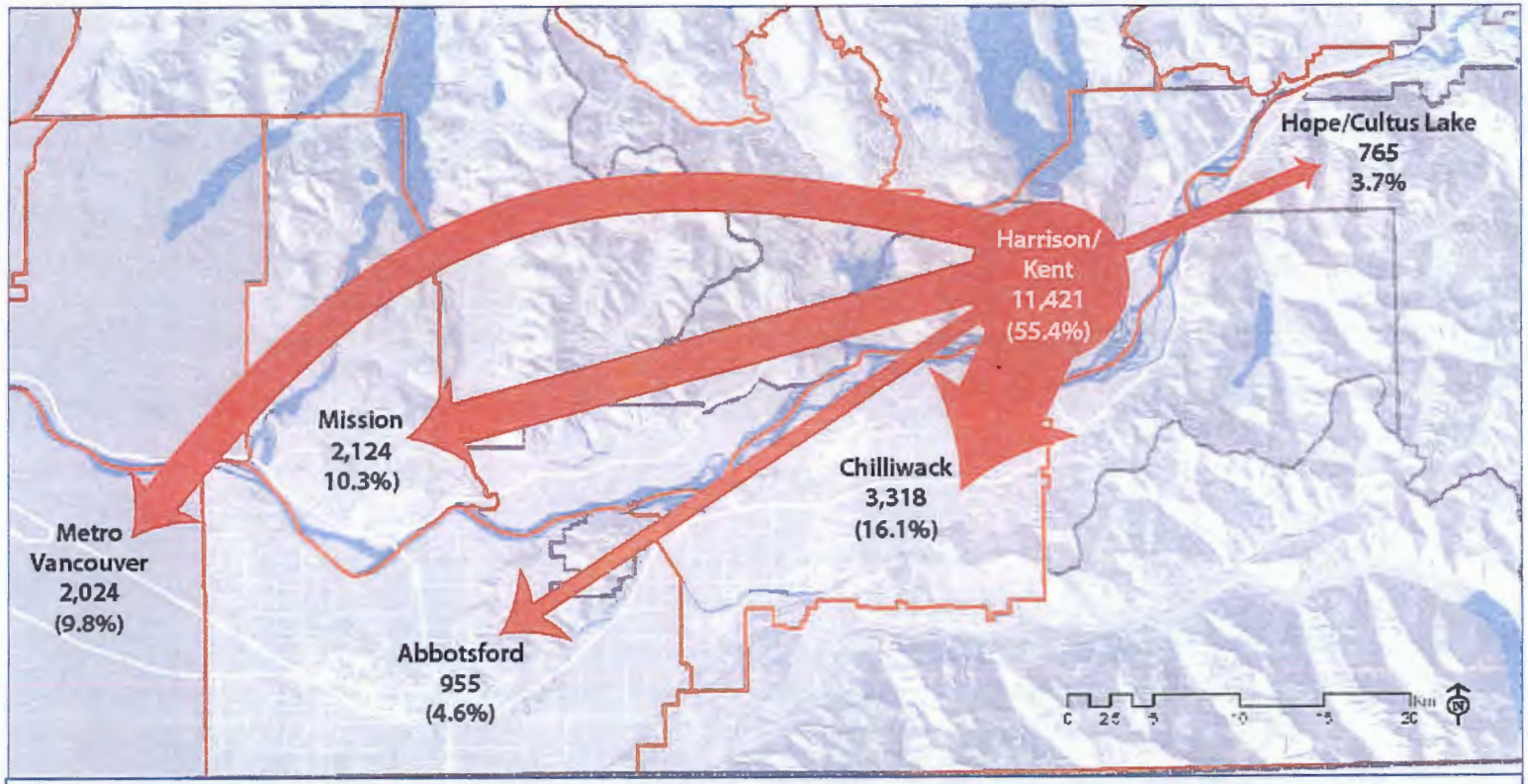
How are we getting around?



What is the reason for our travel?



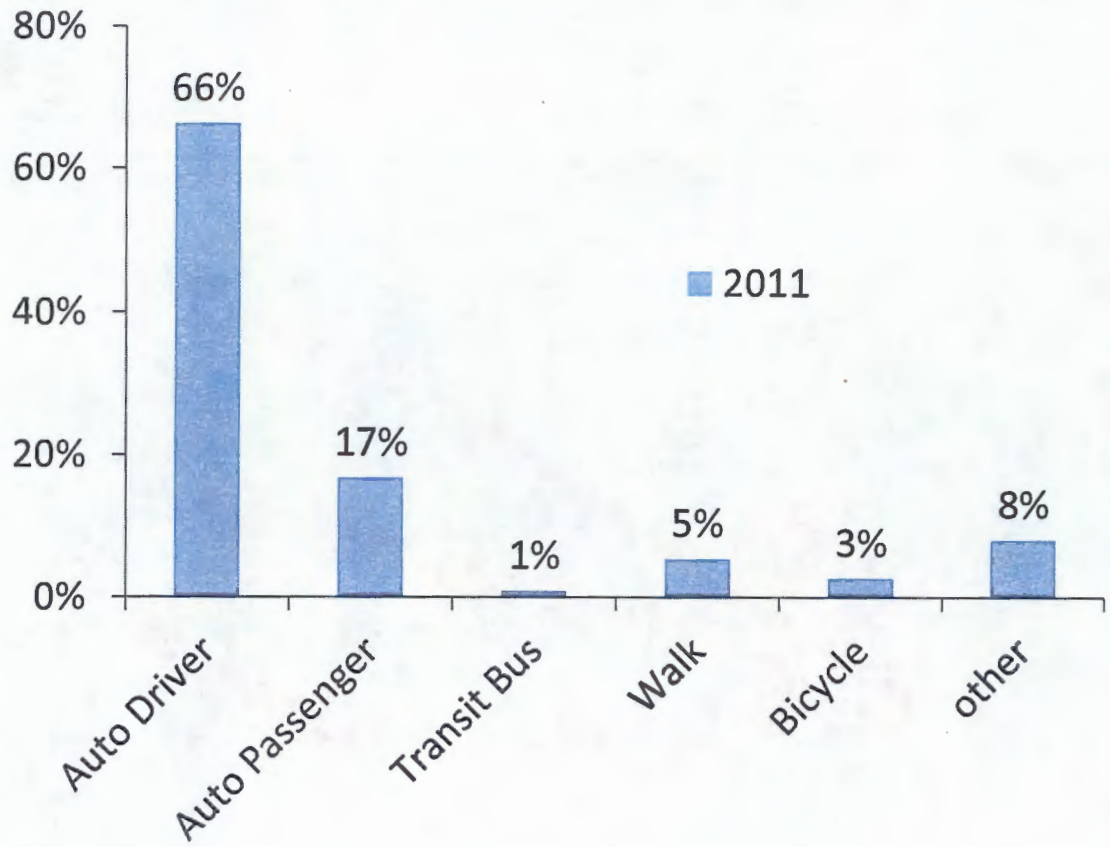
Travel Trends : Harrison/Kent



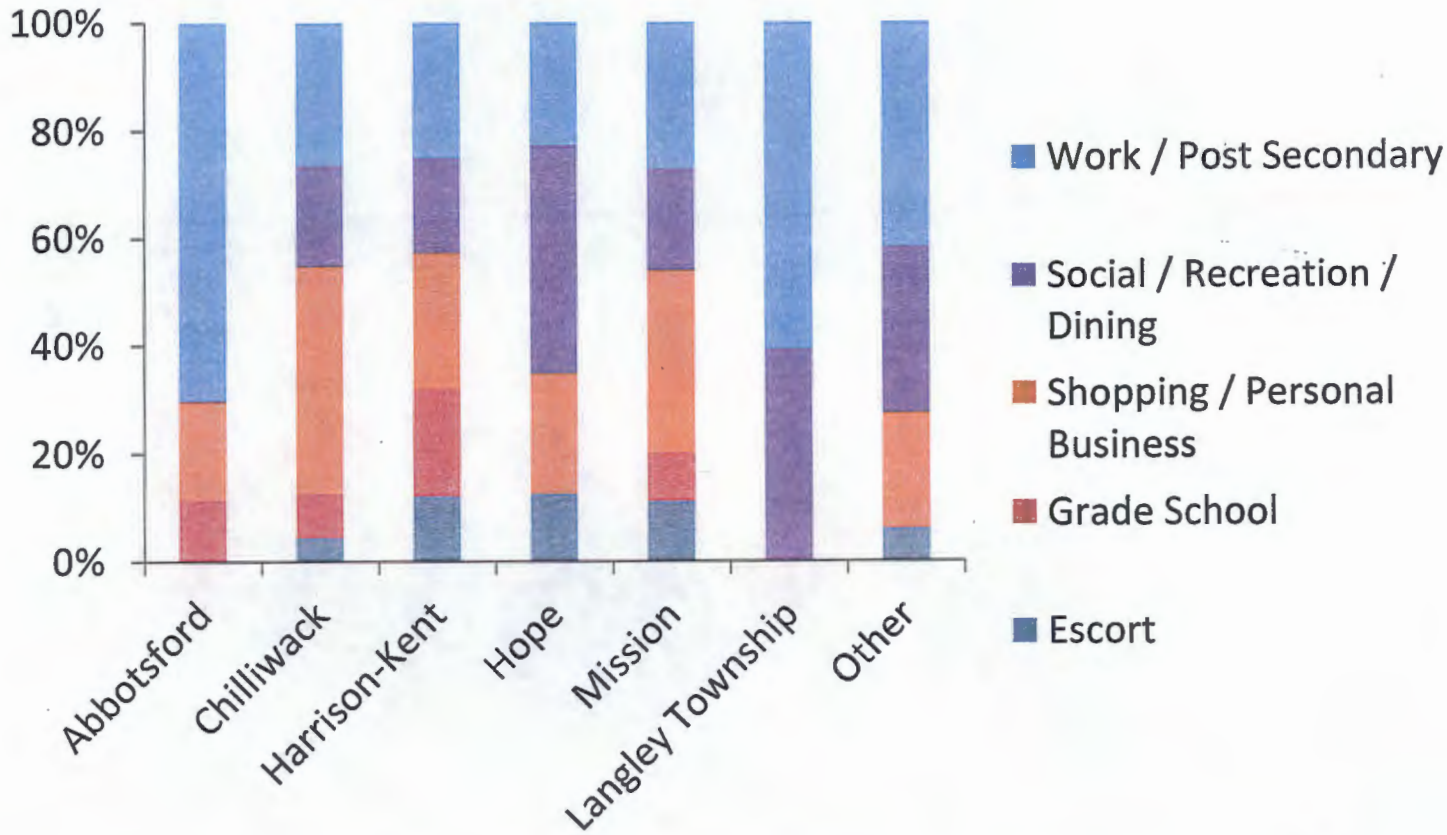
Auto Driver: 66%
Bike: 3%

Internal Trips: 55.4%
To Chilliwack: 16.1%
To Mission: 10.3%

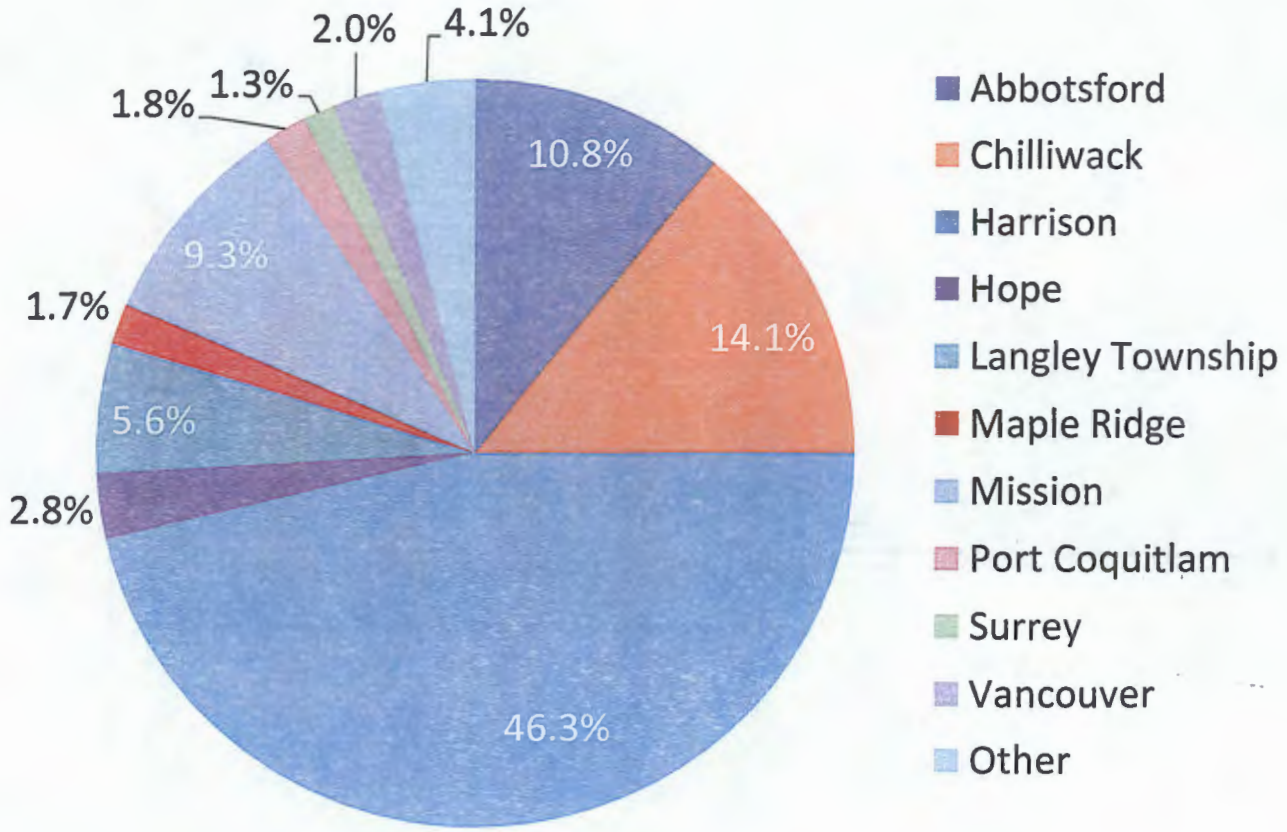
Harrison/Kent: Trips by Mode, 2011(%)



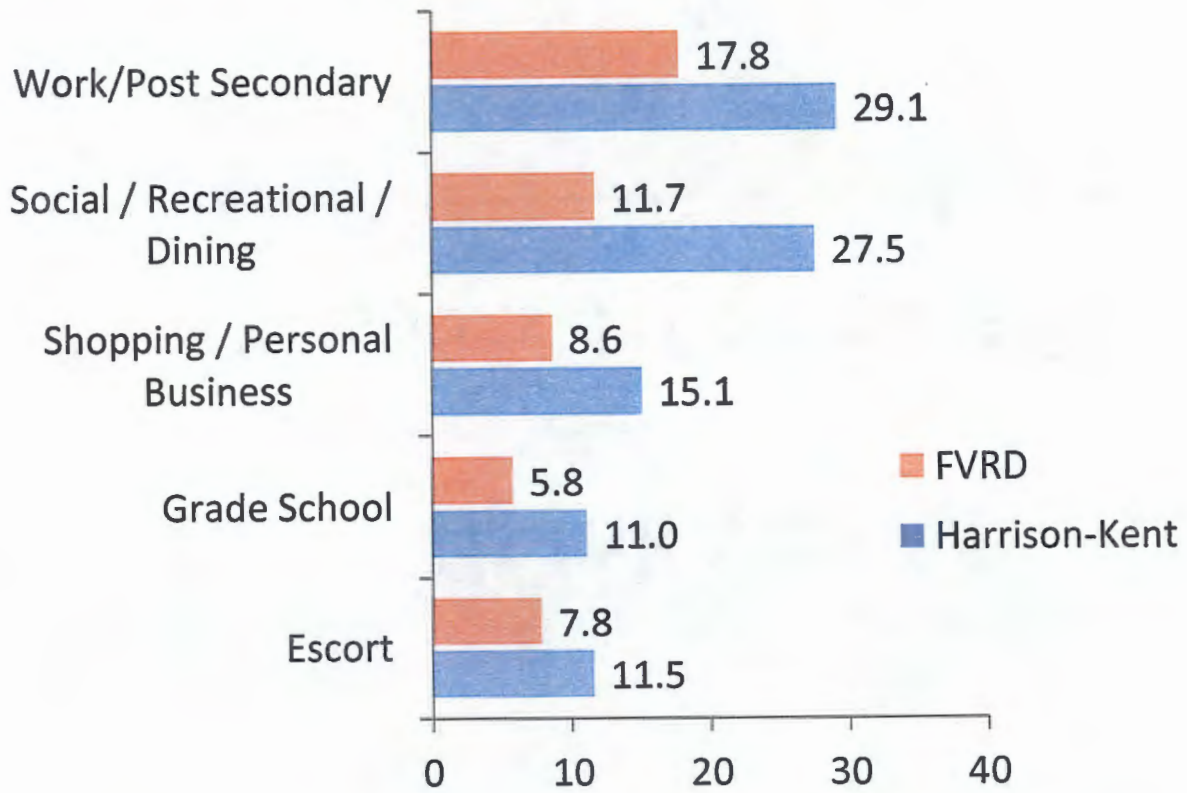
Harrison/Kent: Trip Purpose by Destination (%)



Harrison/Kent: Workplaces (%)



Harrison/Kent: Average Trip Lengths by purpose (Km)



Thank you

Questions or Comments?

Fraser Valley Regional District

12.1

HARRISON HOT SPRINGS
Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: **Mayor and Council** **DATE: March 13, 2014**

FROM: **Lisa Grant** **FILE: 1640-52298**
Manager of Development and Community Services

SUBJECT: **Request to discharge a covenant at 190 Lillooet Avenue (Ramada)**

ISSUE:
The Managing Director of the Ramada has requested that Council pass a resolution to discharge Covenant BK138897 that allows for public access through the hotel (attachment A).

BACKGROUND:
In 1996, several approvals were issued for the construction of the Ramada. These included covenants, development permits, development variance permits and building permits. As part of the design of the site, there are a few unique elements, including: off-street parking located on a neighbouring property (this allowed the hotel to maximize their building envelope), an encroachment into the Village's road right-of-way, servicing agreement and a covenant providing public access through a courtyard and breezeway of the building (see attachment B). In addition a development permit was issued for the form and character of the structure and site design.

DISCUSSION:
The Managing Director from the Ramada submitted a letter to the Village seeking the discharge of the covenant (BK138897) allowing public access through the courtyard. According to the letter, the courtyard and breezeway is under utilized by the general public. This access through the Ramada has been maintained with a slight alteration to restrict access in the late evenings for safety reasons in 2001. At that time, the owners of the Ramada were required to amend the covenant for public access to restrict access from 11pm to 7 am. There is no record of the original covenant being amended.

As mentioned above, Development Permit DP04/95 was issued on May 7, 1996 addressing the form and character of the structure. If Council grants the Ramada's request to discharge the covenant, at the time of building permit it will be determined

if the development permit will need to be amended to be consistent with the new proposed plans. In addition, matters such as flood construction elevation will also need to be considered if there is an addition greater than 25% of the ground floor area.

Ramada Management is seeking to discharge the covenant completely to allow for an expansion of meeting rooms and the installation of a pool on the ground floor of the hotel. By expanding the hotel into the courtyard and providing an additional amenity on-site, the Managing Director feels this will benefit his business.
When staff was approached at the Village Office about this proposal to eliminate public access through the breezeway and courtyard, the issue of compensation was raised. However, to date compensation has not been offered for the loss of the public access.

Council has three options:

1. Deny the request for the discharge of covenant BK138897 granting public access through the courtyard and breezeway;
2. Pass a resolution to discharge covenant BK138897; or
3. Refer the issue back to staff to continue discuss options concerning access and compensation.

RECOMMENDATION:
THAT Council approve the discharge of covenant BK138897. And that all costs for the preparation and discharge of BK138897 be paid by the property owner.

Respectfully submitted for your consideration;

Lisa Grant
Manager of Development and Community Services

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ian Crane
Chief Administrative Officer

Attachments:
A: Letter from the Ramada
B: Covenant BK138897

RECEIVED

FEB 11 2014

BY V. OF H.H.S.

February 11, 2014

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

Attn: Village Council

Re: Public Access Covenant

In 1996 when we built the hotel located at 190 Lillooet Avenue there was a covenant put on the property that would require public access through the courtyard and breezeway.

The courtyard area does see some use by local residents of Harrison Hot Springs, but the usage is very limited and we find this area to be underutilized.

We are requesting the council to remove this covenant for public access. The reason we are making this request is that we would like the opportunity to renovate the first floor of the hotel including possibly increasing our meeting room space and adding an indoor swimming pool.

The removal of this covenant and the renovations would give potential benefits to our business and therefore benefit surrounding businesses through increased tourism activity in the village.

We look forward to hearing from the council on this request.

Thank You,

Hardeep Singh Malik
Managing Director

3220-01

FILE #		DATE	
1640-52298		Feb 11/14	
☒ CAO		☐ CO	
☐ DCAO		☐ ADMIN/ FINANCE	
☐ DIRF		☐ B/L ENF	
☐ MGR REV SVCS		☐ MAYOR	
☒ MGR PD S		☐ COUNCIL	
☐ OP. MGR			
ITEM (A) B C			
COUNCIL AGENDA DATE			
		INITIAL ☐	
(ITEMS: A-REQ, ACTION: B - INFO - WRESP; C - INFO ONLY)			

Ramada - Harrison Hot Springs
Box 70, 190 Lillooet Avenue, Harrison Hot Springs, BC V0M 1K0
tel 604 796 5555 / fax 604 796 3731 / toll free 888 265 1155
info@harrisonhotsprings.com

RAMADA

Public Access

96 MAY -9 09 41

BK138897

LAND TITLE OFFICE
NEW WESTMINSTER
VANCOUVER

LAND TITLE ACT
FORM C
(Section 219.81)
Province of British Columbia
GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Frances Hinton, Real Property Legal Assistant
McCarthy Tetrault, Barristers & Solicitors
#1300 777 Dunsmuir Street
Vancouver, B.C., V7Y 1K2
Tel: 643 7100, Client No. 010452

05/09/96 D0956d CHARGE 50.00

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)	(LEGAL DESCRIPTION)
023-296-518	Parcel 1 Section 13 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan LMP 26379

3. NATURE OF INTEREST:*

DESCRIPTION	DOCUMENT REFERENCE (page and paragraph)	PERSON ENTITLED TO INTEREST
Section 215 Covenant (Public Access)	Entire Instrument Pages 3 - 10	Transferee

4. TERMS: Part 2 of this instrument consists of (select one only):

(a) Filed Standard Charge Terms ☐ D.F. Number:
(b) Express Charge Terms ■ Annexed as Part 2
(c) Release ☐ There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

KHALSA DEVELOPMENTS LTD. (Inc. No. 423981) (Section 215 Covenant)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

THE CORPORATION OF THE VILLAGE OF HARRISON HOT SPRINGS, a municipal corporation under the Municipal Act, P.O. Box 160, 495 Hot Springs Road, Harrison Hot Springs, B.C., V0M 1K0

3/4. CCNS

109564\0401957.WP

7. ADDITIONAL or MODIFIED TERMS:* NONE

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

USE BLACK INK ONLY	Execution Date			USE BLACK INK ONLY
Officer Signature(s)	Y	M	D	Signature(s)
(as to signature of Ripudaman S. Malik)	96	5	6	KHALSA DEVELOPMENTS LTD. by its authorized signatory(ies) RIPUDAMAN SINGH MALIK
DAVID H. UNTERMAN BARRISTER & SOLICITOR 200—6330 FRASER STREET VANCOUVER, B.C. V5W 3A4 PHONE: (604) 321-3232				
Officer Signature(s) Julie Webb, Deputy Clerk (as to signature of Mark Brennan) 495 Hot Springs Road, Harrison Hot Springs, B.C. A COMMISSIONER FOR TAKING AFFIDAVITS IN BRITISH COLUMBIA	96	05	08	THE CORPORATION OF THE VILLAGE OF HARRISON HOT SPRINGS by its authorized signatory(ies) ROBERT WATCHORN MARK BRENNAN

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space in any box insufficient, continue executions on additional page(s) in Form D.

109564\0401957.WP

LAND TITLE ACT

RESTRICTIVE COVENANT

(PUBLIC ACCESS)

Section 215 Land Title Act

THIS AGREEMENT dated the 6 day of May, 1996;

BETWEEN:

KHALSA DEVELOPMENTS LTD.
(Incorporation No. 423981)
6475 Marguerite Street
Vancouver, British Columbia
V6M 3L5

(the "Developer")

AND:

THE CORPORATION OF THE VILLAGE OF HARRISON HOT SPRINGS
a Municipal Corporation under the "Municipal Act"
495 Hot Springs Road
Harrison Hot Springs, British Columbia
V0M 1K0

(the "Municipality")

WHEREAS:

A. The Developer is the owner of and proposes to develop certain lands and premises located within the Municipality of Harrison Hot Springs in the Province of British Columbia, and more particularly described as:

Parcel Identifier: 023-296-518

Parcel 1
Section 13
Township 4
Range 29 West of the Sixth Meridian
New Westminster District
Plan LMP 26379

(hereinafter called the "Lands")

for commercial use;

B. The Developer and the Municipality wish to ensure that the public has access, without motor vehicles, to and through the Lands; and

C. Section 215 of the Land Title Act provides, inter alia, that a covenant, whether of a negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, that land is to be built on in accordance with the covenant or is not to be built on except in accordance with the covenant, in favour of a Municipality or the Crown, may be registered as a charge against the title to that land.

NOW THEREFORE THIS AGREEMENT WITNESSES that under Section 215 of the Land Title Act, and in consideration of the premises and the mutual covenants and agreements contained in this Agreement and the sum of One Dollar ($1.00) now paid to the Developer by the Municipality (the receipt and sufficiency whereof is hereby acknowledged), the parties to this Agreement covenant and agree each with the other as follows:

1. THE DEVELOPER COVENANTS, ACKNOWLEDGES AND AGREES with the Municipality that the Lands shall not be built on and no building shall be constructed, installed, or erected on the Lands unless:

   (a) the building is constructed, installed or erected in accordance with the plans prepared by M. Saar Architecture, Vancouver, British Columbia, project "Quality Inn Hotel", dated 13 March 1996, drawing nos. A01-A19, S01-S11, M01-M16 and E01-E09 inclusive, unless prior approval in writing has been obtained from the Municipality to deviate from those plans; and

   (b) the portion of the Lands shown outlined in heavy black and hatched on the reduced copy of drawing A02 of the plans described above, attached to and forming part of this Agreement as Schedule A (the "Covenant Area"), in addition to its use by the Developer for commercial purposes, shall be used at all times, by day and by night, as a walkway for the purpose of access and egress by members of the public, without motor vehicles, to and through the

Lands, in common with the Developer and its employees, servants, agents, invitees, licensees, and guests.

2. THE DEVELOPER FURTHER COVENANTS AND AGREES with the Municipality:

(a) to save harmless, effectually indemnify, and release and forever discharge the Municipality from and against any and all manner of actions, proceedings, causes of action, costs, damages, expenses, claims, debts, losses, and demands whatsoever and by whomsoever brought, whether known or unknown, including without limiting the generality of the above, any claim for loss or injury including death to persons or property, by reason of or in any way arising out of or due to any one or more of the following:

(i) the construction, installation, maintenance, repair, alteration, reconstruction, or use of the Covenant Area, including the use of it by members of the public;

(ii) without limiting paragraph (a) above, the construction, installation, maintenance, repair, alteration, reconstruction, or use of the Covenant Area, including the use of it by members of the public, resulting in damage to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly, in any way or to any degree, to construct, install, maintain or repair;

(iii) the granting or existence of this Agreement or the rights granted by this Agreement;

(iv) any breach of this Agreement;

except those accruing or arising from the negligence or wilful act or omission of the Municipality or its servants, agents, employees, or elected officials; and

(b) to obtain and maintain, at the Developer's expense, with such company or companies and on such forms as are acceptable to the Municipality, in the name of the Developer, Comprehensive General Liability insurance coverage, having limits of liability no less than:

(i) for bodily injury liability

- $2,000,000.00 each occurrence;

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(ii) for property damage liability

- $2,000,000.00 each occurrence.

Each policy shall provide that it cannot be cancelled, lapsed or materially altered without at least 30 days notice in writing to the Municipality by registered mail, shall name the Municipality as an additional insured, and shall contain a cross-liability clause;

(c) to promptly deliver a copy of each such insurance policy to the Municipality; and

(d) that if the Developer fails to obtain and/or maintain the insurance or deliver the policy or policies to the Municipality, then the Municipality may obtain and/or maintain such insurance at the expense of the Developer, and the Developer by this Agreement appoints the Municipality as the Developer's lawful attorney to do all things necessary for that purpose.

3. THE DEVELOPER FURTHER COVENANTS AND AGREES with the Municipality, to do or cause to be done, at the expense of the Developer, all acts reasonably necessary to ensure that this Agreement is registered in the Land Title Office, with priority over all financial charges and encumbrances which may have been registered against the title to the Lands in the New Westminster Land Title Office save and except those specifically approved in writing by the Municipality or in favour of the Municipality. Until this Agreement is registered in the Land Title Office in compliance with this section, the Developer covenants and agrees that neither the Municipality nor the Fraser Valley Regional District is under any obligation or duty to issue any building permit for any development on the Lands.

4. THE DEVELOPER FURTHER COVENANTS AND AGREES that it shall not convey, transfer or otherwise dispose of an ownership interest in the Lands or any building on the Lands, or any portion of either or both of them, unless prior to or concurrently with such disposition, the Transferee executes under seal and delivers to the Municipality a covenant in favour of the Municipality to observe and perform and to be bound by the obligations of the Developer under this Agreement (including the obligations under this section, which covenant shall be unconditional (or conditional only upon the Transferee completing the intended transfer). In this section, "dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, divest, release and agree to do any of those things, and "disposition" has a corresponding meaning.

5. IT IS MUTUALLY UNDERSTOOD, agreed and declared by and between the parties to this Agreement that:

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(a) the Municipality has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Developer other than those contained in this Agreement;

(b) nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the Municipality in the exercise of its functions under any public and private statutes, bylaws, orders and regulations, 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 Developer;

(c) this Agreement is entered into only for the benefit of the Municipality and the Municipality may at any time enter into an amendment of it, or a release or discharge of it, without liability to any person for doing so;

(d) waiver by any party of any default by the other party shall not be deemed to be a waiver by the first party of any subsequent default by the party that defaulted;

(e) the covenants set forth in this Agreement shall charge the Lands pursuant to Section 215 of the Land Title Act and shall be covenants the burden of which shall run with the Lands until this Agreement is discharged by instrument duly filed in the appropriate Land Title Office. It is further expressly agreed that the benefit of all covenants made by the Developer in this Agreement shall accrue solely to the Municipality and that this Agreement may be modified by agreement of the Municipality with the Developer, pursuant to the provisions of Section 215(5) of the Land Title Act.

(f) wherever the singular or masculine is used in this Agreement, the same shall be construed as meaning the plural, feminine or the body corporate or politic where the context or the parties so require and, where the Developer consists of more than one person, the term "Developer" shall mean all such persons jointly and severally;

(g) this Agreement shall enure to the benefit of and be binding upon the parties to this Agreement and their respective heirs, executors, administrators, successors and assigns;

(h) the parties to this Agreement shall do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement;

(i) if any section or portion of this Agreement is declared or held invalid for any reason, such invalidation shall not affect the validity of the remainder of that portion of this Agreement, and this Agreement shall continue to be in force

and effect and be construed as if it had been executed without the invalid portion;

(j) 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 in British Columbia (and if so shall be deemed to be delivered on the seventh 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 Developer at:

KHALSA DEVELOPMENTS LTD.
6475 Marguerite Street
Vancouver, British Columbia
V6M 3L5

Attention: R.S. Malik

and:

to the Municipality at:

THE CORPORATION OF THE VILLAGE OF HARRISON HOT SPRINGS
P.O. Box 160
495 Hot Springs Road
Harrison Hot Springs, British Columbia
V0M 1K0

Attention: Clerk

or to such other address to which a party to this Agreement from time to time notifies the other party in writing;

(k) time shall be of the essence in this Agreement;

(l) this Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia;

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(m) all rights and remedies of the Municipality under this Agreement are cumulative and are in addition to, and shall be deemed to include any other right or remedy allowed by law. All rights and remedies may be exercised concurrently.

IN WITNESS WHEREOF the parties have executed this Agreement by executing the Form C to which this Agreement is attached.

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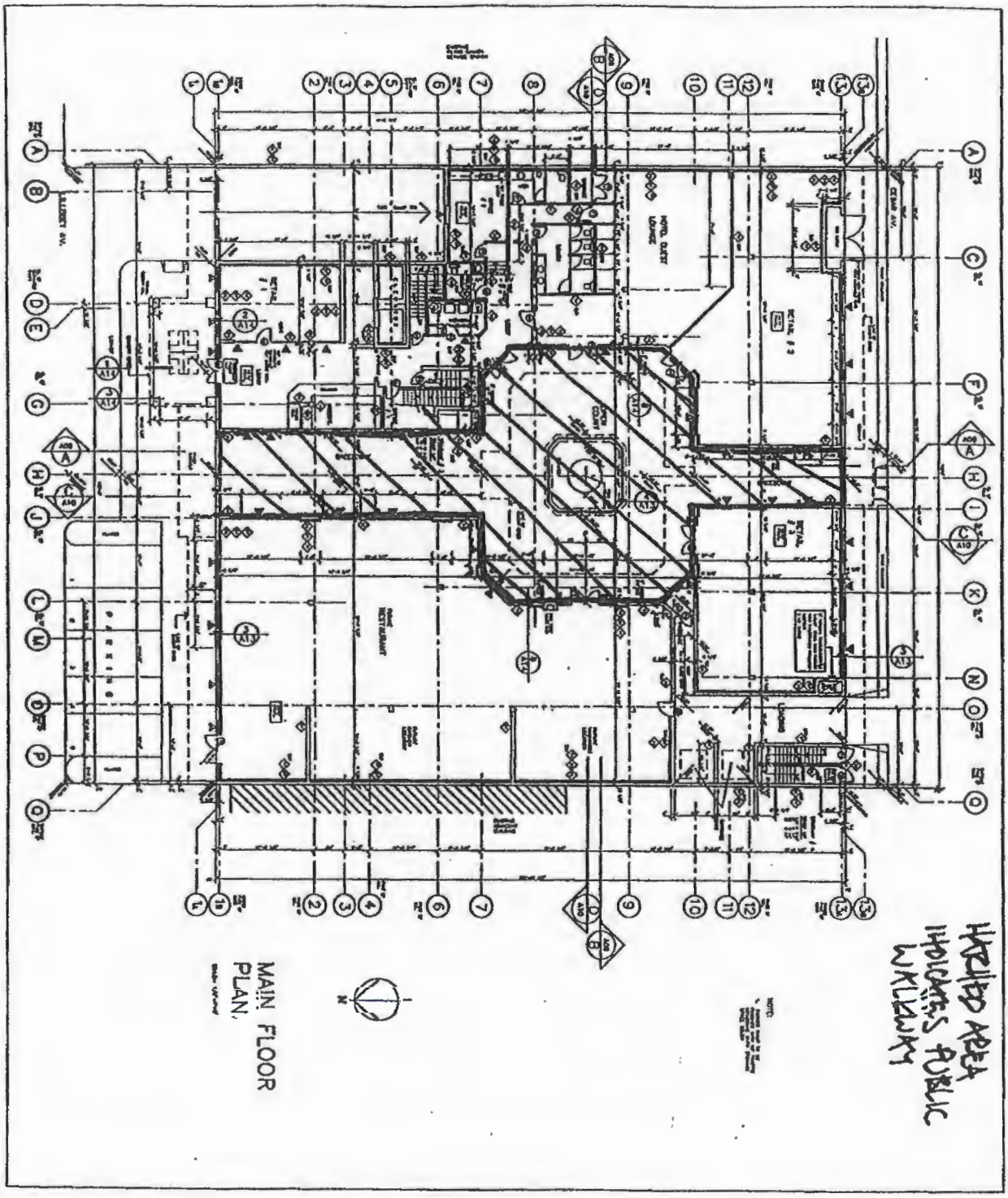

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HARRISON HOT SPRINGS
Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: **Mayor and Council** **DATE: March 11, 2014**

FROM: **Debra Key**
Deputy Chief Administrative Officer/CO **FILE: 3900-01**

SUBJECT: Bylaw No. 1050, 2014 Water Regulation and Fee Amendment

ISSUE:

To amend the text and certain fees included in Schedule "A" of Water Regulation and Fee Bylaw No. 967.

BACKGROUND:

Currently, the Water Regulation and Fee bylaw requires a $1500.00 fee plus tax for each service connection for Single Family Residential and for each unit of a Duplex. The service connection fee for Multi Family and Commercial is set at "actual cost" plus tax including a $1500.00 deposit.

It has been determined by our Operations Manager that costs incurred by the Village for all connections may or may not be fully recoverable from the $1500.00 fee. In order to accurately reflect the cost of each connection fee, it is suggested that a minimum fee for each connection be $1500.00 plus tax and that this fee be payable at the time of application. Any actual cost incurred by the Village over and above the $1500.00 fee will be invoiced accordingly to the applicant.

Therefore, staff is recommending that Schedule "A" of the Water Regulation and Fee Bylaw be amended by adding the words under Schedule "A", "Annual Fees and Charges".

Further, under the heading in 2. User Fees, B. Each Secondary Suite, delete the words, "$0.51/cu m" and replace with "$0.51m³".

Further, under the heading 3. Water Connection Fee, the bylaw be amended to read:

3. <u>Water Connection Fee</u>

A. Single Family	*$1500.00* plus tax*
B. Duplex (each unit)	*$1500.00* plus tax*
C. Multi-Family & Commercial	*$1500.00* plus tax*

** Costs will be based on a minimum fee of $1500.00 plus tax at time of application. Any actual cost of the water connection over and above the $1500.00 fee will be invoiced accordingly."*

RECOMMENDATION:

THAT Water Regulation and Fee Amendment Bylaw No. 1050, 2014 be given first, second and third readings.

Respectfully submitted for your consideration;

Debra Key
Deputy Chief Administrative Officer

DIRECTOR OF FINANCE COMMENTS:

Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ian Crane
Chief Administrative Officer

BYLAW NO. 1050
SCHEDULE "A"
Annual Fees and Charges

Pursuant to *Section 194 of the Community Charter* the following annual fees and charges (January 1 – December 31) are imposed in accordance with the terms and conditions approved by Council:

1. **Water Service Utility Fee**

   All properties identified by folio numbers that are connected or can be connected to the water system will pay the following fee based on the actual length of the property that abuts the water distribution main.

RATE	MINIMUM	MAXIMUM
$11.14/metre	18 metres	30 metres

2. **User Fees**

   All properties connected to the water system will pay the user fees as follows:

A. Each Residential Unit	$311.00/per year
B. Each Secondary Suite	$155.50/per year
C. Commercial	*$0.51/m³*
D. Residential Swimming Pool	$311.00/per year

3. **Water Connection Fee**

D. Single Family	*$1500.00* plus tax*
E. Duplex (each unit)	*$1500.00* plus tax*
F. Multi-Family & Commercial	*$1500.00* plus tax*

** Costs will be based on a minimum charge of $1500.00 plus tax at time of application. Any actual cost of the water connection over and above the $1500 fee will be invoiced accordingly.*

Disconnection Fee

A. Disconnection Fee	$150.00 plus tax
B. Inspection	$ 50.00 plus tax
C. Water Turn on/off Fee	$150.00 plus tax

4. **Meter Test**

A. Residential	$150.00 plus tax
B. Commercial	$250.00 plus tax

5. The user rates will be billed quarterly.

6. A 10% penalty will be applied to any unpaid balance on the fees and charges outstanding by the due date.

7. Any fees and charges remaining unpaid by the end of the calendar year shall be deemed to be taxes in arrears.

HARRISON HOT SPRINGS
Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS

BYLAW NO. 1050

A bylaw to amend the Water Regulation and Fee Amendment Bylaw No. 967

WHEREAS the Village of Harrison Hot Spring has deemed it advisable to amend Water Regulation and Fee Bylaw No. 967, 2011;

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

1. CITATION

This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Water Regulation and Fee Amendment Bylaw No. 1050, 2014".

2. "Water Regulation and Fee Bylaw No. 967, 2011", is hereby further amended by deleting "Schedule A" in its entirety, as attached thereto, and substituting with a new "Schedule "A" – Annual Fees and Charges" as attached hereto and forming part of this Bylaw.

READINGS AND ADOPTION

READ A FIRST TIME THIS DAY OF MARCH, 2014

READ A SECOND TIME THIS DAY OF MARCH, 2014

READ A THIRD TIME THIS DAY OF MARCH, 2014

ADOPTED THIS DAY OF APRIL, 2014

Mayor

Corporate Officer

BYLAW NO. 1050
SCHEDULE "A"
Annual Fees and Charges

Pursuant to *Section 194 of the Community Charter* the following annual fees and charges (January 1 – December 31) are imposed in accordance with the terms and conditions approved by Council:

1. **Water Service Utility Fee**

   All properties identified by folio numbers that are connected or can be connected to the water system will pay the following fee based on the actual length of the property that abuts the water distribution main.

RATE	MINIMUM	MAXIMUM
$11.14/metre	18 metres	30 metres

2. **User Fees**

   All properties connected to the water system will pay the user fees as follows:

A. Each Residential Unit	$311.00/per year
B. Each Secondary Suite	$155.50/per year
C. Commercial	$0.51/m³
D. Residential Swimming Pool	$311.00/per year

3. **Water Connection Fee**

A. Single Family	$1500.00* plus tax
B. Duplex (each unit)	$1500.00* plus tax
C. Multi-Family & Commercial	$1500.00* plus tax

   * Costs will be based on a minimum fee of $1500.00 plus tax at time of application. Any actual cost of the water connection over and above the $1500 fee will be invoiced accordingly.

   Disconnection Fee

A. Disconnection Fee	$150.00 plus tax
B. Inspection	$ 50.00 plus tax
C. Water Turn on/off Fee	$150.00 plus tax

4. **Meter Test**

A. Residential	$150.00 plus tax
B. Commercial	$250.00 plus tax

5. The user rates will be billed quarterly.

6. A 10% penalty will be applied to any unpaid balance on the fees and charges outstanding by the due date.

7. Any fees and charges remaining unpaid by the end of the calendar year shall be deemed to be taxes in arrears.

HARRISON HOT SPRINGS
Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: **Mayor and Council** **DATE: March 11, 2014**

FROM: **Debra Key**
Deputy Chief Administrative Officer/CO **FILE: 3900-01**

SUBJECT: Bylaw No. 1051, 2014 Sewer Regulation and Fee Amendment

ISSUE:

To amend the text and certain fees included in Schedule "A" of Sewer Regulation and Fee Bylaw No. 980.

BACKGROUND:

The existing Sewer Regulation and Fee Bylaw has provision for application for a Waste Discharge Permit. Certain types of waste are permitted to be discharged to the sanitary sewer system upon application of a Permit approved by the Engineer or Operations Manager. Upon review of the bylaw, a fee for a Discharge Permit Application and Discharge Fee has not been identified in the bylaw. Staff is recommending inclusion of the fees.

Under the Service Connection Fee, the bylaw identifies fees for certain connections. It requires a $1500.00 fee plus tax for each service connection for Single Family Residential and for each unit of a Duplex. The service connection fee for Multi Family and Commercial is set at "actual cost" plus tax including a $1500.00 deposit.

It has been determined by our Operations Manager that costs incurred by the Village for all connections may or may not be fully recoverable from the $1500.00 fee. In order to accurately reflect the cost of each connection fee, it is suggested that a minimum fee for each connection be $1500.00 plus tax and that this fee be payable at the time of application. Any actual cost incurred by the Village over and above the $1500.00 fee will be invoiced accordingly to the applicant.

Under the Service Disconnection Fee, the reference to "plus tax" has been inadvertently missed. The cost should read, "Actual Cost plus tax".

Therefore, staff is recommending that Schedule "A" of the Sewer Regulation and Fee Bylaw be amended by adding the words under Schedule "A", "Annual Fees and Charges" and that the following provisions be amended:

1. 2. User Fee and after "Pools/Spas that discharge water" $ .62m³, add:

   "Waste Discharge Permit Application Fee" $350.00
   "Waste Discharge Fee" $ 1.25m³

2. 3. Service Connection Fee, be amended to read:

   3. Sanitary Sewer Connection Fee

   A. Single Family *$1500.00* plus tax*
   B. Duplex (each unit) *$1500.00* plus tax*
   C. Multi-Family & Commercial *$1500.00* plus tax*

   ** Costs will be based on a minimum fee of $1500.00 plus tax at time of application. Any actual cost of the sanitary sewer connection over and above the $1500.00 fee will be invoiced accordingly."*

3. 4. Service Disconnection Fee: Actual Cost plus tax

RECOMMENDATION:

THAT Sewer Regulation and Fee Amendment Bylaw No. 1051, 2014 be given first, second and third readings.

Respectfully submitted for your consideration;

Debra Key
Deputy Chief Administrative Officer

DIRECTOR OF FINANCE COMMENTS:

Dale Courtice
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Ian Crane
Chief Administrative Officer

BYLAW NO. 1051
SCHEDULE "A"
Annual Fees and Charges

Pursuant to *Section 194 of the Community Charter* the following annual fees and charges (January 1 – December 31) are imposed in accordance with the terms and conditions approved by Council:

1. **Sanitary Sewer Service Utility Fee:**

   All properties identified by folio numbers that are or can be connected to the sanitary sewer system will pay the following fee based on the actual length of the property that abuts the sewer collection main.

RATE	MINIMUM	MAXIMUM
$9.28/metre	18 metres	30 metres

2. **User Fee:**

   All properties connected to the sanitary sewer system will pay the user fees as follows:

Description	Rate
1. Each Residential Unit	$ 225.00
2. Each Secondary Suite (As per definition in Zoning Bylaw No. 1020, 2012)	$ 112.50
Commercial:	
1. Hotel/Motel (per room)	$ 129.00
2. Campground	
Per Campsite	$ 89.50
Sani-dumps	$ 89.50
Washroom fixtures	$ 89.50
3. Church	$ 210.00
4. Barbershop, Beauty Salon	$ 531.00
5. Laundry	$8,053.00
6. Coin Laundry (per machine)	$ 56.40
7. Commercial Pool	$3,291.00
8. Spa	$1,320.75
9. Licensed Establishment (per seat)	$ 21.60
10. Restaurant, Café (per seat)	$ 21.60
11. School (per classroom)	$ 258.00
12. Retail Establishment	$ 210.00
13. Service Station	$ 421.00
14. Office	$ 210.00
15. Repair Shop	$ 210.00
16. Storage/Maintenance Shop	$ 150.00

Pools/Spas that discharge water	$ .62m^3
Waste Discharge Permit Application	*$ 350.00*
Waste Discharge Fee	*$ 1.25m^3*

3. ***Sanitary Sewer Connection Fee:***

D. Single Family	*$1500.00* plus tax*
E. Duplex (each unit)	*$1500.00* plus tax*
F. Multi-Family & Commercial	*$1500.00* plus tax*

** Costs will be based on a minimum charge of $1500.00 plus tax at time of application. Any actual cost of the sanitary sewer connection over and above the $1500.00 fee will be invoiced accordingly.*

4. **Service Disconnection Fee:** Actual cost plus tax

5. **Service Reconnection Fee:** $1,500.00 plus tax

6. Fees will be billed quarterly.

7. A 10% penalty will be applied to any unpaid balance on the fees and charges outstanding by the due date.

8. Any fees and charges remaining unpaid by the end of the calendar year shall be deemed to be taxes in arrears.

HARRISON HOT SPRINGS
Naturally Refreshed

VILLAGE OF HARRISON HOT SPRINGS

BYLAW NO. 1051

A bylaw to amend the Sewer Regulation and Fee Bylaw No. 980

WHEREAS the Village of Harrison Hot Spring has deemed it advisable to amend Sewer Regulation and Fee Bylaw No. 980, 2011;

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

1. **CITATION**

   This Bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Sewer Regulation and Fee Amendment Bylaw No. 1051, 2014".

2. "Sewer Regulation and Fee Bylaw No. 980, 2011" is hereby further amended by deleting "Schedule A" in its entirety, as attached thereto, and substituting with a new "Schedule "A" – Annual Fees and Charges" as attached hereto and forming part of this Bylaw.

READINGS AND ADOPTION

READ A FIRST TIME THIS DAY OF MARCH, 2014

READ A SECOND TIME THIS DAY OF MARCH, 2014

READ A THIRD TIME THIS DAY OF MARCH, 2014

ADOPTED THIS DAY OF APRIL, 2014

Mayor

Corporate Officer

BYLAW NO. 1051
SCHEDULE "A"
Annual Fees and Charges

Pursuant to *Section 194 of the Community Charter* the following annual fees and charges (January 1 – December 31) are imposed in accordance with the terms and conditions approved by Council:

1. **Sanitary Sewer Service Utility Fee:**

   All properties identified by folio numbers that are or can be connected to the sanitary sewer system will pay the following fee based on the actual length of the property that abuts the sewer collection main.

RATE	MINIMUM	MAXIMUM
$9.28/metre	18 metres	30 metres

2. **User Fee:**

   All properties connected to the sanitary sewer system will pay the user fees as follows:

Description	Rate
1. Each Residential Unit	$ 225.00
2. Each Secondary Suite (As per definition in Zoning Bylaw No. 1020, 2012)	$ 112.50
Commercial:	
1. Hotel/Motel (per room)	$ 129.00
2. Campground	
Per Campsite	$ 89.50
Sani-dumps	$ 89.50
Washroom fixtures	$ 89.50
3. Church	$ 210.00
4. Barbershop, Beauty Salon	$ 531.00
5. Laundry	$8,053.00
6. Coin Laundry (per machine)	$ 56.40
7. Commercial Pool	$3,291.00
8. Spa	$1,320.75
9. Licensed Establishment (per seat)	$ 21.60
10. Restaurant, Café (per seat)	$ 21.60
11. School (per classroom)	$ 258.00
12. Retail Establishment	$ 210.00
13. Service Station	$ 421.00
14. Office	$ 210.00
15. Repair Shop	$ 210.00
16. Storage/Maintenance Shop	$ 150.00

Pools/Spas that discharge water	.62m^3
Waste Discharge Permit Application	$ 350.00
Waste Discharge Fee	$ 1.25m^3

3. **Sanitary Sewer Connection Fee:**

A. Single Family	*$1500.00* plus tax*
B. Duplex (each unit)	*$1500.00* plus tax*
C. Multi-Family & Commercial	*$1500.00* plus tax*

** Costs will be based on a minimum fee of $1500.00 plus tax at time of application. Any actual cost of the sanitary sewer connection over and above the $1500.00 fee will be invoiced accordingly.*

4. **Service Disconnection Fee:** Actual cost plus tax

5. **Service Reconnection Fee:** $1,500.00 plus tax

6. Fees will be billed quarterly.

7. A 10% penalty will be applied to any unpaid balance on the fees and charges outstanding by the due date.

8. Any fees and charges remaining unpaid by the end of the calendar year shall be deemed to be taxes in arrears.