



VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: Monday, December 5, 2016
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	
(a) THAT the Minutes of the Regular Council Meeting held on November 21, 2016 be adopted. Item 4(a) Page 1	
5. BUSINESS ARISING FROM THE MINUTES	
6. CONSENT AGENDA	
i. Bylaws	
ii. Agreements	
iii. Committee/ Commission Minutes	
v. Correspondence	(a) Letter dated November 18, 2016 from UBCM regarding Gas Tax Agreement Community Works Fund Payment Item 6.v.(a) Page 7 (b) Email dated November 24, 2016 from the Government of Canada regarding the Canada 150 Community Infrastructure Program Application Item 6.v.(b) Page 9
7. DELEGATIONS/PETITIONS	
(a) Harrison Christmas Bazaar – Jessica Read Item 7(a) Page 11	
(b) Tourism Results and Outcomes – Robert Reyerse Tourism Harrison 2017 and beyond – Ian Maw Item 7(b) Page 13	
(c) Upgrade of the Miami River Riparian Trail – Jane Kivett Item 7(c) Page 15	

8. CORRESPONDENCE	
(a) Closing Summary from the Office of the Ombudsperson dated November 7, 2016	Item 8(a) Page 17
(b) Letter dated November 21, 2016 from Minister Steve Thomson following up on his meeting with Council at UBCM.	Item 8(b) Page 19
(c) Letter dated November 22, 2016 from the Harrison Festival Society requesting funding for the Harrison Festival of the Arts.	Item 8(c) Page 21
9. BUSINESS ARISING FROM CORRESPONDENCE	
10. REPORTS OF COUNCILLORS, COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS	
11. REPORTS FROM MAYOR	
12. REPORTS FROM STAFF	
(a) Report of Deputy Chief Administrative Officer/Corporate Officer – November 16, 2016 Re: Business Hours Regulation Bylaw No. 942, 2010 and Liquor Control and Licencing Branch (LCLB) <u>Recommendation:</u> <u>Option 1</u> THAT the Business Hours Regulation Bylaw 942, 2010 be repealed.	Item 12(a) Page 23
(b) Report of Deputy Chief Administrative Officer/Corporate Officer – November 23, 2016 Re: Request for Statutory Municipal Consent – FVRD Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016 <u>Recommendation:</u> THAT statutory consent be given to the Fraser Valley Regional District for an amendment of the Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016.	Item 12(b) Page 29
(c) Report of Deputy Chief Administrative Officer/Corporate Officer – November 23, 2016 Re: Request for Statutory Municipal Consent – FVRD Sub Regional Transit Service Area Amendment Bylaw No. 1402, 2016 <u>Recommendation:</u> THAT statutory consent be given to the Fraser Valley Regional District for an amendment of the Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016.	Item 12(c) Page 35
(d) Report of Chief Administrative Officer – November 25, 2016 Re: 2017 Pay Parking Options	Item 12(d) Page 43

- (e) Report of Planning Consultant – December 5, 2016
Re: Update on the Short Term Vacation Accommodation review

Item 12(e)
Page 45

Recommendation:

THAT Council proceed through the combined use of a zoning bylaw and business licensing bylaw with respect to addressing the short term vacation accommodation issue.

- (f) Report of Engineering Consultant – December 1, 2016
Re: Liquid Waste Management Plan Executive Summary

Item 12(f)
Page 49

13. BYLAWS

- (a) Report of Planning Consultant – November 7, 2016
Re: Development Procedures Bylaw No. 1090, 2016

Item 13(a)
Page 53

Recommendation:

That three readings be given to the "Village of Harrison Hot Springs Development Procedures Bylaw No. 1090, 2016";

- (b) Report of Deputy Chief Administrative Officer/Corporate Officer – November 22, 2016
Re: Percentage Additions Repeal Bylaw No. 1095, 2016

Item 13(b)
Page 73

Recommendation:

THAT Percentage Additions Repeal Bylaw No. 1095, 2016 be given first, second and third readings.

14. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

15. RESOLUTION TO CLOSE THE MEETING

MOTION FOR CONSIDERATION

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(1) of the *Community Charter* and to consider matters pursuant to:

- (c) labour relations or other employee relations

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

DATE: November 21, 2016
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, Madeline McDonald
 Deputy Chief Administrative Officer/Corporate Officer, Debra Key
 Financial Officer, Tracey Jones

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

- Report of Deputy Chief Administrative Officer/Corporate Officer –
 November 18, 2016
 Re: Temporary Change of Liquor Licence – Harrison Hot Springs Resort
 & Spa

3. APPROVAL OF AGENDA

Moved by Councillor Buckley
Seconded by Councillor Reyerse

THAT the agenda be approved as amended.

**CARRIED
UNANIMOUSLY**

4. ADOPTION OF COUNCIL MINUTES

Moved by Councillor Reyerse
Seconded by Councillor Piper

THAT the Minutes of the Regular Council Meeting held on November 7, 2016 be adopted.

**CARRIED
UNANIMOUSLY**

5. **BUSINESS ARISING FROM THE MINUTES**

None

6. **CONSENT AGENDA**

- i. Bylaws (a) Fire Department Regulation Amendment Bylaw No. 1092, 2016
- ii. Agreements
- iii. Committee/
Commission
Minutes
- iv. Correspondence (a) Letter dated October 17, 2016 from the City of Richmond regarding the George Massey Tunnel Replacement Project – Highway Infrastructure Features

Moved by Councillor Buckley
Seconded by Councillor Hansen

THAT Fire Department Regulation Amendment Bylaw No. 1092, 2016 be adopted and the correspondence be received

**CARRIED
UNANIMOUSLY**

7. **DELEGATIONS**

None

8. **CORRESPONDENCE**

- (a) Email dated November 17, 2016 requesting support for Agassiz-Harrison Community Services application for a Civil Forfeiture Youth Crime Prevention Grant

9. **BUSINESS ARISING OUT OF CORRESPONDENCE**

Moved by Councillor Buckley
Seconded by Councillor Piper

THAT a letter of support be forwarded to Agassiz-Harrison Community Services for their Civil Forfeiture Youth Crime Prevention Grant application.

**CARRIED
UNANIMOUSLY**

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

Councillor Reyerse

- Served on Kent Harrison Foundation Grants Committee.
- Attended the Harrison Agassiz Chamber of Commerce Annual General Meeting on November 17, 2016.

Councillor Piper

- Attended the Sto:lo Nation Remembrance Day Ceremony.
- Attended the Fraser Valley Aboriginal Relations Committee Meeting on November 16, 2016.

11. **REPORTS FROM MAYOR LEO FACIO**

- Expressed condolences on behalf of Council and the community to Councillor Reyerse and her family for the passing of her father, who was long time resident of Harrison Hot Springs.
- Expressed condolences to the family of Allan Roth on his passing.
- Reported that the Magic of Christmas will be held December 3, 2016 at the Seabird Island Band gym and a shuttle bus will be available from Harrison Hot Springs.
- Received a card from Avianna Clempson, thanking the Village for the Canadian flags and pins and the encouragement/support given to for her Rotary Youth Exchange year in Bolivia.
- Attended the Remembrance Day Ceremony in Agassiz.
- Reported that a workshop on geothermal resources will be held in Agassiz on November 24, 2016.
- Attended the November 8, 2016 Regional and Corporate Services Committee meeting at the Fraser Valley Regional District. Updates were given on 2016 Regional Park visitation, the Invasive Weed Control Program and Hope Connector Service Options for transit services.
- Reported on social media stories and encouraged residents to come in to the Village Office for any questions they may have.

12.

REPORTS FROM STAFF

- (a) Report of Financial Officer – November 16, 2016
Re: 2017 Property Tax due date

Moved by Councillor Buckley
Seconded by Councillor Hansen

THAT Council repeal Bylaw 237 Percentage Addition Bylaw and establish a general tax collection scheme in accordance with section 234 of the *Community Charter*.

CARRIED
OPPOSED BY COUNCILLOR REYERSE

- (b) Report of Chief Administrative Officer – November 17, 2016
Re: Clean Water and Wastewater Fund

Moved by Councillor Piper
Seconded by Councillor Hansen

THAT the Village apply to the Clean Water and Wastewater Fund for funding for the Harrison Hot Springs Water Distribution Project, at an estimated cost of \$3.6 million.

CARRIED
UNANIMOUSLY

- (c) Report of Chief Administrative Officer – November 17, 2016
Re: Flood Pump Upgrade Project Launch

Moved by Councillor Buckley
Seconded by Councillor Hansen

THAT the report be received for information.

CARRIED
UNANIMOUSLY

Village of Harrison Hot Springs
Minutes of the Regular Council Meeting
November 21, 2016

- (d) Report of Deputy Chief Administrative Officer/Corporate Officer – November 18, 2016
Re: Temporary Change of Liquor Licence – Harrison Hot Springs Resort & Spa

Moved by Councillor Piper
Seconded by Councillor Reyerse

THAT Council recommends the issuance of a temporary change of hours of sale of alcohol to the Harrison Hot Springs Resort & Spa's liquor licence number 077513 for Friday, December 2, 2016 from 5:00 p.m. to Saturday, December 3, 2016 at 3:00 a.m. inclusive; and

THAT the views of residents were not gathered due to the temporary nature of the request for an extension of business hours from 12:00 midnight to 3:00 a.m.

**CARRIED
UNANIMOUSLY**

13.

BYLAWS

Report of Planning Consultant – November 21, 2016
Re: Zoning Amendment Bylaw No. 1094, 2016 1st and 2nd reading and scheduling of a Public Hearing

Moved by Councillor Reyerse
Seconded by Councillor Hansen

1. THAT Zoning Amendment Bylaw No. 1094, 2016 be read a first time and a second time, and
2. THAT staff be authorize to schedule a public hearing on December 19th, 2016.

**CARRIED
UNANIMOUSLY**

14.

QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

Questions from the public were entertained.

15.

RESOLUTION TO CLOSE THE MEETING

Moved by Councillor Buckley
Seconded by Councillor Piper

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:

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party; and

90(2)(c) a matter that is being investigated under the *Ombudsperson Act* of which the municipality has been notified under section 14 [*ombudsperson to notify authority*] of that Act

The meeting closed at 8:01 p.m.

**CARRIED
UNANIMOUSLY**

Leo Facio
Mayor

Debra Key
Corporate Officer

DRAFT

G.V.(a)

RECEIVED

NOV 23 2016



BY VILLAGE OF HARRISON HOT SPRINGS

November 18, 2016

COPY

Mayor Leo Facio
Village of Harrison Hot Springs
Box 160
Harrison Hot Springs, BC V0M 1K0

Dear Mayor Facio:

RE: GAS TAX AGREEMENT COMMUNITY WORKS FUND PAYMENT

I am pleased to advise that UBCM is in the process of distributing the second Community Works Fund (CWF) payments for fiscal 2016/2017. An electronic transfer of \$57,213.52 is expected to occur within the next 30 days. These payments are made in accordance with the payment schedule set out in your CWF Agreement with UBCM (see section 4 of your Agreement).

CWF is made available to eligible local governments by the Government of Canada pursuant to the Administrative Agreement on the Federal Gas Tax Fund in British Columbia. Funding under the program may be directed to local priorities that fall within one of the eligible project categories.

Further details regarding use of CWF and project eligibility are outlined in your CWF Agreement, and details on the Renewed Gas Tax Agreement can be found on our website at www.ubcm.ca.

For further information, please contact Gas Tax Program Services by e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Sincerely,

Councillor Murry Krause
UBCM President

PC: Tracey Jones, Financial Officer

FILE #	DATE
1855-0303	Nov. 23/16
<input type="checkbox"/> CAO	<input type="checkbox"/> CO
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN/ FINANCE
<input type="checkbox"/> DIRF	<input type="checkbox"/> B/L ENF
<input type="checkbox"/> MGR REV SVCS	<input type="checkbox"/> MAYOR
<input type="checkbox"/> CEDO	<input type="checkbox"/> COUNCIL
<input type="checkbox"/> OP. MGR	
ITEM	A B C
COUNCIL AGENDA	
DATE Dec. 5/16	
INITIAL <i>[Signature]</i>	
(ITEMS: A-REQ, ACTION: B - INFO - WRESP; C - INFO ONLY)	

From: BC Canada150 / Canada150 CB (WD/DEO) [<mailto:wd.bccanada150-canada150cb.deo@canada.ca>]

Sent: November-24-16 10:02 AM

To: Madeline McDonald <MMcDonald@harrisonhotsprings.ca>

Subject: Canada 150 Community Infrastructure Program Application / Appel de propositions du Programme d'infrastructure communautaire de Canada 150



Hello Ms. McDonald,

Re: Upgrade the Harrison Hot Springs Sasquatch Museum
Reference Number: C008898

Thank you for submitting your application to Western Economic Diversification Canada (WD) under the Canada 150 Community Infrastructure Program. WD received many excellent applications; however, the demand for funding greatly exceeded available funds.

WD has assessed applications based on the program criteria outlined in the application guide. Funds have now been fully allocated and we regret to inform you that we are unable to fund your project.

Thank you for your interest in the Canada 150 Community Infrastructure Program.

This communication is intended for the use of the recipient to which it is addressed, and may contain confidential, personal, and or privileged information. Please contact us immediately if you are not the intended recipient of this communication, and do not copy, distribute, or take action relying on it. Any communication received in error, or subsequent reply, should be deleted or destroyed.

Western Economic Diversification Canada
Diversification de l'économie de l'Ouest Canada
Government of Canada | Gouvernement du Canada
www.wd-deo.gc.ca





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 12:00 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 jbhatti@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: November 30th, 16 Requested Meeting Date: Monday December 5th
 Organization Name (if applicable): Harrison Christmas Bazaar
 Name of Presenter: Jessica Read
 Name of Applicant if Other than Above: _____
 Contact Phone Number & E-Mail: 6043784562 jessicalouread@gmail.com
 Mailing Address with Postal Code: 511 Cottonwood Ave, HHS, V0M1K0
 Audio/Visual requirements: Apple Mac adapter to projector
 Topic: Lack of funding from village office for the community
Harrison Christmas Bazaar
 Action you wish Council to take: To refund the \$450.00 charged

Jaclyn Bhatti

From: Jessica Read <jessicalouread@gmail.com>
Sent: November-30-16 11:36 AM
To: Jaclyn Bhatti
Subject: Delegation for Council Meeting on Monday December 5th, 2016
Attachments: delegation_request_form .pdf; ATT00001.htm

To Whom it May Concern,

We would like the council to rescind a payment made on November 3rd, 2016, for use of the hall for a community event. Our event is this Saturday, December 3rd, 2016 and we will be supplying evidence as to how the event benefited the community via a powerpoint and how we have received a lack of support from our local village office. Alyssa Timmers and I, are two Grade 12 students who wanted to incite community among Harrison Hot Springs and promote what we have to offer locally. The payment was made by a local businessman, John Allen, and we would like him to be fully reimbursed for his contribution and support to us.

Sincerely,
Jessica Read

Attached below is the form filled out.

Debra Key

From: Madeline McDonald
Sent: Wednesday, November 30, 2016 1:47 PM
To: Robert Reyerse
Cc: Debra Key; Jaclyn Bhatti
Subject: RE: Delegation December 5th

Yes, please send the ppt to Jaclyn (copied above) and Monday morning would be fine.
Thanks,
Madeline

From: Robert Reyerse [<mailto:robert@tourismharrison.com>]
Sent: November-30-16 11:44 AM
To: Madeline McDonald <MMcDonald@harrisonhotsprings.ca>
Cc: imaw@harrisonresort.com
Subject: Delegation December 5th

Hi Madeline

Hope all is well in your world. Just want to confirm our double delegation next Monday, December 5th.

1. Tourism Results and Outcomes 2016 – Presented by Robert
2. Tourism Harrison 2017 and beyond – Presented by Ian

Both will be accompanied by a short power point presentation, if I get that too you Monday morning will that be workable?

Cheers

Robert Reyerse
Executive Director, Tourism Harrison
PO Box 255 Harrison Hot Springs BC, V0M 1K0
Phone: 604-796-0288
Fax: 604-796-0289
www.tourismharrison.com



Jaclyn Bhatti

From: JANE KIVETT <kivett@shaw.ca>
Sent: November-28-16 2:54 PM
To: Jaclyn Bhatti
Subject: Delegation to Council

Date: Nov. 28, 2016 Requested Meeting Date: Dec.5, 2016

Organization Name None

Name of Presentor: Jane Kivett

Contact Phone Number and Email 604 796 9273 kivett@shaw.ca

Box 427 Harrison Hot Springs, B.C. V0M 1K0

Audio/Visual requirements: yes, probably. I'll let you know.

Topic: Upgrade of the Miami River Riparian Trail in the 200 Block

Action for Council: To designate funds for the upgrade which would include leveling, providing a solid material for a footpath, removing walnut trees overhead and directional signs to 'Hot Springs Road', 'Spring Park', 'Eagle Street'.

I am away but will be back in Harrison by Dec 2. if you need to reach me other than email.

Jane Kivett

Sent from Samsung tablet

RECEIVED

NOV 28 2016

BY VILLAGE OF HARRISON HOT SPRINGS

07-Nov-16
11:12 am
omb75

Office of the Ombudsperson
Closing Summary

Page 1 of 2
RWA

Authority: VILLAGE OF HARRISON HOT SPRINGS

File Number: 15-145951 /001

Closing Date: 07-Nov-2016

Closing Status: *Closed; Investigation; Ceased (discretion) (s.13); Can consider without further investigation (s.13(e)); No findings*

A person contacted us with a complaint about the Village of Harrison Hot Springs. The person believed the Mayor and Council had violated the Official Community Plan (OCP) by supporting development plans for the East Sector Special Planning Area, an area that had been designated for ecological protection. The complainant claimed a number of steps were outlined in the OCP that Council must complete before considering any plans for development of this area. He maintained the recent announcement of a regional park and recreation site in this area, made in conjunction with the Fraser Valley Regional District (FVRD), was in conflict with the OCP. He had reported his concerns in writing to the Mayor and Council but was not satisfied with the response he received.

Our Office investigated whether the Village of Harrison Hot Springs responded adequately to the person's concerns about the plan for the East Sector Special Planning Area being inconsistent with the OCP. We interviewed Village staff, reviewed the OCP, Council bylaws, relevant Council minutes and other documents pertaining to the application for the establishment of a regional park and recreation site in this area. Village staff confirmed that the complainant's correspondence had been forwarded to Mayor and Council for their consideration, and the Village wrote to him confirming the same.

From our review of the OCP, it is clear that one of the main priorities for the region is to protect environmentally sensitive areas while allowing for recreation use and development of the area. The OCP permits future planning of the area to be considered in consultation with the community, the Agricultural Land Commission (ALC), and the Province. The Village provided us with documents and correspondence demonstrating the process followed in the establishment of the regional park. We learned the Village holds only a portion of the East Sector Special Planning Area, and the majority of the land is either Crown land or under private ownership. The Village explained that the FVRD approached the Village City Planner in 2012 to establish a recreation site on the Crown land that would be managed by the District. The plan for the FVRD to maintain the trails and establish a regional park was viewed by Council to be in keeping with the goals of the OCP regarding the protection of this important ecological area. Council had no objection to the application for the establishment of the recreation site in this area.

The Village also provided us with the 2013 Ministry of Forests, Lands and Natural Resources application for the establishment of this regional park within the provincially owned land in the East Sector Area. The Ministry authorized the establishment of this recreation site on Crown land as provided by section 56 of the Forest and Range Practices Act. Documents indicate that the Ministry consulted with the FVRD, Village, Sts'ailes First Nation and the ALC in relation to the establishment of this recreation site and in the development of the operating and management agreement for this Crown land.

While Council had authority under the Community Charter to enter into the agreement allowing the FVRD to

establish and maintain the trails and recreation site in the area, the Village explained they do not actually own the land that is subject to this application and therefore the OCP ultimately has no regulatory authority over its use. In addition, Council has no jurisdiction over the privately owned section of this area. Despite this, Village staff and Council maintain that the establishment of the regional park is consistent with the OCP in that it protects the important ecological values of the area, provides for nature trails to be linked with the overall trail system of the village, and is consistent with the hazard protection, recreation and conservation priorities for the region.

Based on our review of information available, it appeared the Village followed a reasonable process, consistent with the goals outlined in the OCP, in relation to the development plans for the East Sector Special Planning Area. Village staff had responded to the complainant's correspondence confirming his concerns had been forwarded to Mayor and Council. Council has the discretion whether to respond to general correspondence submitted by members of the public. As there did not appear to be a basis for further investigation of the person's complaint, we closed our file.



Reference: 225315

November 21, 2016

His Worship Mayor Leo Facio
 Village of Harrison Hot Springs
 P.O. Box 160
 Harrison Hot Springs, British Columbia
 V0M 1K0

Dear Mayor Facio and Councillors:

Thank you for meeting with me on Thursday, September 29 at the 2016 UBCM Convention to discuss the Rural Dividend Program; your proposed emergency evacuation route and FireSmart.

The BC Rural Dividend Program provides funding to rural communities across British Columbia with a population of 25,000 or less to reinvigorate and diversify their local economies. If you wish to discuss current or future applications, I encourage you to contact Claudia Trudeau, Director, Rural Policy and Programs, by phone at 250 387-8372.

With respect to redirecting logging truck and traffic and establishing an evacuation route through Sasquatch Park, ministry staff will communicate your position to the Ministry of Environment, which is the agency responsible for permitting this proposed use of the park.

I also suggest you continue meeting with Madeline Maley, Executive Director of the BC Wildfire Service, to discuss continued FireSmart work and opportunities for wildfire prevention and mitigation.

Thank you for the constructive discussion and for bringing these significant issues to our attention.

Sincerely,

Steve Thomson
 Minister

Page 1 of 2

His Worship Mayor Leo Facio

pc: Laurie Throness, MLA, Chilliwack-Hope
Mary Sue Maloughney, Assistant Deputy Minister, Integrated Resource Operations Division
Allan Johnsrude, Regional Executive Director, South Coast Natural Resource Region
Madeline Maley, Executive Director of the BC Wildfire Service
Claudia Trudeau, Director, Rural Policy and Programs

RECEIVED

NOV 30 2016

BY VILLAGE OF HARRISON HOT SPRINGS



presenting world quality performing arts including the internationally acclaimed Harrison Festival of the Arts for more than 35 years

November 30, 2016

Dear Mayor Facio and Council,

This is a Letter of Request for the Harrison Festival Society to receive \$12,500 from the Village of Harrison Hot Springs to go towards the operations of the 2017 Harrison Festival of the Arts. In recent years we received this amount from funds from the RMI, which were dedicated to events and distributed to us through Tourism Harrison. Previous to this, we received \$12,500 directly from the Village.

2016 was a good year for the festival- we purchased a new sound system and sales for our shows were up 14 percent. We hope for a year of equal or greater success next year. We are currently creating a new website and logo, which should help with our marketing.

I understand that the status of the RMI in future years is uncertain, and I look forward to discussing the continuance of Village funding for the festival into the future, should the RMI be discontinued. Funding from the local government remains vital to the Festival, as the larger grants are contingent on us receiving local funding. The Festival Society currently brings over \$160,000 of provincial and federal funds into the Village to spend on cultural events, which are either free or at an accessible cost to the public.

We greatly appreciate all the in-kind and monetary support that the Village provides us, which goes a long way towards ensuring this unique cultural and community event can continue into the future.

Sincerely,

Andy Hillhouse, Executive Director

FILE #	DATE
0230-20-01	NOV. 30/16
<input type="checkbox"/> CAO	<input type="checkbox"/> CO
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN/ FINANCE
<input type="checkbox"/> DIRF	<input type="checkbox"/> B/L ENF
<input type="checkbox"/> MGR REV SVCS	<input type="checkbox"/> MAYOR
<input type="checkbox"/> CEDO	<input type="checkbox"/> COUNCIL
<input type="checkbox"/> OP. MGR	
ITEM	A B C
COUNCIL AGENDA	
DATE	December 5/16
	INITIAL <i>AS</i>
(ITEMS: A-REQ, ACTION; B - INFO - WRESP; C - INFO ONLY)	



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** November 16, 2016

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

SUBJECT: Business Hours Regulation Bylaw No. 942, 2010 and
Liquor Control and Licencing Branch (LCLB)

ISSUE: Business Hours Regulation Bylaw

BACKGROUND:

In 2009, the Village had received a number of concerns and complaints regarding a local business establishment. These concerns, which included the operation and conduct of both the business operator and its patrons, were brought forward to Council. In response to this, and on advice of the local RCMP, Council considered and adopted a bylaw to regulate hours of businesses in 2010. The hours of operation were restricted to 1:00 a.m. for the subject property, even though the Liquor Licence approved hours of service until 2:00 a.m.

In 2012, the business at the centre of the discussions, closed and was re-opened in 2014 by a new business operator. The establishment now operates a restaurant, public house and family food service (minors).

At the November 7, 2016 Regular Council meeting, the business operator appeared before Council to request changes to the existing Business Hours Regulation Bylaw. The business operator holds a food primary licence for its restaurant, a liquor primary licence for the public house which permits the serving of liquor until 2:00 a.m. and a family food service which permits minors to be in Liquor Primary establishments until 10:00 p.m. when accompanied by an adult guardian, for the purposes of having a meal.

The business operator requested that Council consider an extension of hours of business to accommodate his patrons and the ability to serve liquor as permitted under his liquor licence, specifically during the months from May until September. The operator advised Council that he employs a professional security company, conducts constant identification checks of all patrons and maintains a professional code of conduct for the business.

The current bylaw regulates hours of business for retail businesses, all of which may remain open until 2:00 a.m. Monday to Sunday, unless they are retail businesses listed in the schedule of the Bylaw that provides service of liquor.

Staff sought input and received information from the Liquor Inspector regarding the new *Liquor Control and Licencing Act* (Bill 27-2015) Regulations and Terms and Conditions that will come into effect on January 23, 2017. These changes outline types of licencing (no change), however, the optional use of the establishments will change as well as the types of establishments that can be licenced, referred to in the new policy below:

Local Government/First Nation Approval – New Policy

For new applications, the following process will be required:

In consultation with local governments/First Nations, the list of criteria for comment has been reduced for liquor primaries, manufacturer lounges and special event areas.

Local governments/First Nations are no longer required to comment on:

- The proximity of the establishment to other social or recreational facilities and public buildings*
- The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location*

Local governments/First Nations must continue to comment on:

- The impact of noise on the community in the immediate vicinity of the establishment*
- The impact on the community if the application is approved*
- A food primary application that includes closing hours past midnight, or a food primary application that includes patron-participation entertainment. The comments must address whether either amendment may result in the food primary being operated contrary to its primary purpose*

In providing comments, the local government/First Nation must take into account the following attributes of the establishment (or proposed establishment):

- The location*
- The person capacity and hours of liquor service*

The Liquor Inspector also provided staff with a list of all categories of liquor licences that have been issued in Harrison Hot Springs.

- Three (3) establishments hold Liquor Primary Licences. Liquor Primary licences are issued for bars, pubs, nightclubs, stadiums theatres, recreation and convention centres.

Liquor primary establishments may apply for any hours of service between 9:00 a.m. and 4:00 a.m. subject to local government and Liquor Control and Licencing Branch approval. Generally the LCLB standards for licenced hours of service are until 2:00 a.m.

- Fourteen (14) establishments hold Food Primary Licences. Food Primary licences are issued where the service of food, as opposed to liquor, is the primary focus of the business.

Restaurants may remain open 24 hours a day, but subject to the hours endorsed on the licence, liquor service may only be available between the hours of 9:00 and 4:00 a.m. If an establishment intends to provide liquor service after 12:00 midnight, pursuant to section 53(3) of the *Liquor Control and Licencing Regulations*, it must apply to the LCLB and obtain input of local government or First Nations

- Two (2) establishments hold Licencee Retail Store Licences. This licence is issued to the owners of stores selling liquor for consumption off the premises.
- Three (3) establishments hold Family Food Service Licences. This licence permits minors to be in Liquor Primary establishments until 10:00 p.m. when accompanied by an adult guardian, for the purposes of having a meal.
- There are no establishments holding a Wine Store, UBrew/UVin and Manufacturer Licences, Catering Licences and Catering Endorsements and Liquor Primary Club Licences (social, athletic, recreational, fraternal, benevolent or patriotic in nature).
- There are no establishments holding Wine Store Licences.

It is important to know that existing licencees holding a liquor licence with hours of service from 9:00 a.m. until 2:00 a.m., will be grandfathered until such time as the business sells, dissolves, etc. and when a new application is processed, the LCLB will require local government approval.

Below are two excerpts from LCLB News Releases that relate to new policies coming into effect in January:

November 16, 2016

“Effective Jan. 23, 2017, businesses like barber shops, salons, spas, cooking schools, art galleries and book stores will be able to apply for a liquor licence to diversify their business model and serve liquor to customers. All types of businesses will be able to apply for a liquor primary licence, so long as they do not operate from a motor vehicle or target minors. This change will provide flexibility for businesses to expand and offer new services to their patrons, while creating new opportunities for manufacturers such as craft breweries and wineries to sell their product, and increase consumer choice for British Columbians.

To ensure that public health and safety remains a top priority, businesses will have to go through the same licensing processes as other establishments, including a requirement that all staff serving liquor are ‘Serving-It-Right’ certified. These businesses will also be subject to the same regulatory compliance measures as all licensees. The requirement that businesses applying for a liquor

primary licence must also abide by their local government's or First Nations' liquor licensing criteria will remain unchanged.

The new policy builds on recent changes announced by the Province that allow for-profit businesses to apply for Special Event Permits, which were previously reserved for individuals and not-for-profit organizations."

November 7, 2016

"Liquor licence applications will be processed more efficiently thanks to upcoming changes involving local governments and First Nations.

Currently, when a business applies for a liquor primary licence, manufacturer lounge or special event area, the application is reviewed by the Liquor Control and Licensing Branch (LCLB). The application is then referred to the local government or First Nation whose role is to gather public input and provide a recommendation to LCLB. In some cases, this process can take up to one year because the provincial and local government or First Nation reviews happen consecutively.

As part of the Province's ongoing work to cut red tape, the LCLB will allow these processes to happen concurrently, starting Jan. 23, 2017. This change could save time for businesses, local governments or First Nations and the Province, allowing businesses to open faster.

Liquor licensing in B.C. will be further modernized to provide local governments the option to allow staff to evaluate and make recommendations on new liquor licences and changes to existing licences. This update will remove the requirement for local governments to provide a council resolution to the LCLB, enhancing local governments' ability to provide input relevant to their communities while further streamlining the application process.

Additionally, the Province has reduced the criteria on which local governments and First Nations must comment in instances when they provide a council resolution to the LCLB regarding a liquor primary licence, manufacturer lounge or special event area application. The remaining criteria will have a greater overall focus on community impact and therefore be more meaningful. This change respects the role of local governments and First Nations in setting standards for assessing liquor licence applications in their communities.

These modernized liquor policies are based on feedback from British Columbians during the Liquor Policy Review, and the result of collaboration between the Province, the Union of BC Municipalities, local governments and First Nations through the B.C.-UBCM Liquor Working Group."

In light of the strict guidelines and requirements that business operators must comply with under their Liquor Licence and associated endorsements, staff is suggesting that all businesses that serve liquor should be given consideration to remain open until the hour specified on their liquor licence. Any requests to extend hours of service beyond that time must apply to the LCLB and that application will be referred to the local government

for approval. To date, the Village has not received any complaints regarding businesses hours or the service of liquor of any of the establishments within the community.

The Village also referred the request to the RCMP for their comments. They are not opposed to the extension but they suggest that the lack of complaints may be due to the earlier closing.

The following Options are presented for Council's consideration:

Option 1

THAT the Business Hours Regulation Bylaw 942, 2010 be repealed;

Option 2

THAT the Business Hours Regulation Bylaw, be amended to allow for hours of service to coincide with the liquor licence hours of service;

Option 3

THAT pursuant to the Business Hours Regulation Bylaw, the request from the Red Fort Public House and Restaurant be denied.

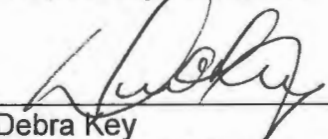
RECOMMENDATION:

Option 1

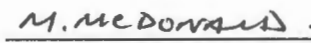
THAT the Business Hours Regulation Bylaw 942, 2010 be repealed.

Respectfully submitted:

REVIEWED BY:



Debra Key
Deputy Chief Administrative Officer/
Corporate Officer



Madeline McDonald
Chief Administrative Officer



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council DATE: November 23, 2016
FROM: Debra Key, Deputy Chief Administrative Officer/Corporate Officer FILE: 0400-60/3800-01
SUBJECT: Request for Statutory Municipal Consent – FVRD Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016

ISSUE: To obtain consent for the adoption of the Building Inspection Extended Service Area Amendment Bylaw.

BACKGROUND:

The Village has received the attached letter and amending bylaw from the Fraser Valley Regional District advising that the Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016 received 3 readings on November 22, 2016.

The FVRD Board of Directors is seeking Council's consent to the adoption of the Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016.

RECOMMENDATION:

THAT statutory consent be given to the Fraser Valley Regional District for an amendment of the Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016.

Respectfully submitted:

REVIEWED BY:

Handwritten signature of Debra Key
Debra Key
Deputy Chief Administrative Officer/
Corporate Officer

Handwritten signature M. McDonald
Madeline McDonald
Chief Administrative Officer

November 23, 2016

Madeline McDonald, CAO
Village of Harrison Hot Springs
 PO box 160
 Harrison Hot Springs, BC V0M 1K0

Re: Request for Statutory Municipal Consent for Proposed Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016

The Fraser Valley Regional District Board of Directors has resolved to amend the Building Inspection Service Area to include the Village of Harrison Hot Springs. In accordance with the relevant provisions of the *Local Government Act*, this will be achieved by way of enacting an amending bylaw.

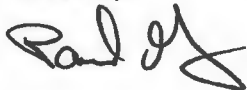
Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016 was given 3 readings by the FVRD board of Directors on November 22, 2016, a copy of which is enclosed for your reference. Also enclosed is a background memorandum which will provide your council with further information. The next steps in the process are:

- To seek the necessary statutory consents from the participants in the service in accordance with S. 346 of the *Local Government Act*;
- Approval of Bylaw No. 1379, 2016 by the Inspector of Municipalities; and
- Consideration of the adoption of Bylaw No. 1379, 2016 by the FVRD Board.

In view of the foregoing, we are requesting that the Council for the Village of Harrison Hot Springs give its consent, by way of formal resolution, to the adoption of *Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016*.

Your prompt attention to this matter would be greatly appreciated. If you have any questions or concerns regarding the bylaw, please do not hesitate to contact me toll free at 1-800-528-0061, or direct at (604)-702-5033.

Sincerely,



Paul Gipps,
 Corporate Officer

FILE #	DATE
	Nov 23/16
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> CO
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN/ FINANCE
<input type="checkbox"/> DIRF	<input type="checkbox"/> B/L ENF
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<input type="checkbox"/> CEDO	<input checked="" type="checkbox"/> COUNCIL
<input type="checkbox"/> OP. MGR	
ITEM A B C	
COUNCIL AGENDA	
DATE	Dec 5/16
	INITIAL <input type="checkbox"/>
(ITEMS: A-REQ, ACTION; B - INFO - W/REP; Fax: 604-792-9684 C - INFO ONLY)	

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1379, 2016

A bylaw to amend the boundaries of the Building Inspection Extended Service Area to include the Village of Harrison Hot Springs

WHEREAS the Fraser Valley Regional District Board of Directors has been requested to amend the boundary of the *Fraser Valley Regional District Building Inspection Service Area* established by *Fraser Valley Regional District Building Inspection Extended Service Area Merger Bylaw No. 0081, 1996, as amended*, to include the Village of Harrison Hot Springs as a participating area;

AND WHEREAS consent on behalf of the municipal and electoral participating areas of the Fraser Valley Regional District has been obtained;

NOW THEREFORE the Fraser Valley Regional District Board of Directors enacts as follows:

1) CITATION

This bylaw may be cited as *Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016*.

2) ENACTMENTS

Fraser Valley Regional District Building Inspection Extended Service Area Merger Bylaw No. 0081, 1996 is hereby amended by:

a) Extending the boundaries of the *Fraser Valley Regional District Building Inspection Extended Service Area* to include the Village of Harrison Hot Springs;

b) Deleting Section 2(c) in its entirety and replacing it with the following:

"2(c) The participating areas of the Fraser Valley Regional District Building Inspection Extended Service Area shall be Electoral Areas C, D, E, F, G and H in their entirety, those portions of Electoral Areas A and B which are not excluded by Section 2(f) and the Village of Harrison Hot Springs";

c) Deleting Section 2(d) in its entirety and replacing it with:

"2(d) The boundaries of the *Fraser Valley Regional District Building Inspection Extended Service Area* shall be Electoral Areas C, D, E, F, G and H in their entirety, those portions of Electoral Areas A and B which are not excluded by Section 2(f) and the Village of Harrison Hot Springs";

d) Adding Section 2(h) to read:

"2(h) The net share of the annual costs to be recovered for the *Fraser Valley Regional District Building Inspection Extended Service Area* shall be allocated to the municipal and electoral area participating areas as follows:

Electoral Area Participating Areas

94% of the total annual tax requisition

Village of Harrison Hot Springs

6% of the total annual tax requisition"

e) That the provisions of all bylaws that are now in effect with regard to the establishment and amendment of the *Fraser Valley Regional District Building Inspection Extended Service Area* remain in full force and effect.

3) SEVERABILITY

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

4) READINGS AND ADOPTION

READ A FIRST TIME THIS	22 nd	day of	November, 2016
READ A SECOND TIME THIS	22 nd	day of	November, 2016
READ A THIRD TIME THIS	22 nd	day of	November, 2016
APPROVAL OF THE INSPECTOR OF MUNICIPALITIES this		day of	
ADOPTED THIS		day of	

Chair/Vice-Chair

Corporate Officer/Deputy

5) CERTIFICATION

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Building Inspection Service Area Amendment Bylaw No. 1379, 2016* as read a third time by the Fraser Valley Regional District Board on November 22, 2016. Dated at Chilliwack, BC on November 23, 2016



Corporate Officer/Deputy

To: Electoral Area Services Committee
From: Paul Gipps, Chief Administrative Officer

Date: 2016-11-22
File No: 2320-28-HHS

**Subject: Fraser Valley Regional District Building Inspection Extended Service Area Amendment
Bylaw No. 1379, 2016**

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving three readings to the Bylaw cited as "Fraser Valley Regional District Building Inspection Extended Service Area Amendment Bylaw No. 1379, 2016".

AND THAT Bylaw No. 1379, 2016 be submitted to the Village of Harrison Hot Springs and all Fraser Valley Regional District Electoral Areas to obtain consent;

AND FURTHER THAT upon receiving municipal and Electoral Area consent, Bylaw No. 1379, 2016 be submitted to the Inspector of Municipalities for approval.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The Fraser Valley Regional District has been providing Building Inspection Services by contract to the Village of Harrison Hot Springs for the past 12 months. During this period the Regional District has established a good working partnership with Harrison on the approvals of building permits and both partners would now like to move this service into a more formal arrangement.

DISCUSSION

While the contract method of providing inspection services has been beneficial to both the Regional District and the Village of Harrison Hot Springs it is not a long term solution.

It is not preferable to work on a contract basis in the long term, as the Regional District is challenged by operating under Harrison's bylaw versus our own. In addition, under a contract arrangement the compliance policies and liability management procedures are that of Harrison Hot Springs which could put Regional District inspectors in a situation that is not consistent with the FVRD's liability

position. In addition, the Regional District does not receive the added revenues related to permit fees, and as such Harrison's benefit is not equitable.

As such, Staff are recommending an amendment to the Building Inspection Service Area bylaw to extend the service boundaries to include the Village of Harrison Hot Springs which will allow us to reduce liability exposure, retain permit revenues and to operate under one bylaw for consistency.

The service area amendment bylaw has a non-standard funding formula recognizing that the service provided to Harrison will not be a fully integrated service with land use. The Village of Harrison Hot Springs will continue to be responsible for the land use approvals and compliance for all development approvals. With this in mind, the funding allocation in the bylaw is proposed to be 6% from Harrison Hot Springs and 94% from the Electoral Areas. The Electoral Area share will continue to then be allocated based on assessment, resulting in no change in the funding formula for Electoral Areas.

In discussions with Margaret Thornton, Director of Planning Services, we feel the staffing plan recently put in place will be more than sufficient to take on these additional responsibilities going forward.

The attached bylaw will need to be read to third reading and then consent sought from the Village of Harrison Hot Springs as well as the Electoral Areas before sending off to the Province of BC for approval. The final reading and adoption will take place once these steps have been completed.

COST

The expanded service area will have no cost impact on the existing Electoral Area participants. The additional funds generated from the inclusion of Harrison will be used to partially offset the addition of the Permit Review Coordinator position whose purpose is to expedite permits for all members. The additional permit fee revenue will allow for the option to hold the service's requisition at current levels while still providing additional funding to the service. This additional funding can be used to build up the service's operating surplus that is used to cover periods when permit revenues decrease.

COMMENT BY:

Mike Veenbaas, Director of Financial Services

Reviewed and supported. This service expansion will provide for another stable revenue source for the FVRD's building inspection service.

November 23, 2016

Madeline McDonald, CAO
Village of Harrison Hot Springs
 PO box 160
 Harrison Hot Springs, BC V0M 1K0

Re: Request for Statutory Municipal Consent for Proposed Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016

The Fraser Valley Regional District Board of Directors has resolved to amend the Sub-Regional Transit Service Area. In accordance with the relevant provisions of the *Local Government Act*, this will be achieved by way of enacting an amending bylaw.

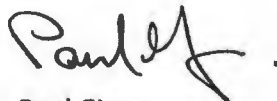
Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016 was given 3 readings by the FVRD board of Directors on November 22, 2016, a copy of which is enclosed for your reference. Also enclosed is a background memorandum which will provide your council with further information. The next steps in the process are:

- To seek the necessary statutory consents from the participants in the service in accordance with S. 346 of the *Local Government Act*;
- Approval of Bylaw No. 1402, 2016 by the Inspector of Municipalities; and
- Consideration of the adoption of Bylaw No. 0402, 2016 by the FVRD Board.

In view of the foregoing, we are requesting that the Council for the Village of Harrison Hot Springs give its consent, by way of formal resolution, to the adoption of *Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016*.

Your prompt attention to this matter would be greatly appreciated. If you have any questions or concerns regarding the bylaw, please do not hesitate to contact me toll free at 1-800-528-0061, or direct at (604)-702-5033.

Sincerely,



Paul Gipps,
 Corporate Officer

FILE #	DATE
	nov 23/16
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<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN/ FINANCE
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<input type="checkbox"/> OP. MGR	
ITEM	A B C
COUNCIL AGENDA	
DATE	Dec 5/16
INITIAL	
(ITEMS: A - REQ. ACTION; B - INFO - WRESP; C - INFO ONLY)	

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1402, 2016

A Bylaw to amend *Fraser Valley Sub-Regional Transit Service Area Establishment Bylaw No. 1178, 2012* for the purpose of increasing the requisition limit and to allocate costs amongst the participants

WHEREAS *Fraser Valley Regional District Sub-Regional Transit Service Area Establishment Bylaw No. 1178, 2012* was adopted by the Fraser Valley Regional District Board of Directors ("the Board") on November 27, 2012;

AND WHEREAS the participants in the *Sub-Regional Transit Service* are Electoral Area D, the Village of Harrison Hot Springs, the District of Kent and the City of Chilliwack;

AND WHEREAS the maximum annual requisition for the *Sub-Regional Transit Service Area* is currently set at \$180,000. in accordance with Bylaw 1178, 2012;

AND WHEREAS the Board has deemed it necessary to increase the maximum amount that may be requisitioned annually for the *Sub-Regional Transit Service*;

AND WHEREAS the Board has deemed it necessary to allocate costs amongst the participants;

AND WHEREAS consent on behalf of the municipal and electoral participating areas of the Fraser Valley Regional District has been obtained;

THEREFORE the Board of Directors of the Fraser Valley Regional District enacts as follows:

1) CITATION

This Bylaw may be cited as *Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016*.

2) ENACTMENTS

2.1 That *Fraser Valley Regional District Sub-Regional Transit Service Area Establishment Bylaw No. 1178, 2012* be amended by deleting Section 2 e) in its entirety and substituting the following:

"2 e) The maximum amount that may be requisitioned annually for the *Sub-Regional Transit Service* shall be \$250,000."

2.2 That *Fraser Valley Regional District Fraser Valley Regional District Sub-Regional Transit Service Area Establishment Bylaw No. 1178, 2012* be amended by adding Section 2 f) to read as follows:

"2 f) The net share of the annual costs to be recovered for the *Sub-Regional Transit Service* shall be allocated to the municipal and electoral area participating areas as follows:

Village of Harrison Hot Springs:

32% of the total annual requisition to a maximum of \$80,000. annually

District of Kent:

36% of the total annual requisition to a maximum of \$90,000. annually

City of Chilliwack:

25% of the total annual requisition to a maximum of \$62,500 annually

Electoral Area "D":

7% of the total annual requisition to a maximum of \$17,500 annually

3) SEVERABILITY

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

4) READINGS AND ADOPTION

READ A FIRST TIME THIS 22nd day of November, 2016

READ A SECOND TIME THIS 22nd day of November, 2016

READ A THIRD TIME THIS 22nd day of November, 2016

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this day of

ADOPTED THIS day of

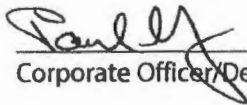
Chair/Vice-Chair

Corporate Officer/Deputy

5) **CERTIFICATION**

I hereby certify the foregoing to be a true and correct copy of *Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw No. 1402, 2016* as read three times by the Board of Directors of the Fraser Valley Regional District on the 22nd day of November, 2016.

Dated at Chilliwack, BC this 23rd day of November, 2016


Corporate Officer/Deputy

To: Regional and Corporate Services Committee
From: Mike Veenbaas, Director of Financial Services

Date: 2016-11-08
File No: 3920-20/1402, 2016

Subject: Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider giving three readings to the bylaw cited as *Fraser Valley Regional District Sub-Regional Transit Service Area Amendment Bylaw 1402, 2016*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

Bylaw 1178, 2012 setup the Agassiz-Harrison Sub-Regional Transit Service Area which includes the Village of Harrison Hot Springs, District of Kent, Electoral Area D and City of Chilliwack as participating members. This bylaw set the maximum requisition at \$180,000 and put in place an allocation model for which these funds would be collected from each member's area.

DISCUSSION

As part of a bylaw review recently completed for this transit service, Staff noted two amendments that need to be considered by the Board in light of changes to the service and updating the bylaw to reflect the original intention of how requisition was to be secured from each member's area.

Net Annual Cost Recovery Allocation Model

The original bylaw was written to include a recovery allocation model that is different from the default assessment based allocation model. Bylaw 1178 noted the allocation would be:

Village of Harrison Hot Springs	32%
District of Kent	36%
City of Chilliwack	25%

Electoral Area D

7%

This allocation model was as agreed to by the four members. Unfortunately, Bylaw 1178 was written to say this allocation model was in place for 2012-2013 when the intent (as noted in the original report) was for this to be the allocation model moving forward for the foreseeable future. The proposed bylaw amendment would remove 2012-2013 from the bylaw in keeping with the original intent.

Maximum Tax Requisition

The maximum tax requisition for this service as noted in Bylaw 1178 is \$180,000. Given the recent service expansion that occurred in 2014 it is prudent to amend the bylaw to increase the maximum requisition level to \$250,000. This allow for sufficient funding to cover the increased net local government share of the service with the expansion. It also allows for growth in operating expenditures for possible future expansion or general inflationary cost adjustments from BC Transit. While the bylaw sets the maximum tax requisition, the actual requisition level is set during the financial planning process as directed by the Board.

COST

The proposed bylaw amendment will have no impact on costs to the transit service or changes to the existing requisition levels. It will provide flexibility moving forward to allow the Board to consider services expansion without a need to further change the establishment bylaw and the maximum requisition level.

CONCLUSION

A bylaw review of the Agassiz-Harrison Transit Service noted two amendments to the establishing bylaw for the Board to consider given the original intent of this service and expansions that have occurred in recent years.

COMMENT BY:

Paul Gipps, Chief Administrative Officer

Reviewed and supported



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** November 25, 2016
FROM: Chief Administrative Officer **FILE:** 5480-06
SUBJECT: 2017 Pay Parking Options

ISSUE:

The Village implemented a pay parking system from June 15th through September 15th 2016. Council has the opportunity to renew the existing agreement with the parking contractor, negotiate changes to the scope of the existing contract issue a new proposal call for parking services, or discontinue the pay parking program.

DISCUSSION:

Pay parking was financially successful but generated complaints from visitors and residents who received parking violation tickets. Insufficient signage was a common complaint from those who were issued violation tickets. Tourism Harrison has called attention to the need for better marketing around the parking program to give users a sense of why the fees are being charged, what those monies are being used for and what alternatives are available to the pay parking in effect in the commercial core.

Pros:

- Pay parking encourages turnover in prime retail and recreational parking areas
- Pay parking is a user pay system that can provide an annual revenue stream equivalent to a 5% to 7% residential tax levy, assuming that \$20,000 represents approximately 1% in taxation. These figures do not include fine revenue.
- Pay parking encourages visitors to use private retail parking lots

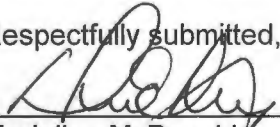
Cons:

- People prefer free parking
- Parking violation tickets create negative feelings for residents and visitors
- Some people prefer the status quo

OPTIONS:

1. THAT the Village continue with pay parking with the current service provider
2. THAT the Village continue with pay parking with an alternate service provider
3. THAT the Village discontinue the pay parking program

Respectfully submitted,


 Madeline McDonald
 Chief Administrative Officer

BACKGROUND:

In seeking to regulate the shared economy, there are a few issues to consider however the main question that needs to be addressed is can the Village regulate this type of business activity? The short answer is yes. So as the answer is yes what approach or options are available for the Village to use.

Many local governments across North America have been facing or are about to face the short term vacation accommodation dilemma and they have used various approaches to resolving their issues. In British Columbia, the options available to local governments includes the following:

1/. Zoning – Many local governments have adopted land use regulations that prohibit short term vacation accommodations in some or all their land use zones while others have allowed them in some or all their land use zones. With this approach, there are two major issues that need to be considered, as outlined below:

- as with the creation of all local government bylaws it is that imperative that the local government ensure that the wording contained within the bylaw clearly expresses the intention of the local government. (*Whistler (Resort Municipality) v Miller*, 2001 BCSC 100) and (*Okanagan-Similkameen (Regional District) v Leach*, 2012 BCSC 63), and
- the other issue is that a local government cannot regulate tenure, as the local government powers are limited to the actual use of the parcel of land, as opposed to whether the use is being rented or owned on that parcel of land.

The approach of looking at this is issue as an exclusive zoning bylaw issue, does not allow the local government the ability to impose conditions, take security or easily revoke the zoning use upon default.

2/. Temporary Use Permits – Some local governments that do not allow short term vacation accommodations in any zone opt to look at the use on a case by case approach. Once an application has been received, reviewed and approved by Council, the short term vacation accommodation is then permitted through the issuance of a Temporary Use Permit (TUP). The use of a TUP allows the local government the ability to impose conditions, take security, and it can be easily revoked if the conditions are not met.

The major downfall with this approach is the TUP is issued for one three year term and it can be extended for one three year renewal period.

3/. Business Licensing – as outlined under sections 8(6) and 15 of the *Community Charter* the local government can regulate and impose conditions upon short term vacation accommodation operators. Although s 8(6) only authorizes municipalities to regulate, but not to prohibit or impose conditions or requirements upon business, the courts through (*International Bio Research v Richmond (City)* 2011, BCSC 471) have indicated that the regulation of business involves restrictions on the business.

Conclusion – the use of a combined regulatory and licensing regime is the recommended approach, as this approach can include the following:

- terms and conditions that must be met for obtaining and holding a business license,
- the taking of security,
- the requirement for the short term vacation accommodation operator to be licensed
- the license can be easily revoked if the conditions are not met, and
- the license can be issued annually or for a certain period.

What are other Local Governments doing about this issue?

Listed below is a sampling of what other local governments are doing about this issue:

Note this list has been prepared based upon discussions with the respective municipal CAO or Director of Planning or a review of their web site or a combination of a review and interview.

1/. Sechelt – they do not face the same sort of urgency as other municipalities face as the vacancy rate for the hotels and B and B's is quite low. Generally, they issue a business license and the area must be zoned for residential use. The major concern in this area though seems to be housing affordability.

2/. Bowen Island – they have issues; however, they have no strategy in place yet to address the issues. Currently they only allow B and B's in certain parts of their zoning bylaw and they do not issue business licenses. If they get a complaint they look into it.

3/. Fernie – has recently started to consider this issue. They will be approaching the issue from a zoning bylaw and business licensing perspective. They have or are about to start their community consultations on this issue.

4/. Osoyoos – the use is regulated through their zoning bylaw only. They are getting Lidstone and Company to draft up an overall approach for the municipality, and this may include a new bylaw. They do not use the business licensing approach any more as they have concerns from an enforcement perspective.

5/. Peachland – they do not really have any issues, however if they get a complaint they may investigate and enforce their bylaw. This community is about to legalize secondary suites in all their residential zones.

6/. Nelson – they are setting up a zoning and business licensing approach. They are also considering the provision of free transit to guests of municipal licensed operators, as an incentive to operators to get a business license.

7/. TNRD – they use a combination zoning bylaw and business licensing approach.

- 8/. Sun Peaks – zoning in specific areas and requires a business license.
- 9/. Penticton – zoning in specific zones and then a business license is required.
- 10/. Valemount – a combination zoning bylaw and business licensing approach.
- 11/. Whistler - a combination zoning bylaw and business licensing approach.
- 12/. Islands Trust – Temporary Use Permit approach.
- 13/. Revelstoke - zoning in specific zones and then a business license is required.


Tentative Work Schedule

- 1/. Policy direction – provided on December 5, 2016
- 2/. Identification and documentation of the issues – Dec 2016 to Jan 2017
- 3/. Policy document and regulation changes – Jan 2017 – March 2017
- 4/. Public consultations – April 2017
- 5/. Implementation – May 2017

RECOMMENDATION:

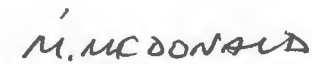
THAT Council proceed through the combined use of a zoning bylaw and business licensing bylaw with respect to addressing the short term vacation accommodation issue.

Respectfully submitted:



Ken Cossey, MCIP, RPP,
Planning Consultant

**REVIEWED BY and Concurrence
with the RECOMMENDATIONS:**



Madeline McDonald
Chief Administrative Office

LIQUID WASTE MANAGEMENT PLAN

EXECUTIVE SUMMARY

DECEMBER 1, 2016

Intro

The Village of Harrison Hot Springs (VHHS) is located in the Fraser Valley among the Coastal Mountains on the southern shore of the 65 km long Harrison Lake. The Village is serviced by a sanitary network comprised of approximately 12 km of sanitary piping, 6 lift stations, and one siphon. The main trunk runs along McCombs Drive, eventually crossing the Miami River at the Hot Springs Rd bridge. The Sanitary system outlets from Pump Station 1 (PS 1) to the Waste Water Treatment Plant. The existing storm system infrastructure spans across 24 major catchment areas, primarily discharging into the Miami River. The stormwater is conveyed through approximately 10 km of storm pipes and ditches and is directed to 22 separate outfall locations.

The purpose of the Liquid Waste Management Plan (LWMP) is to establish a strategy for providing the optimum levels of service to the tax payers of the community now and into the future. This will be accomplished by updating information from previous studies and reports and by using more sophisticated software able to analyze more robust data dynamically. Complexity for this effort arises due to the seasonal variation in demand, a result of tourist traffic surges during the summer months.

Existing and future storm and sanitary system demands were reviewed and modeled by Autodesk Storm and Sanitary Analysis™ (SSA) software. The impact of developing to the full vision of the Zoning Bylaw of 2015 and combining various growth scenarios were investigated. The model was used to quantify upgrades to the pipe network, outfalls, pump stations, and the WWTP. Seasonal effects, pipe capacity, and minimum velocity analysis impacts were quantified, facilitating recommendations for future improvements.

Findings

The most common deficiencies found in the analysis of the VHHS Storm System include, pipes undersized for 10-year storm event, lack of storm water treatment in at discharge locations, and pipes in poor condition. The existing system has five pipe segments which are undersized for the design storm events, which cause surcharging of the connected manholes. Three more segments will become undersized after estimated future growth occurs. Urban runoff within VHHS currently does not undergo treatment prior to discharge into the Miami River and Harrison Lake. This untreated urban runoff can potentially carry contaminants which are harmful to the overall health of the existing aquatic ecosystems

Three types of deficiencies were encountered in the analysis of the VHHS Sanitary System. The most common deficiencies were low velocities in pipes, the result of which is insufficient cleanout of solid waste which can lead to serious issues if not addressed. Six pipes were found to be of insufficient diameter or slope to achieve minimum velocity criteria. There was only one over-capacity length of sanitary sewer and it coincides with a section that is also deficient in pipe-full velocity, both these deficiencies can be solved by the recommendations made in this report.

Storm Recommendations

There are many techniques for addressing storm pipes which do not meet flow requirements for design rainfall events. The most common include increasing the diameter or slope of the storm main, installation of storm water detention facilities, and implementing Low Impact Development (LID) techniques to help promote groundwater infiltration. It is recommended that all storm mains that are currently surcharging during the 10 year – 1 hour storm event to be upsized to a suitable diameter to convey the required flow rates. It is also recommended to evaluate the possibility for stormwater reduction through LID principles for future developments and during upgrades to the existing system. Storm water treatment for sediment and pollutants prior to discharge into Miami River is imperative to the overall health of the existing ecosystems. Storm water can be fully treated for standing oils, sediment, and other heavy metal pollutants with the installation of gravity based Oil and Grit Separators and Bio-filtration Units. It is recommended to have some form of stormwater treatment at all discharge locations into the Miami River or Harrison Lake.

Sanitary Recommendations

There are two common methods for improving low pipe-full velocities in sanitary pipes, they can be used in conjunction or independently and both require replacement of existing infrastructure. The most used solution is the installation of pipes with increased diameter to the deficient pipe, larger pipes achieve cleanout velocities at flatter grades. Alternatively, you may also simply increase the grade of a replacement pipe with the same diameter as the deficient pipe. This is suitable in cases where downstream pipes are smaller diameter than the suggested replacement pipe. If replacement is deemed too costly, regular flushing of deficient sanitary lines can be a temporary maintenance plan. Our recommendation is that all deficient pipes be replaced with higher grade pipe, resized to a larger diameter, or a regular cleanout schedule be established to ensure no damage to adjacent properties. These recommendations vary based on location of deficiency, higher priority pipes are recommended for replacement. Since the only section of pipe that was over capacity was also velocity deficient, increasing its diameter to address deficient velocity will also improve its capacity sufficiently to meet demand.

General Recommendations

Missing data provided one of the most significant difficulties in analyzing the current and future capabilities of the Liquid Waste System. It is highly recommended that efforts to collect necessary data to evaluate VHHS liquid management be undertaken as soon as possible. This includes a survey of all existing drainage and sanitary infrastructure and flow meters to be used in both the storm and sanitary pipe and manhole networks. Effort should be made to record this data in formats that are compatible with modern software, primarily GIS, Civil 3D, and SSA in an effort to keep costs of future analysis down and facilitate rapid updates to information. Project sheets and cost estimates have been provided for this work. It is strongly recommended to adopt MMCD Design guidelines, with modifications as necessary, for all construction of Municipal Works.

On-Going Projects

VHHS is already pursuing the replacement of the siphon system that crosses the Miami River. The analysis performed in the SSA model used to produce this report will be useful in the design of this crossing. Price estimates and some details were included in this report where they were relevant.

Summary Tables

Tables 1, 2, and 3 identify and quantify the capital improvements identified as part of this Liquid Waste Management Plan. Upgrades to the storm and sanitary infrastructure will be required as population increases. Pricing and timing will depend on demand management strategies, preliminary design, and the ability to secure funding. Refer to the relevant sections for discussion and recommendations.

TABLE 1: Storm Capital Improvements

Improvement ID	Project	Purpose	Cost	DCC Eligible?	Priority
1	Cedar Avenue	Increase pipe capacity	\$ 131,052	No	Medium
2	Lillooet Avenue "A"	Increase pipe capacity	\$ 144,760	No	Medium
3	Lillooet Avenue "B"	Provide rock-pit overflow	\$ 50,824	No	Medium
4	Echo Avenue "A"	Increase pipe capacity	\$ 138,920	No	Medium
5	Hadway Drive	Increase pipe capacity	\$ 119,752	No	Medium
6	Pine Avenue	Upgrade degrading pipe	\$ 288,908	No	Medium
7	McPherson Road	Remove/replace collapsed pipe	\$ 32,906	No	Medium
8	Myng Crescent	Increase pipe capacity	\$ 95,924	Yes	High
9	Storm Water Treatment	Stormwater treatment required at outfalls	\$1,760,000	Partial	High
10	Miami Drive	Increase pipe capacity	\$ 180,534	Yes	Low
11	Balsam Avenue	Increase pipe capacity	\$ 119,020	Yes	Low
12	Diamond Street	Increase pipe capacity	\$ 61,980	Yes	Low
13	Mount Street	Increase pipe capacity	\$ 248,412	Yes	Low
14	Naismith Avenue	Upgrade to piped system	\$ 403,668	Yes	Low
15	Echo Road "B"	Upgrade to piped system	\$ 439,060	Yes	Low
16	Lillooet Avenue "C"	Upgrade to piped system	\$ 421,000	Yes	Low

High Priority Total \$1,855,924
Medium Priority Total \$ 907,122
Low Priority Total \$1,873,674
Grand Total \$4,636,720

The priority rating has been given to each project based on the following criteria:

- High: If the current infrastructure provides a hazard risk to the surrounding environment or private property if mitigation is not taken.
- Medium: If the current infrastructure is undersized and surcharges during the 10-year rainfall event.
- Low: If the future infrastructure sized for the ultimate build-out is undersized and surcharges during the 10-year rainfall event.

TABLE 2: Sanitary Capital Improvements

Improvement ID	Project	Purpose	Cost	DCC Eligible?	Priority
1	Rockwell Drive	Increase flow velocity and capacity	\$ 186,512	No	High
2	Lakburg Crescent	Increase flow velocity and capacity	\$ 91,136	No	High
3	Echo Avenue	Increase flow velocity and capacity	\$ 130,832	No	Medium
4	Miami River Drive "A"	Increase flow velocity and capacity	\$ 127,392	No	Medium
5	McCombs Drive	Increase flow velocity and capacity	\$ 82,122	No	High
6	Miami River Drive "B"	Increase flow velocity and capacity	\$ 132,256	No	Medium
7	PS-7 Siphon Replacement	Permanent replacement of pump and piping	\$ 570,679	Yes	High

High Priority Total \$ 359,770
Medium Priority Total \$ 390,480
On-Going \$570,679
Grand Total \$1,320,929

The priority rating has been given to each project based on the following criteria:

- **High:** If the current infrastructure provides a hazard risk to the surrounding environment or private property if mitigation is not taken.
- **Medium:** If the current infrastructure does not generate adequate full condition flow velocity or is undersized for current demands.
- **Low:** If the future infrastructure sized for the ultimate build-out is undersized and surcharges under increased population demands.

TABLE 3: General Projects

Improvement ID	Project	Purpose	Cost	DCC Eligible?	Priority
1	Rockwell Drive	Increase flow velocity and capacity	\$ 51,000	No	Very High
18	Flow Metre Installation	Flow Data Collection of Drainage and Sanitary	\$ 50,000	No	Very High

Total \$ 101,000

Final Remarks

This Liquid Waste Management Plan is to be read in conjunction with the Figures and Tables found in the appendices, which include recommendations based on CTQ's knowledge and expertise in Liquid Waste Manage Systems. In the process of generating the LWMP, CTQ has made available Civil 3D and GIS shapefiles for improved record keeping. These files are fully editable and can be updated to reflect changes to the system should VHHS carry out any improvements.

1/. It has split the approval process into two streams – one for the Part 14 applications and the other stream for any building conversion applications. Associated with each of these application processes is a flowchart; Schedule A page 14 for the Part 14 applications and Schedule B page 15, for the building conversion applications.

2/. A new consolidated development approvals application form has been drafted, as opposed to a separate application for the various Part 14 applications.

3/. Section 9 lays out the requirements for each of the application processes which is outlined below;

Part 14 Applications

All applications, including revised applications, must be:

- (a) made by the owner of the parcel of land or by a person authorized by the owner in writing;
- (b) made on the prescribed application form as amended from time to time by the Village;
- (c) signed by the landowner and be accompanied by the landowner's acknowledgement of responsibility and undertakings made in the form prescribed as amended from time to time by the Village;
- (d) accompanied by the appropriate fees;
- (e) accompanied by the notification requirements identified in this Bylaw;
- (f) submitted to the Village office;
- (g) all completed Part 14 applications must be processed in accordance with this Bylaw, generally as shown on the flowchart attached as Schedule "A"; and

The application must also include the following information:

- (a) the certificate of title, dated within 30 days of the application date;
- (b) a map of the site drawn at a scale of 1:2000 or at a scale of 1:5000 with the approval of the Village. The map must show the following:
 - i. the contours of the site;
 - ii. any environmentally sensitive areas;
 - iii. the proposed building site or sites;
 - iv. the ingress and egress points;
 - v. any proposed landscape plans, parking area or open space area;
 - vi. the current and proposed water and sewer servicing points for the parcel of land;
 - vii. the location of any steep banks, foreshore areas, water courses, easements or right-of-ways, and if applicable any development permit area.
- (c) copies of any charges or other interests associated with this parcel of land.

Building Conversion Applications

All applications, must be:

- (a) made by the owner of the parcel of land or by a person authorized by the owner in writing;
- (b) made on the prescribed application form as amended from time to time by the Village;
- (c) signed by the landowner and be accompanied by the landowner's acknowledgement of responsibility and undertakings made in the form prescribed as amended from time to time by the Village;
- (d) accompanied by the appropriate fees;
- (e) accompanied by the notification requirements identified in this Bylaw;
- (f) submitted to the Village office; and
- (g) all completed Building Conversion Strata Applications must be processed in accordance with this Bylaw, generally shown on the flowchart attached as Schedule "B".

The Application must also include the following information:

- (a) the certificate of title, dated within 30 days of the Application date;
- (b) a map of the site drawn at a scale of 1:2000 or at a scale of 1:5000 with the approval of the Village. The map must show the following:
 - i. the contours of the site;
 - ii. any environmentally sensitive areas;
 - iii. the proposed building site or sites;
 - iv. the ingress and egress points;
 - v. any proposed landscape plans, parking area or open space area;
 - vi. the current and proposed water and sewer servicing points for the Parcel of Land;
 - vii. the location of any steep banks, foreshore areas, water courses, easements or right-of-ways, and if applicable any;
 - viii. development permit area.
- (b) copies of any charges or other interests associated with this parcel of land; and
- (c) the number of dwellings units being converted into strata ownership and how many of the current tenants, in this building, are going to be remaining as owners;
- (d) a copy of the plan to house the current occupiers who will not become owners; and
- (e) other issues as required by Council.

4/. Section 11 allows the Council the ability to get the applicant to host a community notification meeting and section 11.3 outlines the material that needs to be sent to the Village office after this meeting.

5/ The referral process is limited to 21 days with an extension for another 30 days as outlined in Section 12 and Council has the authority to refer the application to any government agency or organization that Council deems necessary.

6/ Under Section 14, Council can utilize a Notice of Intent process or set up a Public Hearing. If a public hearing has been properly set up and no one shows up after 10 minutes, the public hearing must be closed.

7/ Under Section 15, page 9, the issue of requiring security as a condition of approval for a land use permit has been delegated to the CAO. The CAO must take security based upon a professional cost report that has been accepted by the Village and prepared by the applicant, at a rate of 125% of the report's findings. Listed below is the chart associated with the security issue.

Works or Services Required	Type of Professional experience needed	Amount of Security required
Landscaping	Landscape Architect and must be a member of the BC Society of Landscape Architects	125% of the accepted report
Civil Engineering	Professional Engineer	125% of the accepted report
Traffic Engineering	Professional Engineer, with experience in traffic engineering	125% of the accepted report
Freshwater/Foreshore issues	Registered Professional Biologist	125% of the accepted report
Form and Character issue	Registered Professional Architect	125% of the accepted report
Environmental issues	Registered Professional Biologist	125% of the accepted report

The security is required for any or all of the following:

- (a) the works under the permit; including but not limited to hard and soft landscaping requirements;
- (b) environmental monitoring;
- (c) in relation to repair or replacement of any Highway including sidewalks and boulevards, public work or any other Village property altered or damaged by any activity related to the subject matter of the permit;
- (d) to guarantee the performance of a temporary use permit;
- (e) such other reason as identified in the conditions associated with the permit.

8/. Under Section 16, Council has the authority to, with respect to Part 14 Applications;

- (a) approve the application with or without conditions; or
- (b) postpone the application process pending additional information required from the applicant; or
- (c) refuse/deny the application

If an application has been rejected, the applicant can revise the application and submit the revised application back to Council. Staff must be satisfied that it is substantially different than the original application.

Building Conversion Applications

There will be no revised application for this process, if Council denies an initial building conversion application.

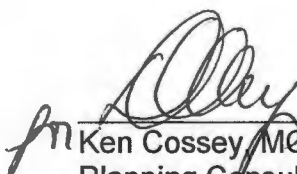
9/. The current Public Notice Bylaw 553, 1991 can and will be repealed with the final adoption of this bylaw, as the current notification distance of 30 metres has been incorporated into this bylaw.

RECOMMENDATION:

Staff recommends the following:


- 1/. That three readings be given to the "Village of Harrison Hot Springs Development Procedures Bylaw No. 1090, 2016";

Respectfully submitted;



Ken Cossey, MCIP, RPP,
Planning Consultant

REVIEWED BY and CONCURRENCE with the RECOMMENDATIONS:



Madeline McDonald
Chief Administrative Officer

Attachments (1) Bylaw 1090

A Bylaw for the establishment of procedures to amend an Official Community Plan or a Zoning Bylaw or to issue a permit pursuant to Part 14 of the Local Government Act. And a Bylaw to allow for the processing of a building conversion strata application, as per the Strata Property Act

WHEREAS the Council of the Village of Harrison Hot Springs has adopted an Official Community Plan and a Zoning Bylaw;

WHEREAS the Council of the Village of Harrison Hot Springs must by Bylaw outline the procedures to amend an Official Community Plan, Zoning Bylaw or issue a permit, as per Section 460 of the Local Government Act;

WHEREAS section 502 (5) of the Local Government Act allows the Council of the Village of Harrison Hot Springs to delegate the power to require security for the issuance of a land use permit subject to a delegation Bylaw being prepared that outlines the guidelines for the delegate;

WHEREAS section 242 of the Strata Property Act requires that the approving authority for the building conversion strata process be the local municipality or in this case the Village of Harrison Hot Springs;

WHEREAS the Council of the Village of Harrison Hot Springs has deemed it advisable to establish a Bylaw to outline the amendment procedures and to outline the procedures to issue a permit and to outline the process and requirements for a building conversion strata application;

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

CITATION

1.0 This Bylaw may be cited for all purposes as the Village of Harrison Hot Springs "Development Procedures Bylaw No. 1090, 2016".

INTERPRETATION/DEFINITIONS

2.0 A reference in this Bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised or consolidated from time to time and a reference to any Bylaw of the Village of Harrison Hot Springs is a reference to the Bylaw as amended, revised, consolidated or replaced from time to time.

3.0 In this Bylaw;

Application

means a completed application, including the payment of the required fees:

- (a) to amend either an Official Community Plan Bylaw, a Zoning Bylaw or both,
- (b) for the issuance of; a Development Permit, Temporary Use Permit or a Development Variance Permit;

Applicant

means the owner of a Parcel of Land or an agent authorized in writing to make the application on behalf of the owner;

Building Conversion Strata Application

means a completed application, including the payment of the required fees, for the conversion of a previously occupied building or structure into strata title;

Chief Administrative Officer

means the individual appointed to this position by Council;

Council

means the Council of the Village of Harrison Hot Springs;

Highway

means the same as defined in the BC Transportation Act, as amended from time to time;

Occupiers

means the lawful occupier of a Parcel of Land, if it is not the landowner;

Parcel of Land

means a specific section or area of the Village with a unique legal description and unique parcel identifier number (PID) assigned to it;

Registered Professional

means a person who has been registered or licensed to practice by their respective professional body;

Revised Application

means a Part 14 Application that has been refused or denied by Council that the Applicant has requested, in writing to Council to reconsider after having made material changes or alterations to the Application; and,

Village

means the Village of Harrison Hot Springs.

SEVERABILITY

- 4.0** If any section, subsection, sentence, paragraph, schedule or form forming part of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the section, subsection, sentence, paragraph, schedule or form may be severed from the Bylaw without affecting the validity of the Bylaw or any portion of the Bylaw remaining or any remaining forms.

ADMINISTRATION OF THIS BYLAW

- 5.0** The Village's Chief Administrative Officer or their designate is authorized to administer this Bylaw.

SCHEDULES

- 6.0** The following Schedules attached hereto form part of the requirements of this Bylaw:
- (a) Schedule "A" – Part 14 Application Processing Flowchart;
 - (b) Schedule "B" – Building Conversion Strata Application Processing Flowchart

SCOPE

- 7.0** This Bylaw shall apply to the following Applications within the boundaries of the Village of Harrison Hot Springs:
- (a) an OCP Bylaw amendment or Zoning Bylaw amendment;
 - (b) the issuance of a Development Permit, a Temporary Use Permit or a Development Variance Permit; or
 - (c) a building conversion strata application.

GENERAL PROVISIONS

- 8.0** If there is a change of ownership of a Parcel of Land that is subject to an Application, the Village will require an updated title certificate and written authorization from the new owner that the current Applicant, if applicable, can still proceed with the Application.
- 8.1** Neither the issuance of a permit, the adoption of an amendment Application or the approval of a building conversion strata or review of any applications, plans, drawings, specifications or documents, shall in any way:
- (a) relieve the landowner from full and sole responsibility to perform work in strict accordance with this Bylaw, and any other applicable Bylaws of the Village; or
 - (b) constitute a representation, warranty, assurance or statement that this Bylaw or other applicable Bylaws have been complied with.
- 8.2** It shall be the full and sole responsibility of the landowner, and where the landowner is working through a representative, the representative shall carry out the work in respect of which the permit or amendment is issued or adopted in compliance with this Bylaw and other applicable enactments.
- 8.3** Letters of assurance, reports or other correspondence from Registered Professionals provided under this Bylaw are relied upon by the Village, including its Chief Administrative Officer and the Planning Department, as certification that the design and plans for the development comply with the Village's Building Bylaw, this Bylaw and other applicable enactments, that the natural environment will not be substantially harmed by the development or Application and the Parcel of Land may be safely used for the use intended, as applicable to the professional's review.
- 8.4** A person must not knowingly submit false or misleading notification in relation to any Application undertaken pursuant to this Bylaw.
- 8.5** Unless specified, in this bylaw, the term Application generally means either a Part 14 Application or a Building Conversion Strata Application.

APPLICATIONS – Part 14 Applications only

- 9.0** All Applications, including Revised Applications, must be:
- (a) made by the owner of the Parcel of Land or by a person authorized by the owner in writing;
 - (b) made on the prescribed application form as amended from time to time by the Village;
 - (c) signed by the landowner and be accompanied by the landowner's acknowledgement of responsibility and undertakings made in the form prescribed as amended from time to time by the Village;
 - (d) accompanied by the appropriate fees;

- (e) accompanied by the notification requirements identified in this Bylaw;
- (f) submitted to the Village office;
- (g) all completed Part 14 Applications must be processed in accordance with this Bylaw, generally as shown on the flowchart attached as Schedule "A".

9.0.1 The Application must also include the following information:

- (a) the certificate of title, dated within 30 days of the Application date;
- (b) a map of the site drawn at a scale of 1:2000 or at a scale of 1:5000 with the approval of the Village. The map must show the following:
 - i. the contours of the site;
 - ii. any environmentally sensitive areas;
 - iii. the proposed building site or sites;
 - iv. the ingress and egress points;
 - v. any proposed landscape plans, parking area or open space area;
 - vi. the current and proposed water and sewer servicing points for the Parcel of Land;
 - vii. the location of any steep banks, foreshore areas, water courses, easements or right-of-ways, and if applicable any
 - viii. development permit areas.
- (c) copies of any charges or other interests associated with this Parcel of Land.

- 9.1** At any time during the application process the Council may refer the Application to any agency, organization or government body for their comments and recommendations.

BUILDING CONVERSION STRATA APPLICATIONS

9.2 All Applications must be:

- (a) made by the owner of the Parcel of Land or by a person authorized by the owner in writing;
- (b) made on the prescribed application form as amended from time to time by the Village;
- (c) signed by the landowner and be accompanied by the landowner's acknowledgement of responsibility and undertakings made in the form prescribed as amended from time to time by the Village;
- (d) accompanied by the appropriate fees;
- (e) accompanied by the notification requirements identified in this Bylaw;
- (f) submitted to the Village office; and
- (g) all completed Building Conversion Strata Applications must be processed in accordance with this Bylaw, generally shown on the flowchart attached as Schedule "B".

9.2.1 The Application must also include the following information:

- (a) the certificate of title, dated within 30 days of the Application date;
- (b) a map of the site drawn at a scale of 1:2000 or at a scale of 1:5000 with the approval of the Village. The map must show the following:
 - i. the contours of the site;
 - ii. any environmentally sensitive areas;
 - iii. the proposed building site or sites;
 - iv. the ingress and egress points;
 - v. any proposed landscape plans, parking area or open space area;
 - vi. the current and proposed water and sewer servicing points for the Parcel of Land;
 - vii. the location of any steep banks, foreshore areas, water courses, easements or right-of-ways, and if applicable any;
 - viii. development permit area.
- (c) copies of any charges or other interests associated with this Parcel of Land; and
- (d) the number of dwellings units being converted into strata ownership and how many of the current tenants, in this building, are going to be remaining as owners;
- (e) a copy of the plan to house the current Occupiers who will not become owners; and
- (f) other issues as required by Council.

9.4 At any time during the Application process the Council may refer the Application to any agency, organization or government body for their comments and recommendations.

FEES

10.0 At the time of the Application the Applicant will pay the required fees as set out and amended by the Village from time to time.

10.1 If the Applicant withdraws their Application, in writing, prior to the first staff report being considered by the Council, then the Applicant will receive a refund of up to 50-percent (50%) of the Application fee. The refund must be paid to the Applicant within thirty (30) days of receiving the written notice from the Applicant. There will be no additional refunds of any fees once the first staff report has been considered by Council.

PUBLIC NOTIFICATION MEETING

- 11.0** Applicants may be required, as directed by Council, to host a public notification meeting, for any of the following types of Applications:
- (a) an Official Community Plan amendment or redesignation;
 - (b) a Zoning Bylaw amendment;
 - (c) the issuance of a Temporary Use Permit;
 - (d) the issuance of a Development Variance Permit; or
 - (e) the conversion of an existing and occupied building into a strata building.
- 11.1** When a public notification meeting is required the Applicant must pay all costs associated with this meeting. This will include but not be limited to the following:
- (a) two (2) newspaper advertisements;
 - (b) the delivery or mailing of any notices to the adjacent landowners or occupiers;
 - (c) any facility rental; and any
 - (d) staff overtime if they attend.
- 11.2** The venue and meeting format must be approved by the Village. This meeting must allow for a question and answer session at a minimum.
- 11.3** Within 10 working days of the meeting, the Applicants are required to submit a report to the Village. The report must include the following information:
- (a) location of the meeting,
 - (b) start and finish times of the meeting,
 - (c) a copy of the two (2) dated newspaper ads for the meeting,
 - (d) number of attendees and a copy of the sign in sheet
 - (e) a copy of the notice provided to the adjacent property owners or occupiers of the land and which properties received this notice,
 - (f) information provided at the meeting, and
 - (g) a summary of any questions raised or any major discussion points raised.
- 11.4** The Applicant must mail or deliver a meeting notice to the owners or Occupiers of the properties within a radius of 30 metres from the subject property. The Village is hereby authorized to reduce, increase or waive this requirement.
- 11.5** The Applicant's report for the public notification meeting must be included in a staff report to Council for Council's consideration of a Temporary Use or Development Variance permit, consideration of the building conversion strata or before adoption of a Bylaw amendment.
- 11.6** The meeting must be held not more than nor less than five working days after the last notice provided in the newspaper.

AGENCY REFERRAL PROCESS

- 12.0** Subject to direction from Council, staff may be authorized to refer the Application to other Village Departments, any external agencies, societies, organizations or any level of government. The suggested referral list will be prepared by staff and submitted to the Council for their review. Council may accept, reject or amend this list as they deem appropriate.
- 12.1** When Applications are sent out for comments the various referral agencies:
- (a) have a maximum of twenty-one (21) working days, from the date the referral was sent out, to provide comments; or
 - (b) make a written request for additional time.
- 12.1.1** The Village has the authority to extend this time period for a period not to exceed an extra thirty (30) working days from the date they receive the written request.
- 12.2** Following receipt of either the comments or a time extension request, the Council may;
- (a) defer consideration of any Application; or
 - (b) request additional information from the Applicant.

STAFF REPORTS

- 13.0** After the Village has reviewed the Application and it has been deemed a completed Application including the payment of the required fees paid, staff must create an initial report, to seek approval from Council to refer the Application and to seek approval from Council to process the Application. The report must contain the following information:
- (a) a copy of any supporting documentation;
 - (b) staff's recommendation on whether the Application should be processed or if not what is missing from the Application;
 - (c) staff's recommendation on the referral agencies, if any;
 - (d) staff recommendation for a public notification meeting, if applicable;
 - (e) staff recommendation to set up a public hearing, if applicable, and
 - (f) any additional relevant information provided by the Planning Department
- 13.1** Staff reports must also be provided at key points throughout the approvals process, as outlined on the approvals flow chart as outlined on Schedule "A", which is attached to and forming a part of this Bylaw.
- 13.2** Once the Application, including a Revised Application, has been received the Village must either deem the Application to be complete or deem the Application to be incomplete. If the Application is deemed complete it will be processed as required by this Bylaw or if is deemed not complete, the Village must send a letter to the Applicant indicating that the Application cannot be processed until the additional information requested has been received.

PUBLIC HEARING – Part 14 Applications only

- 14.0** While the Local Government Act, as amended from time to time, governs the public hearing process, if after a minimum of ten (10) minutes no members of the public are in attendance then the public hearing must be closed. If no members of the public attend the public hearing and the notice of the hearing has been properly published, the Council must consider that the public hearing has been held as required.
- 14.1** Once the newspaper advertisement has been posted the Village will accept any written comments about the Application up to the close of the scheduled public hearing meeting.

PUBLIC NOTICE OF INTENT – Part 14 Applications only

- 14.2** If the Village opts to proceed with the Notice of Intent process, in addition to the required newspaper advertisements, the Village must mail or deliver a notice of intent to the owners or Occupiers of the properties within a radius of thirty (30) metres from the subject property. The Village is hereby authorized to reduce or increase this requirement.

SECURITY

- 15.0** The power to require security is hereby delegated to the Chief Administrative Officer or their designate.
- 15.1** The amount of security required will be based upon a cost report prepared by a registered professional, as outlined in the table below:

Table 1

Works or Services Required	Type of Professional experience needed	Amount of Security required
Landscaping	Landscape Architect and must be a member of the BC Society of Landscape Architects	125% of the accepted report
Civil Engineering	Professional Engineer	125% of the accepted report
Traffic Engineering	Professional Engineer, with experience in traffic engineering	125% of the accepted report
Freshwater/Foreshore issues	Registered Professional Biologist	125% of the accepted report
Form and Character issue	Registered Professional Architect	125% of the accepted report
Environmental issues	Registered Professional Biologist	125% of the accepted report

- 15.2** The required cost estimate report must be provided by the Applicant, at no cost to the Village, and must be accepted by the Village.
- 15.3** Security may be required as a condition of permit issuance for the following:
- (a) the works under the permit; including but not limited to hard and soft landscaping requirements;
 - (b) environmental monitoring;
 - (c) in relation to repair or replacement of any Highway including sidewalks and boulevards, public work or any other Village property altered or damaged by any activity related to the subject matter of the permit;
 - (d) to guarantee the performance of a temporary use permit;
 - (e) such other reason as identified in the conditions associated with the permit.
- 15.4** For the form of security refer to section 502, of the Local Government Act, as amended from time to time.
- 15.5** Funds under security provision will be used to the extent that they are required by the Village to carry out such work, repair or replacement as determined necessary by the Village.
- 15.6** The cost of any works, repair or replacement or other expenditure which exceeds the amount of the security is the responsibility of the Applicant, who upon notification of the outstanding amount must pay it in full, or obtain the agreement of the Village in writing, before receiving its approval or where such approval has been issued, using or continuing to use the Parcel of Land for the development approved under the Application.

APPLICATION DECISIONS – Part 14 Applications only

- 16.0** With respect to any Application, the Council may after authorizing staff to process the Application:
- (a) approve the Application with or without conditions; or
 - (b) postpone the Application process pending additional information required from the Applicant; or
 - (c) refuse/deny the Application

Rejected Applications – Part 14 Applications only

- 16.1** Even if the Applicant is present at the meeting in which the Council decision was made, to refuse/deny the application, the Village shall inform the Applicant in writing, within ten (10) business days from the date of the refusal.

Revised Applications – Part 14 Applications only

- 16.2 An Applicant, after substantially amending an Application, that has not been approved to its satisfaction may submit a Revised Application in accordance with this Bylaw, and may provide such further information as they desire.
- 16.3 Council has the same authority with respect to Revised Applications as for Applications generally and the same procedures apply.
- 16.4 Council may not table a Revised Application.
- 16.5 Upon receipt of the revised Application, the Village will process the Application in accordance with the process flowchart set out in Schedule 'A' of this Bylaw.

Building Conversion Strata Applications

- 16.6 With respect to the decision making criteria that Council must follow with respect to this type of Application, refer to section 242(6) of the Strata Property Act, as amended from time to time.
- 16.7 There shall be no Revised Applications, if Council denies a Building Conversion Strata Application.

REVOCAION OF THE APPROVALS

- 17.0 The Village may revoke an approval and post a stop work order on a Parcel of Land, other than an amendment of a Bylaw, if:
- (a) there is a violation of a condition under which the approval was issued;
 - (b) there is a breach of any provision of this Bylaw and other applicable Bylaws or enactments;
 - (c) the Village determines that any information on the basis of which the approval was issued is incorrect; or
 - (d) construction activity on the Parcel of Land, subject to the approval, otherwise threatens the health, safety, or protection of the public.
- 17.1 Notice of revocation of the approval shall be in writing and transmitted to the Applicant and the owner of the Parcel of Land by mail or courier, and deemed served at the expiration of three (3) business days from the date of sending, or such other means to effect service.
- 17.2 A person who has been notified that an Approval has been revoked shall immediately cease work related to the Application and remedy the cause for the revocation to the satisfaction of the Village, who may then reinstate the Approval.

PENALTIES, ENFORCEMENT AND IMMUNITY

- 18.0** Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00.
- 18.1** The Village may designate enforcement officers for the purposes of this Bylaw.
- 18.2** No action for damages lies or may be instituted against present or past Council, Chief Administrative Officer or their designate, the Planning Department, Bylaw Officer, or members, employees, servants or agents of either Village or Council:
- (a) for anything said or done or omitted to be said or done by that person in the performance or intended performance of the person's duty or the exercise of the person's authority; or
 - (b) for any alleged neglect or default in the performance or intended performance of the person's duty or the exercise of the person's authority.
- 18.3** The previous section does not provide a defence if:
- (a) the individual has, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or willful misconduct; or
 - (b) the cause of action is libel or slander.
- 18.4** Village, present or past Council, or members, employees, servants or agents of any of Village or Council is not liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of neglect or failure, for any reason, to discover or detect any contravention of this Bylaw or any other Village Bylaw, or from the neglect or failure, for any reason or in any manner, to enforce this Bylaw or any other Village Bylaw.

LAND USE POLICIES

- 19.0** The Village is authorized to make any policies that are required to compliment the requirements of this bylaw.

DEVELOPMENT VARIANCE PERMIT

- 20.0** A minor variance must not change the use or density for a Parcel of Land, but there is otherwise no restriction on what may be considered provided the decision maker has considered each of the following:
- (a) whether the minor variance is desirable for the appropriate development or use of the parcel of land, building or structure;
 - (b) whether the general intent and purpose of the Official Community Plan or the Zoning Bylaw, if any, will be maintained; and
 - (c) whether the minor variance is in the best interests, including the health, safety and protection of the public.

REPEAL

21.0 The Public Notice Provision Bylaw No. 553, 1991 is repealed in its entirety.

READ A FIRST TIME THIS DAY OF , 2016

READ A SECOND TIME THIS DAY OF , 2016

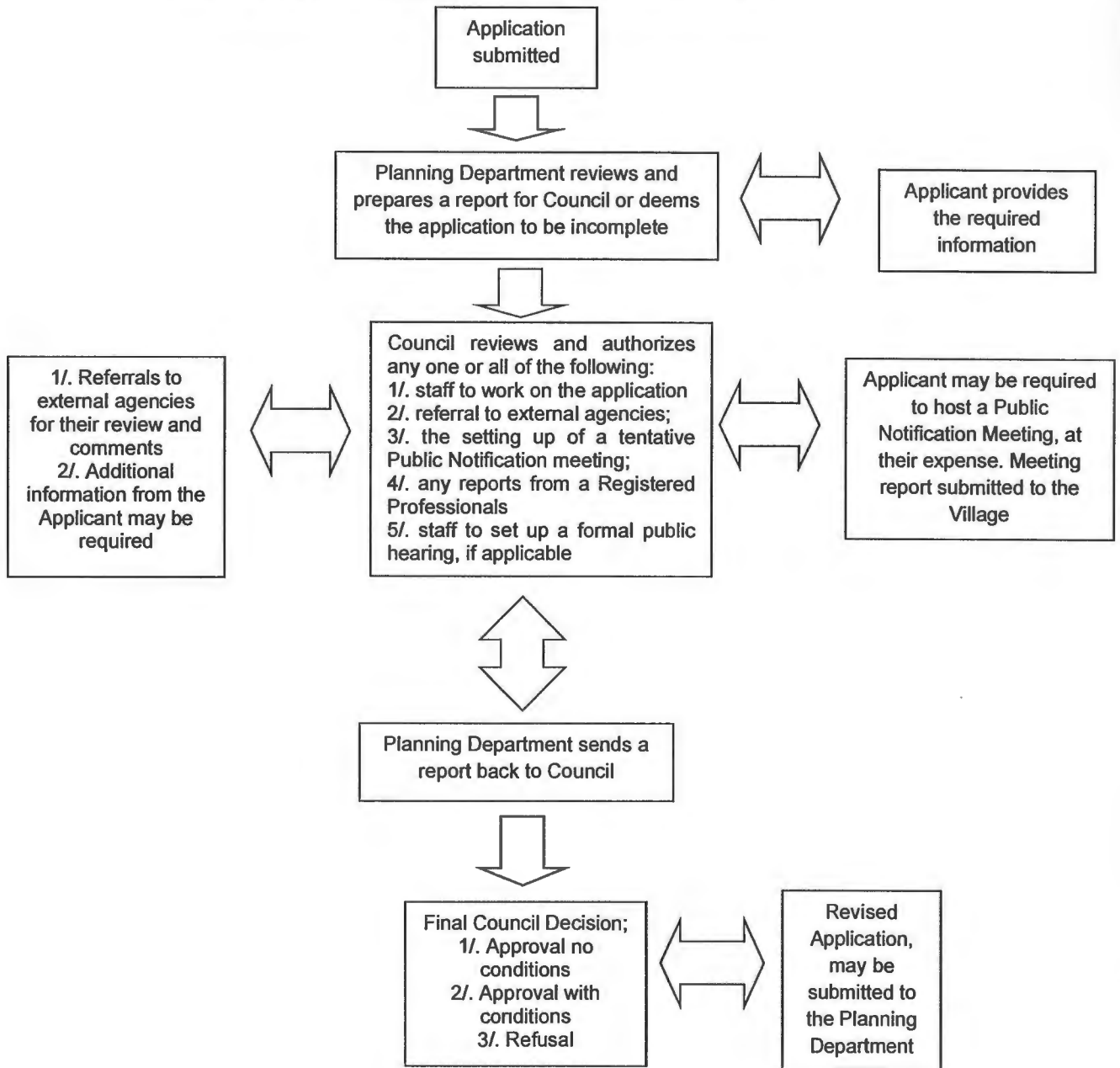
READ A THIRD TIME THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

Mayor

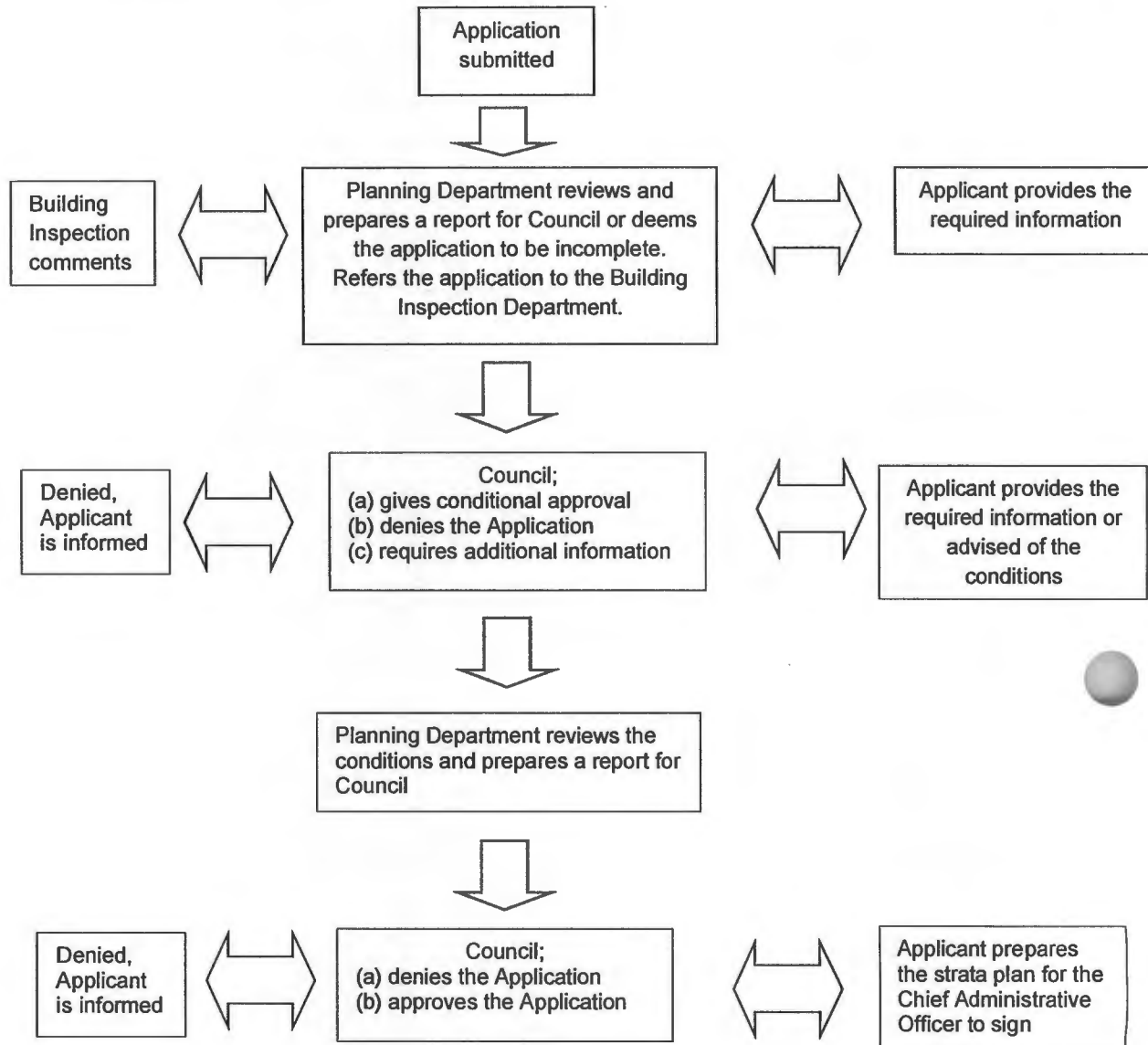
Corporate Officer

SCHEDULE "A"
PART 14 APPLICATION PROCESSING FLOWCHART



SCHEDULE "B"

BUILDING CONVERSION STRATA APPLICATION PROCESSING FLOWCHART





VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council DATE: November 22, 2016
FROM: Debra Key Deputy CAO/Corporate Officer FILE: 1970-01
SUBJECT: Percentage Additions Repeal Bylaw No. 1095, 2016

ISSUE: To repeal the Percentage Additions Bylaw No. 237, 1970

BACKGROUND:

Section 234 of the Community Charter establishes a general tax collection scheme that sets the due date for property taxes as July 2nd of each year; or the municipality can establish an alternative scheme under Section 235 of the Community Charter.

In 1970, the Village adopted a Percentage Additions Bylaw to establish an alternative municipal tax collection scheme that set a due date of July 31st. At the Regular Council Meeting of November 21, 2016, Council approved a motion to move toward the establishment of a general tax collection scheme pursuant to Section 234 of the Community Charter, which establishes a due date of July 2nd each year for the payment of property taxes.

Accordingly, the Percentage Additions Bylaw No. 237, 1970 must be repealed.

RECOMMENDATION:

THAT Percentage Additions Repeal Bylaw No. 1095, 2016 be given first, second and third readings.

Respectfully submitted:

REVIEWED BY:

Handwritten signature of Debra Key
Debra Key
Deputy Chief Administrative Officer/
Corporate Officer

Handwritten signature: M. McDonald
Madeline McDonald
Chief Administrative Officer



VILLAGE OF HARRISON HOT SPRINGS
BYLAW NO. 1095

A bylaw to repeal Percentage Additions Bylaw No. 237, 1970

WHEREAS the Council adopted the Percentage Additions Bylaw No. 237, 1970 on May 14, 1970 as an alternative municipal tax collection scheme;

AND WHEREAS Council approved the establishment of a general tax collection scheme pursuant to Section 234 of the *Community Charter*;

AND WHEREAS the Corporation of the Village of Harrison Hot Springs Percentage Additions Bylaw must be repealed;

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

1. **CITATION**

This Bylaw may be cited for all purposes as the "Percentage Additions Repeal Bylaw No. 1095, 2016".

2. The following bylaw is hereby repealed:

(a) The Corporation of the Village of Harrison Hot Springs "Percentage Additions Bylaw No. 237, 1970".

READINGS AND ADOPTION

READ A FIRST TIME THIS DAY OF , 2016

READ A SECOND TIME THIS DAY OF , 2016

READ A THIRD TIME THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

Mayor

Corporate Officer