



# VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

## REGULAR COUNCIL MEETING

**Date:** Monday, September 9, 2019  
**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 Regular Council Meeting Minutes of August 12, 2019 be adopted.

Item 4(a)  
Page 1

### 5. BUSINESS ARISING FROM THE MINUTES

### 6. CONSENT AGENDA

#### i. Bylaws

#### ii. Agreements

#### iii. Committee/ Commission Minutes

(a) Age Friendly Committee Meeting Minutes of May 2, 2019

Item 6.iii  
Page 9

#### iv. Correspondence

(a) Letter dated August 15, 2019 from the Green Communities  
Committee

Item 6.vi  
Page 11

### 7. DELEGATIONS/PETITIONS

(a) Fraser Valley Healthcare Foundation – Robert Beischer and Liz Harris  
RE: Update on current projects

Item 7(a)  
Page 15

### 8. CORRESPONDENCE

(a) Letter dated August 15, 2019 from the Miami River Streamkeepers Society

Item 8(a)  
Page 17

### 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)	<p>Report of the Community Services Coordinator – August 23, 2019 Re: Wi-Fi installation at Memorial Hall, Wastewater Treatment Plant and the Boat Launch Office</p> <p><u>Recommendation</u></p> <p>THAT an expenditure of up to \$15,000 from the Federal Gas Tax Fund be approved for the installation of Wi-Fi at the Memorial Hall, Wastewater Treatment Plant, and Boat Launch Office.</p>	<p>Item 12(a) Page 21</p>
(b)	<p>Report of the Planning Consultant – August 22, 2019 Re: Contravention of Fraser Valley Regional District Building Bylaw 1188</p> <p><u>Recommendation</u></p> <p>THAT staff be directed to file a Notice in the Land Title Office in accordance with s. 57 of the Community Charter due to the contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code at Unit #2 – 520 Hot Springs Road, Harrison Hot Springs, BC, legally described as Strata Lot 2, Section 133, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New Westminster District Strata Plan EPS3064, together with an interest in the common property in proportion to the entitlement of the Strata Lot as shown on Form V (PID: 029-768-381).</p>	<p>Item 12(b) Page 23</p>
(c)	<p>Report of the Planning Consultant – August 27, 2019 Re: To start the Rezoning Process – 622 Hot Springs Road</p> <p><u>Recommendation</u></p> <p>That staff be authorized to work on application 3360-20-Z03/19 for land legally described as: Parcel "A" (Reference Plan 11753) Lots 15 and 16 Except: Parcel One (Reference Plan 12824); and</p> <p>THAT Parcel "B" (Explanatory Plan 15935) Lot 15 both of Section 12 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 5519.</p>	<p>Item 12(c) Page 83</p>
(d)	<p>Report of the Deputy Chief Administrative Officer/Corporate Officer – August 14, 2019 Re: Barbeques and tents on the beach</p>	<p>Item 12(d) Page 85</p>

(e)	<p>Report of the Planning Consultant – August 28, 2019 Re: Panhandle Lot width exemption – 875/879 Hot Springs Road</p> <p><u>Recommendation:</u></p> <p><b>THAT</b> proposed Lot 2 in subdivision file 3320-20-SUB-875/879HSR for land legally described as: Lots G and F Section 12, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New West Minister District Plan 16245, from the 10% frontage requirement be referred to the Harrison Hot Springs Fire Chief for review and comment with respect to emergency access to the proposed new lots; and</p> <p><b>THAT</b> proposed Lot 2 in subdivision file 3320-20-SUB-875/879HSR for land legally described as: Lots G and F Section 12, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New West Minister District Plan 16245 be referred to the Village Engineer of Record for review and comment with respect to the ability of the Village to provide appropriate water and sewer services to the property.</p>	Item 12(e) Page 93
(f)	<p>Report of the Planning Consultant – August 28, 2019 Re: Panhandle Lot width exemption – 34 Echo Avenue</p> <p><u>Recommendation:</u></p> <p><b>THAT</b> proposed Lot 4 in subdivision file 3320-20-SUB-34ECHO for land legally described as: Lot 34, Section 13, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New Westminster District Plan 27133, be referred to the Harrison Hot Springs Fire Chief for review and comment with respect to emergency access to the proposed new lots;</p> <p><b>AND THAT</b> proposed Lot 4 in subdivision file 3320-20-SUB-34ECHO for land legally described as: Lot 34, Section 13, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New Westminster District Plan 27133 be referred to the Village Engineer of Record for review and comment with respect to the ability of the Village to provide appropriate water and sewer services to the property.</p>	Item 12(f) Page 97
(g)	<p>Report of the Infrastructure Manager– September 3, 2019 Re: Dedicated Road north of Mount Street</p> <p><u>Recommendation:</u></p> <p><b>THAT</b> the feasibility study to develop parking spaces on the road north of Mount Street be discontinued at this time.</p>	Item 12(g) Page 101
(h)	<p>Report of Community Services Coordinator – September 4, 2019 Re: Joint Response to Provincial Plastics Action Plan</p> <p><u>Recommendation:</u></p> <p><b>THAT</b> Council provide a response to the Ministry of Environment and Climate Change Strategy's proposed amendments to the Recycling Regulation of the Environmental Management Act, to encourage the reduction of the wasteful use of single-use plastics.</p>	Item 12(h) Page 103

**13. BYLAWS**

(a)	Report of the Deputy Chief Administrative Officer/Corporate Officer – August 14, 2019 Re: Inter-Municipal Business Licence Bylaw	Item 13(a) Page 105
	<u>Recommendation</u>	
	THAT Inter-Municipal Business Licence Bylaw No. 1144, 2019 be given first, second and third readings.	

**14. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)****15. ADJOURNMENT**

4(a)

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

**DATE:** Monday, August 12, 2019  
**TIME:** 7:00 p.m.  
**PLACE:** Council Chambers  
495 Hot Springs Road, Harrison Hot Springs, BC

**IN ATTENDANCE:** Mayor Leo Facio  
Councillor Samantha Piper  
Councillor Ray Hooper  
Councillor Gerry Palmer  
Councillor Michie Vidal

Chief Administrative Officer, Madeline McDonald  
Financial Officer, Tracey Jones  
Community Services Coordinator, Rhonda Schell  
Planning Consultant, Ken Cossey

**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**

None

**3. APPROVAL OF AGENDA**

Moved by Councillor Piper  
Seconded by Councillor Vidal

THAT the agenda be approved.

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-01

**4. ADOPTION OF COUNCIL MINUTES**

Moved by Councillor Piper  
Seconded by Councillor Hooper

THAT the Regular Council Meeting Minutes of July 8, 2019 be adopted.

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-02

**5. BUSINESS ARISING FROM THE MINUTES**

None

*Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019*

**6. CONSENT AGENDA**

i. Bylaws

(a) Bylaw Notice Enforcement Amendment Bylaw No. 1141, 2019

ii. Correspondence

(a) Letter dated July 18, 2019 from the Agassiz-Harrison Museum regarding Village of Harrison Hot Springs Funding for the Agassiz-Harrison Museum

**Moved by Councillor Hooper**  
**Seconded by Councillor Vidal**

THAT Bylaw Notice Enforcement Amendment Bylaw No. 1141, 2019 be adopted and the correspondence from the Agassiz-Harrison Museum regarding Village of Harrison Hot Springs Funding for the Agassiz-Harrison Museum be received.

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-03

**7. DELEGATIONS/PETITIONS**

Dementia-Friendly Communities, Alzheimer Society of B.C. – Heather Cowie

Ms. Cowie presented a PowerPoint on Dementia-Friendly Communities.

**8. CORRESPONDENCE**

None

**9. BUSINESS ARISING FROM CORRESPONDENCE**

None

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

**Councillor Palmer**

- Attended the In Camera Committee of the Whole Meeting on July 30, 2019
- Attended the Council to Council Meeting with Sts'ailes on July 31, 2019

**Councillor Piper**

- Attended the Canada Day debrief on July 13, 2019
- Attended the Council to Council meeting with Sts'ailes on July 31, 2019
- Attended Mountain Institution for the Lifers 1<sup>st</sup> Annual Social

*Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019*

**Councillor Vidal**

- Attended the Fraser Valley Regional District Regional and Corporate Services Committee meeting on July 9, 2019 on behalf of Mayor Facio
- Attended the Fraser Valley Indigenous Relations Meeting on July 11, 2019
- Attended the opening of the Indigenous Art Exhibit at the Kent Harrison Arts Council on July 11, 2019
- Attended a Truth and Reconciliation Planning Committee meeting on July 17, 2019
- Attended a presentation on Harm Reduction Strategies on July 18, 2019
- Attended in the In Camera Committee of the Whole Meeting on July 30, 2019
- Attended the Council to Council meeting with Sts'ailes on July 31, 2019

**Councillor Hooper**

- Attended the Agassiz Harrison Healthy Communities Response to Homelessness at the All Saints Church in Agassiz on July 11, 2019
- Attended the Agassiz-Harrison Historical Society Meeting on July 11, 2019
- Attended the Agassiz-Harrison Healthy Communities FLOH Meeting on Youth Addiction Knowledge on July 16, 2019
- Attended the Agassiz Harrison Healthy Communities Truth & Reconciliation Call to Action Day on July 17, 2019
- Attended the Age-friendly Meeting on July 18, 2019 and welcomed two new members.
- Attended the Agassiz Harrison Healthy Communities FLOH meeting on Harm Reduction on July 18, 2019
- Attended the Agassiz Harrison Healthy Communities FLOH Open House on July 28, 2019
- Attended the Agassiz Harrison Historical Society One Day Wonders Archaeology Event on August 6, 2019
- Attended the Agassiz Harrison Historical Society AGM on August 6, 2019

**11. MAYOR'S REPORT**

- Reported that BC Day long weekend was busy in Harrison Hot Springs
- Reported on the new bicycle lane sign on corner of Cedar Street and Hot Springs Road
- Reported that there are new wooden steps in the East Sector Lands Recreation Site
- Reported on a thank you card from Kent Harrison Arts Council
- Reported on the new public access life rings and signage along the beach front and that the mobi-mat is now installed
- Reported that the western beach swim grid is in
- Reported on the annual Dragon Boat Festival that had 60 teams attend
- Attended the Harrison Festival of the Arts official opening
- Reported that the provincial government is asking for feedback on a proposed BC Plastics Action Plan
- Clarified that the Village sent \$1,000 to the Municipality of Wood Buffalo after the wildfire not \$10,000
- Reported on the July 11, 2019 Observer article regarding an emergency route
- Welcomed the Association of School Transportation Services of BC to their annual conference and AGM
- Reported on correspondence regarding local MLA's calling on Fraser Health Authority to upgrade the maternity ward at Chilliwack General Hospital

*Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019*

- Read out councils roles and responsibilities from the Community Charter

**12. REPORTS FROM STAFF**

- (a) Report of the Infrastructure Manager  
Re: Road, Bridge, and Active Transportation Master Plan

Dave Cullen from CTQ Consultants presented the Road, Bridge and Active Transportation Plan.

**Moved by Councillor Vidal**  
**Seconded by Councillor Piper**

THAT Council receive the Road, Bridge and Active Transportation Master Plan as amended.

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-04

**Moved by Councillor Palmer**  
**Seconded by Councillor Hooper**

THAT the Road, Bridge and Active Transportation Plan be amended as follows:

- on page 28, 5<sup>th</sup> paragraph remove "An opportunity also exists to connect the east end of Echo with the east end of Lillooet with a parking lot/parkway. This new connection would add valuable parking options as well as provide new access to the downtown/waterfront. A new parking area located at the west end of Lillooet would provide access to existing trails and park areas";
- on page 29 under Recommendations remove "at Mount Street Parking lot and"

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-05

- (b) Report of the Financial Officer – August 6, 2019  
Re: Utility Billing

**Moved by Councillor Palmer**  
**Seconded by Councillor Vidal**

THAT Council authorizes staff to move forward with annual utility billing starting in 2020.

**CARRIED**  
**OPPOSED BY COUNCILLORS HOOPER AND PIPER**  
RC-2019-08-06

*Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019*

**Moved by Councillor Hooper**  
**Seconded by Councillor Vidal**

AND THAT the Village no-longer accept post-dated cheques for utility and property tax payments.

**OPPOSED BY COUNCILORS HOOPER, PALMER AND PIPER**  
**MOTION DEFEATED**

*RC-2019-08-07*

*Mayor Facio excused himself from Council Chambers at 8:42 p.m. due to a potential conflict of interest stating that a family member works for the owners of the establishment.*

*Councillor Vidal assumed the Chair as Acting Mayor.*

- (c) Report of the Deputy Chief Administrative Officer/Corporate Officer – July 18, 2019

Re: Application for a Structural Change for Liquor Licence – Milos Greek Taverna – Request for Liquor Primary Licence for both floors

**Moved by Councillor Palmer**  
**Seconded by Councillor Piper**

THAT a Liquor Primary Licence be recommended for approval for both floors for the Milos Greek Tavern; and

THAT public input not be required as the proposed change to the Liquor Primary Licence will have no net impact on the community with respect to any additional noise or other inconvenience to nearby residents or the general public.

**CARRIED**  
*RC-2019-08-08*

*Mayor Facio returned to Chambers at 8:44 p.m.*

Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019

- (d) Report of the Chief Administrative Officer – August 12, 2019  
Re: Boat Launch Parking Lot Paving Tender Award

The Chief Administrative Officer reported on the following recommendation that was approved in an earlier In Camera Meeting.

*THAT the Boat Launch Parking Lot Paving Project, Reference 2019-02, be awarded to Key West Asphalt (333) Ltd., who offered the lowest compliant bid, at a total cost of \$130,375.50.*

*AND THAT the result of this tender call, if awarded, be reported out at open meeting at the Regular Council Meeting of August 12, 2019.*

Dave Cullen from CTQ Consultants provided Council with information on MMCDAs requirements.

- (e) Community Services Coordinator – August 7, 2019  
Re: Synthetic Outdoor Rink Purchase

**Moved by Councillor Piper**  
**Seconded by Councillor Palmer**

THAT an expenditure of up to \$130,000 from the Resort Municipality Initiative funds for the purchase of a synthetic outdoor rink from Xtraice be approved.

AND THAT an expenditure of up to \$40,000 from the Resort Municipality Initiative funds for installation, additional panels, maintenance and rental shop accessories be approved.

AND THAT staff be authorized to develop signage and policies for the use of the rink.

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-09

- (f) Report of the Planning Consultant – August 8, 2019  
Re: To issue a Development Variance Permit (DVP) – 844 Angus Place

**Moved by Councillor Piper**  
**Seconded by Councillor Vidal**

THAT Development Variance Permit DVP 04/19 be issued to Jessie Nicole Evelyn Ramsay for the property located at 844 Angus Place, Harrison Hot Springs for land legally described as:

Lot 67 Section 12 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 52361

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-10

*Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019*

- (g) Report of the Planning Consultant – July 22, 2019  
Re: To start the rezoning process (410 Echo Avenue)

**Moved by Councillor Hooper**  
**Seconded by Councillor Vidal**

THAT staff be authorized to work on application 3360-20-Z01/19 for land legally described as: Lot 32, Section 13 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 27133, located at 410 Echo Avenue.

**CARRIED  
UNANIMOUSLY**  
RC-2019-08-11

- (h) Report of the Chief Administrative Officer – August 2, 2019  
Re: Sale of Surplus Lots Adjacent to Village Office

The Chief Administrative Officer reported out on the direction given at In Camera Committee of the Whole Meeting.

THAT staff be authorized to prepare a Zoning Amendment Bylaw to allow for a high density residential use with an option for ground floor commercial retail for up to a maximum height of three (3) storeys for the properties legally described as:

Lot 2, Block 2, S 13, Tp 4, Range 29, W6M NWD Plan 9786  
Lot 3, Block 2, S 13, Tp 4, Range 29, W6M NWD Plan 9786  
Lot 4, Block 2, S 13, Tp 4, Range 29, W6M NWD Plan 9786  
Lot 16, Block 2, S 13, Tp 4, Range 29, W6M NWD Plan 9786  
Lot 17, Block 2, S 13, Tp 4, Range 29, W6M NWD Plan 9786  
Lot 18, Block 2, S 13, Tp 4, Range 29, W6M NWD Plan 9786

**13. BYLAWS**

- (a) Report of the Planning Consultant – August 8, 2019  
Re: Official Community Plan Amendment Bylaw 1142, 2019 and Zoning Amendment Bylaw 1143, 2019

**Moved by Councillor Piper**  
**Seconded by Councillor Vidal**

THAT Official Community Plan Amendment Bylaw 1142, 2019 be given first and second reading;

**CARRIED  
OPPOSED BY COUNCILLOR HOOPER**  
RC-2019-08-12

*Village of Harrison Hot Springs  
Minutes of the Council Meeting  
August 12, 2019*

**Moved by Councillor Palmer**  
**Seconded by Councillor Piper**

THAT Zoning Amendment Bylaw No. 1143, 2019 be given first and second reading.

**CARRIED**  
**OPPOSED BY COUNCILLOR HOOPER**  
RC-2019-08-13

**Moved by Councillor Vidal**  
**Seconded by Councillor Palmer**

THAT Official Community Plan Amendment Bylaw 1142, 2019 be referred to the Fraser Valley Regional District (FVRD) to ensure that this bylaw conforms to the FVRD Regional Growth Strategy; and

THAT Official Community Plan Amendment Bylaw 1142, 2019 and Zoning Amendment Bylaw No. 1143, 2019 be referred to the Advisory Planning Commission for their comment; and

THAT staff be authorized to set up a public hearing for Official Community Plan Amendment Bylaw 1142, 2019 and Zoning Amendment Bylaw No. 1143, 2019.

**CARRIED**  
**UNANIMOUSLY**  
RC-2019-08-14

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

Questions from the public were entertained.

**15. ADJOURNMENT**

**Moved by Councillor Palmer**  
**Seconded by Councillor Piper**

THAT the meeting be adjourned at 9:58 p.m.

**CARRIED**  
**UNANIMOUSLY**  
RC-2019-08-15

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Leo Facio  
Mayor

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Debra Key  
Corporate Officer

VILLAGE OF HARRISON HOT SPRINGS  
AGE-FRIENDLY COMMITTEE MEETING

(iii)

DATE: Thursday, May 2, 2019  
TIME: 1:39 p.m.  
PLACE: Council Chambers  
495 Hot Springs Road, Harrison Hot Springs, BC

IN ATTENDANCE: Councillor Ray Hooper, Chair  
Allan Jackson  
Ken Gisborne

Deputy Chief Administrative Officer/Corporate Officer, Debra Key  
Community Services Coordinator, Rhonda Schell

ABSENT:

*Recording Secretary: Jaclyn Bhatti*

1. CALL TO ORDER

The Chair called the meeting to order at 1:39 p.m.

2. INTRODUCTION OF LATE ITEMS

None

3. APPROVAL OF AGENDA

Moved by Ken Gisborne  
Seconded by Allan Jackson

THAT the agenda be approved.

**CARRIED  
UNANIMOUSLY**  
AFC-2019-05-01

4. ADOPTION OF MINUTES

Moved by Ken Gisborne  
Seconded by Allan Jackson

THAT the minutes of the Age-Friendly Committee Meeting held on February 28, 2019 be adopted.

**CARRIED  
UNANIMOUSLY**  
AFC-2019-05-02

*Village of Harrison Hot Springs  
Minutes of the Age-friendly Committee Meeting  
May 2, 2019*

5. **ITEMS FOR DISCUSSION**

(a) Expression of Interest

**Moved by Allan Jackson**  
**Seconded by Ken Gisborne**

THAT Allison Douglas and Brent Douglas be appointed to the Age-friendly Committee.


**CARRIED  
UNANIMOUSLY**  
AFC-2019-05-03


7. **ADJOURNMENT**

**Moved by Ken Gisborne**  
**Seconded by Allan Jackson**

THAT the meeting be adjourned at 1:41 p.m.

**CARRIED  
UNANIMOUSLY**  
AFC-2019-05-04

  
\_\_\_\_\_  
Ray Hooper  
Chair

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

6(vi)

RECEIVED

AUG 20 2019

BY VILLAGE OF HARRISON HOT SPRINGS

G R C COMMITTEE

FILE #	DATE
2240-2023	Aug 16 2019
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> INFRA
<input type="checkbox"/> DCAO/CO	<input type="checkbox"/> W
<input type="checkbox"/> FO	<input type="checkbox"/> DIST
<input type="checkbox"/> ACCOUNT	<input checked="" type="checkbox"/> MAYOR
<input checked="" type="checkbox"/> COMM SERV	<input checked="" type="checkbox"/> COUNCIL
ITEM A. 2	(C)
COUNCIL AGENDA	
DATE Sep 9/19	INITIAL [Signature]
ITEMS: A-REQ, ACTION:	
B - INFO - W/REP;	
C - INFO ONLY	

August 15, 2019

His Worship Mayor Leo Facio and Councillors  
Village of Harrison Hot Springs  
Box 160  
Harrison Hot Springs BC VOM 1K0

Dear Mayor Facio and Councillors:

On behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for your successful efforts to undertake significant corporate or community-wide climate action to reduce greenhouse gas (GHG) emissions in the 2018 reporting year.

As a signatory to the Climate Action Charter, you have demonstrated your commitment to work with the Province of British Columbia and UBCM to take action on climate change and to reduce GHG emissions in your community and through corporate operations.

The work that local governments are undertaking to reduce their corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in the community. Your leadership and commitment continues to be essential to ensuring the achievement of our collective climate action goals.

The GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is enclosed for your reference.

As a Charter signatory who has achieved Level 1 and Level 2 recognition, and demonstrated significant climate action (corporately or community-wide) to reduce GHG emissions for the 2018 reporting year, you have been awarded Level 3 recognition – 'Accelerating Progress on Charter Commitments'.

.../2

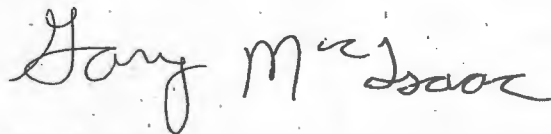
In recognition of your significant achievements, the GCC is pleased to provide you with climate action community branding for use on official websites and letterheads. An electronic file with the 2018 logo will be provided to your Chief Administrative Officer via email. Also enclosed is a *BC Climate Action Community 2018 – Climate Leader* window decal, for use on public buildings.

Congratulations again on your continually improving achievement. We applaud your leadership and wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality, and your efforts to reduce emissions in the broader community.

Sincerely,



Tara Faganello  
Assistant Deputy Minister  
Local Government Division  
Ministry of Municipal Affairs and Housing



Gary MacIsaac  
Executive Director  
Union of British Columbia Municipalities

Enclosures



## GCC Communiqué on the Climate Action Recognition Program

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B.C. local governments continue to play a critical role in reducing GHG emissions across the province. In acknowledgment of the ongoing efforts of B.C. local government leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to continue the Climate Action Recognition Program (*Recognition Program*) for the 2018 reporting year. This multi-level program provides the GCC with an opportunity to review and publicly recognize, on an annual basis, the progress and achievements of each Climate Action Charter (*Charter*) signatory on their *Charter* commitments. Recognition is provided according to the following:

### **Level 1: Demonstrating Progress on Charter Commitments**

Local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments receive a letter from the GCC acknowledging their accomplishments.

### **Level 2: Measuring GHG Emissions**

Local governments that achieve level 1, have completed a corporate carbon inventory for the reporting year and demonstrate that they are familiar with their community's community energy and emissions inventory receive a letter from the GCC and a 'BC Climate Action Community 2018' logo, for use on websites, letterhead, etc.

### **Level 3: Accelerating Progress on Charter Commitments**

Local governments that achieve levels 1 and 2 and demonstrate significant corporate or community-wide climate action to reduce GHG emissions in the reporting year receive a letter from the GCC and a 'BC Climate Action Community 2018 – Climate Leader' logo, for use on websites, letterhead, etc.

### **Level 4: Achievement of Carbon Neutrality**

Local governments that achieve carbon neutrality in the reporting year receive a letter from the GCC and a 'BC Climate Action Community 2018 – Climate Leader - Carbon Neutral' logo, for use on websites, letterhead, etc.

To be eligible for the *Recognition Program*, local governments must fulfill the public reporting requirements (including reporting progress to carbon neutrality) of the Climate Action Revenue Incentive Program (CARIP). Recognition levels for the *Recognition Program* are based on the information included in each local government's annual CARIP public report. For more information on CARIP and the public reporting requirements go to:

<https://www2.gov.bc.ca/gov/content/governments/local-governments/grants-transfers/climate-action-revenue-incentive-program-carip>



7(a)

**HARRISON HOT SPRINGS**

*Naturally Refreshed*

**VILLAGE OF HARRISON HOT SPRINGS**

Request to Appear as a Delegation

In order to make a presentation to Council at a Council Meeting, you are required to submit a written request to the Corporate Administration Department no later than 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 [admin@harrisonhotsprings.ca](mailto:admin@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.

September 9/19

Date: <u>Jan 2019</u>	Requested Meeting Date: <u>Aug 12/2019</u>
Organization Name (if applicable): <u>Fraser Valley Healthcare Foundation</u>	
Name of Presenter: <u>Robert Berscher ~ Liz Harris</u>	
Name of Applicant if Other than Above: _____	
Contact Phone Number & E-Mail: <u>604 701-4051 robert.berscher@fraserhealth.ca</u>	
Mailing Address with Postal Code: <u>32900 Marshall Rd Abbotsford BC V2S 0C2</u>	
Audio/Visual requirements: <u>PowerPoint</u>	
Topic: <u>Update on current projects</u>	
Action you wish Council to take: _____	
_____	
_____	



RECEIVED  
AUG 19 2019  
BY VILLAGE OF HARRISON HOT SPRINGS



8(a)

C/O PO Box 82, Harrison Hot Springs, BC, V0M 1K0

[www.miamiriverstreamkeepers.ca](http://www.miamiriverstreamkeepers.ca)

## MIAMI RIVER RESTORATION PROJECT "THINK TANK"

### BRIEFING NOTE/RECOMMENDATIONS

August 15, 2019

Village of Harrison Hot Springs Mayor & Council:

- On March 6, 2019 and June 6, 2019 the Miami River Streamkeepers hosted meetings with members of the Miami River Restoration Think Tank group.
- Attendees included representatives from the Miami River Streamkeepers Society, Sts'ailes First Nation, Fraser Valley Conservancy, Fraser Valley Watersheds Coalition, Harrison Salmon Stronghold, Raincoast Conservation Society, Earthwise Society, Department of Fisheries & Oceans, and Pearson Ecological.
- The group reached consensus on a number of recommendations within the purview of the Village of Harrison Hot Springs for consideration by Mayor and Council, including:

**1. Adopt (or revise) tree cutting and riparian area bylaws to protect the Miami River and its tributaries.**

Native vegetation adjacent to waterways, particularly trees, protect the quality and integrity of aquatic habitat by shading (and cooling) the stream, stabilizing banks to prevent erosion, intercepting runoff from developed areas, creating habitat structure, providing leaves and insects that feed invertebrates and fish, among other critical functions.

Current Tree Management Bylaw No. 1015 in Harrison Hot Springs indicates that planting of replacement trees is only required in instances when trees are removed without a permit. To prevent long term reductions in tree numbers and canopy cover in the Village, the Bylaw should be amended to require that replacement trees at a 2:1 ratio be planted to replace trees removed under permits issued.

The 2:1 ratio will compensate for trees that died or are removed prior to reaching 30 cm in diameter. In cases where this is not possible on the property where trees were removed, trees could be added along streets, in parks, and on other municipally or privately owned land where trees are desired. It is also recommended that the species list for "Distinct Tree" (Item 2 in Bylaw) be amended to include any native tree over 100 cm in diameter.

Watercourse protection bylaws allow municipalities to regulate development and pollution impacts on waterbodies. Both are commonly applied by municipalities to protect riparian areas in British Columbia. Examples and recommendations contents are well presented in the Green Bylaws Toolkit, an initiative of the University of Victoria's Environmental Law Clinic distributed by the Stewardship Centre of B.C.

<https://stewardshipcentrebc.ca/green-bylaws-toolkit/>

2. **Request that ex-officio representation on the District of Kent's Agassiz-Harrison Drainage Committee be made available to the Village of Harrison Hot Springs, Sts'ailes First Nation, Sq'ewlets First Nation, Cheam First Nation, and Seabird Island First Nation.**

The Agassiz-Harrison Drainage Committee provides advice to the District of Kent regarding drainage issues and priority projects within the District of Kent. These projects have direct impacts, positive and negative, on habitat and drainage within the Village of Harrison Hot Springs. They also have potential to impact Rights and Title within Traditional Territories of local Indigenous Communities. Inclusion of non-voting representatives of affected communities would provide an efficient and collaborative means of ensuring that all interests are adequately considered.

3. **Support the development of a potential fish habitat enhancement project on the East Sector lands.**

Water quality in Hot Springs Slough is currently too poor to support fish during mid-summer. At least one of its tributaries, originating at the base of Bear Mountain, receives sufficient groundwater to maintain water quality and support fish year round (Pearson Ecological unpub. data). We believe that the opportunity to create one or more additional fish refuge areas close to the mountain exists.

One of our partner organizations, the Fraser Valley Conservancy, currently has funding from the federal government to initiate such a project. They will likely be approaching the Village of Harrison Hot Springs and the Fraser Valley Regional District staff, requesting support and guidance relating to these habitat improvement works that could occur during the 2020 in-stream works window.

4. **Approach the District of Kent and local First Nations, via the Community to Community group, regarding development of a pilot habitat restoration project in the upper Miami watershed to improve watershed health and increase Coho and Chum Salmon populations, while maintaining or improving agricultural drainage and production.**

Water quality and habitat conditions in the upper Miami River watershed within the District of Kent have major impacts on the quality of water and fish habitat within the Village of Harrison Hot Springs. At present, flow stops and oxygen

levels in the water decline to levels that will not support fish in mid-summer to late fall. The Village demonstrated commitment and leadership in protecting habitat and recreational values in the Miami River Corridor through its trail system and facilitating protection of the East Sector lands.

While restoration of habitat and fisheries productivity are important, solutions must also recognize the importance of agricultural production in the watershed and the need for adequate drainage. A collaborative demonstration project could improve conditions for all affected communities and provide a positive example of agricultural and municipal stewardship.

Although we are interested in being involved in implementing such a project, we believe that initial landowner contact and project conceptualization would be better handled by local government and First Nations.

**5. Build Capacity for Community Engagement/Awareness regarding the Miami River Watershed Restoration Project.**

The Miami River Watershed spans the community of Harrison Hot Springs and the District of Kent. If the watershed is to be restored to improve and maintain a healthy ecosystem, Public Awareness and Engagement will be crucial factors. Creating a Streamside Trail to connect the Miami River Greenway in Harrison Hot Springs with the Earthwise Society's trail system in Kent District would provide a valuable component to promote public interest, education, and awareness.

Watercourse access via a trail system from the District of Kent to Harrison Hot Springs is feasible along the Earthwise Society's trail at Golf Road to the existing M.R. Greenway Trail at Eagle and McCombs Roads. Access would be required from BC Hydro's powerline right-of-way, along Hot Springs Road (recently widened) to McPherson Road.

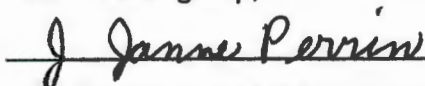
From there the trail would connect with the FVRD (Fraser Valley Regional District) which has developed a trail system in the East Sector Recreation Area. The trail would emerge on the Quarry Trail in HHS, where there is easy access to the Greenway Trail from Eagle Street, after crossing the road bridge to the south side of the Miami.

The Think Tank group is willing to explore grants for an inter-community trail project to allow the public access and ownership. This would be combined with public awareness programs including school groups through outdoor education programs, salmon releases in the Miami, and the FVC (Fraser Valley Conservancy) Nature Steward Program.

Proposed name for the trail: Miami River Watershed Trail.

Brief respectfully submitted on behalf of the Miami River Restoration Project

"Think Tank" group,



Janne Perrin, President

Miami River Streamkeepers Society





## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

TO: Mayor and Council DATE: August 23, 2019

FROM: Rhonda Schell FILE: 0810-20-01/08  
Community Services Coordinator 5340-03

SUBJECT: Wi-Fi Installation at Memorial Hall to Wastewater Treatment Plant and Boat Launch Office

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#### ISSUE:

Installation of wireless internet access at Memorial Hall, the Wastewater Treatment Plant (WWTP), and the Boat Launch Office.

#### DISCUSSION:

Memorial Hall is within the area of a telecommunications fiber optics network. The other two locations, the WWTP and the Boat Launch Office, are not. Our information technology consultants advise that Memorial Hall can be directly connected to the Shaw broadband network and an installation of approximately four wireless access points would provide internet access throughout the building. Through the use of wireless bridges, the signal from Memorial Hall can be extended to the Wastewater Treatment Plant and the Boat Launch Office.

Internet access in municipal buildings is an essential tool for operations, communications, and security system monitoring. Currently staff at the WWTP access their corporate email and the internet via a cellphone hotspot. Enabling connectivity for our utility staff will improve their ability to access information in an efficient manner and will help centralize digital data storage in a secure manner.

An additional benefit to the Village is the ability to offer the added amenity of wireless internet access for events, increasing the marketability of Memorial Hall. Wi-fi will also benefit business operators out of the boat launch office and event coordinators at Memorial Hall by enabling debit/credit card sales.

Security to the Village network will be provided by a firewall and a virtual private network which will be configured for staff at the WWTP. Guests and other operators at our facility will not be given access to our network, they will be given access to a guest portal for connectivity that can be time limited to the event duration or maximum number of connections. The public will not have access to either the Village network or the Internet.

**FINANCIAL IMPLICATIONS:**

The cost of hardware and installation services are estimated at \$15,000. The Federal Gas Tax Fund allows for expenditures to install infrastructure that provides internet access to residents, businesses and/or institutions in Canadian communities under the Broadband Connectivity category.

Operating costs will be approximately \$115 per month.

**RECOMMENDATION:**

THAT an expenditure of up to \$15,000 from the Federal Gas Tax Fund be approved for the installation of Wi-Fi at the Memorial Hall, Wastewater Treatment Plant, and Boat Launch Office.

Respectfully submitted:

*Rhonda Schell*

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Rhonda Schell  
Community Services Coordinator

REVIEWED BY:

*Madeline McDonald*

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Madeline McDonald  
Chief Administrative Officer

REVIEWED BY:

*Tracey Jones*

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Tracey Jones  
Financial Officer



## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

TO: Mayor and Council DATE: August 22, 2019

FROM: Ken Cossey, MCIP, RPP FILE: 3800-20-520 HSR  
Planning Consultant

SUBJECT: Contravention of Fraser Valley Regional District Building Bylaw 1188

ISSUE: To seek issuance of s. 57 Notice on Title

#### BACKGROUND:

Attached is a report from the Fraser Valley Regional District regarding contravention of their Building Bylaw 1188, 2013 and subsequent correspondence between the FVRD, Village of Harrison Hot Springs and property owner.

This matter was further addressed at a Regular Council meeting on July 8, 2019 wherein the Planning Consultant presented a report with respect to the property owner's application for a Flood plain exemption request. The staff report and Council's decision are attached for reference.

The Village sent a registered letter to the property owner on July 16, 2019 advising that a Show Cause Hearing was scheduled to give opportunity to show cause why the Village should not direct staff to file a s. 57 Notice on title of the property in relation to outstanding contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code. A copy of that letter is attached.

#### RECOMMENDATION:

THAT staff be directed to file a Notice in the Land Title Office in accordance with s. 57 of the Community Charter due to the contraventions of the Fraser Valley Regional District Building Bylaw No. 1188, 2013 and the BC Building Code at Unit #2 – 520 Hot Springs Road, Harrison Hot Springs, BC, legally described as Strata Lot 2, Section 133, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New Westminster District Strata Plan EPS3064, together with an interest in the common property in proportion to the entitlement of the Strata Lot as shown on Form V (PID: 029-768-381).

Respectfully submitted:

REVIEWED BY and Concurrence  
with the RECOMMENDATIONS

Ken Cossey  
Ken Cossey, MCIP, RPP,  
Planning Consultant

Madeline McDonald  
Madeline McDonald  
Chief Administrative Officer



# HARRISON HOT SPRINGS

*Naturally Refreshed*

File: 3800-20

July 16, 2019

**REGISTERED MAIL**

Ms. Desirae Jean Bailie

PO Box 466

2-520 Hot Springs Road

Harrison Hot Springs BC V0M 1K0

**FILE:** 4010-20- HHS5240.16320

**CIVIC:** 2-520 Hot Springs Road

**PID:** 029-768-381

**LEGAL:** STRATA LOT 2 SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF THE 6TH MERIDIAN  
NEW WESTMINSTER DISTRICT STRATA PLAN EPS3064 TOGETHER WITH AN  
INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT  
ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V

Dear Ms. Bailie:

**Re: SHOW CAUSE HEARING SCHEDULED – Section 57 Notice on Title  
Contraventions of Building Bylaw No. 1188, 2013 - Construction without a Building  
without a Permit – Unit 2 – 520 Hot Springs Road, Harrison Hot Springs BC**

Further to our previous correspondence dated March 1, 2018 (copy attached), that was sent to you on the same day, please be advised you are hereby notified that your opportunity to be heard by the Harrison Hot Springs Mayor and Council is scheduled. The meeting is to show cause why Harrison Hot Springs Mayor and Council should not direct staff to file a Notice against the title of your property at Unit 2 – 520 Hot Springs Road in relation to the outstanding contraventions of the *Fraser Valley Regional District Building Bylaw No. 1133, 2018*, and the *BC Building Code*, pursuant to Section 57 of the *Community Charter*.

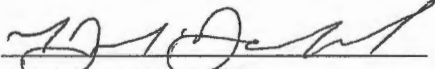
The **show cause** hearing is scheduled for **Monday, September 9, 2019 at 7:00pm**, in Council Chambers of the Village of Harrison Hot Springs Municipal Hall at 495 Hot Springs Road, Harrison Hot Springs, British Columbia.

Mayor and Council will consider registration of the Section 57 Notice on the title of your property at Unit 2 – 520 Hot Springs Road whether or not you are in attendance. For your convenience, I have attached relevant extracts from the *Community Charter* and a copy of the staff report which will be considered by Mayor and Council.

Municipal Office: P.O. Box 160, 495 Hot Springs Road, Harrison Hot Springs, BC V0M 1K0  
E [info@harrisonhotsprings.ca](mailto:info@harrisonhotsprings.ca) W [www.harrisonhotsprings.ca](http://www.harrisonhotsprings.ca)  
T 604 796 2171 F 604 796 2192

If you require further information or clarification on the above noted process, please contact Debra Key, Corporate Officer at 604-796-2171 in advance of this meeting.

Sincerely,



Madeline McDonald  
Chief Administrative Officer

cc: Margaret-Ann Thornton, FVRD Director of Planning & Development  
Review of Registered Property Title – Organizations with interest in property  
Prospera Credit Union (Mortgage #CA6578918)

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Attach: July 8, 2019 Staff Report from Bylaw and Appointed Building Inspector  
May 2, 2019 Land Title Search Results  
May 2, 2019 Property Information Report  
May 2, 2019 Property Information Map  
Notice on Title Information Sheet Including Community Charter, Section 57 and 58

March 1, 2018

**Via Email: [des.andshawnbailie@gmail.com](mailto:des.andshawnbailie@gmail.com)**

Ms. Desirae Jean Bailie  
2 – 520 Hot Springs Road  
Harrison Hot Springs BC V0M 1K0

**FILE: 4010-20-HHS5240-16320**

**CIVIC: Unit 2 – 520 Hot Springs Road**

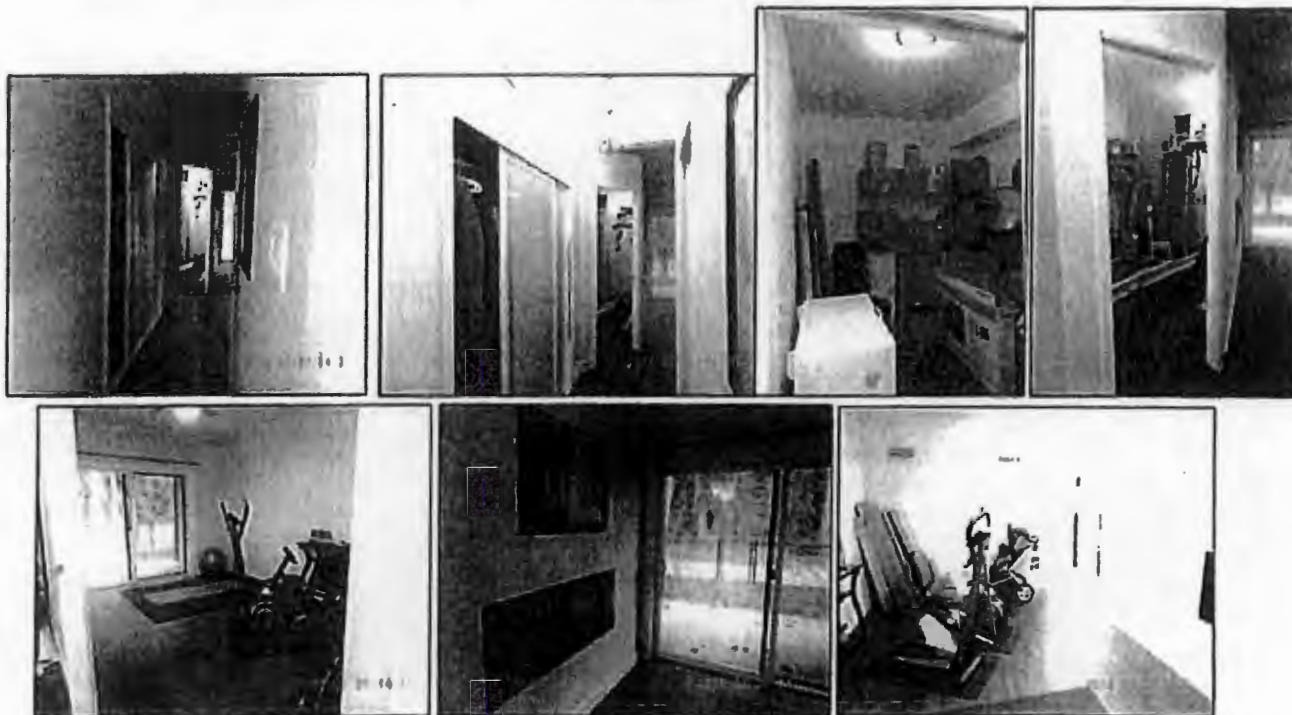
**PID: 029-768-381**

**LEGAL: Lot 2, Section 13, Township 4, Range 29, Meridian 6, New Westminster, Plan EPS3064 Meridian W6, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V**

Dear Ms. Bailie

**RE: CONTRAVENTION OF THE BUILDING BYLAW No. 1188, 2013– CONSTRUCTION WITHOUT PERMIT**

It has come to our attention at the Fraser Valley Regional District's most recent site inspection of your property at #2 – 520 Hot Springs Road (the "property") on February 20, 2018; that there has been construction work within the garage portion of your residential townhouse on your property without the benefit of obtaining a building permit (see enclosed photos below).





As discussed during the site inspection the converted garage portion of your residential townhouse that was constructed on your property was done without an approved building permit as required and detailed in section 6.1 of the *Fraser Valley Regional District's Building Bylaw No. 1188, 2013*.

#### Section 6 Prohibition

*No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction until a building official has issued a valid and subsisting permit for the work.*

During the site inspection, Mr. Greg Price, Regional District Building Inspector posted Stop Work and No Occupancy Notices on your property because the converted garage portion of your residential townhouse was built below the flood construction level without an approved building permit. Mr. Greg Price, Building Inspector advised you that prior to making an application for a building permit for the unpermitted construction you should consult with the Village of Harrison Hot Springs to see if you are able to obtain an exemption from the covenant that is registered on the title of your property. To bring the property into compliance with all Bylaw requirements it is required that you please advise the FVRD in writing of your intent to proceed to bring your property into compliance with all Bylaw and requirements prior to **April 4, 2018**.

Options for your consideration include:

1. An Application for a demolition building permit to remove the unpermitted construction; or
2. An Application for a Building Permit to permit the construction works; it is noted that there is a flood construction elevation (FCL) requirement and a registered covenant preventing works below the FCL. These items will need to receive approval from the Village of Harrison Hot Springs before the Building Permit can be considered for issuance.

If you choose to proceed with a demolition building permit for removal of the works, please ensure that the completed application form includes the following items:

- a) An initial application fee in the amount of \$150.00 for the permit; and
- b) A completed application form.

If you choose to proceed with a building permit to allow the works constructed, please obtain the required approvals from the Village of Harrison Hot Springs to vary the Harrison Hot Springs Bylaw

establishing the flood construction elevation (FCL) requirement and the amendment of the existing registered covenant on title of the property. Once these approvals are obtained, you will be required to submit a Building Permit application to the FVRD, and please ensure that the completed Building Permit application form includes the following items:

- a) Detailed to scale drawings for the structure including the uses for each space;
- b) An initial application fee in the amount of \$150.00 for the permit;
- c) A completed application form; and
- d) An approved, signed and sealed exemption to the covenant registered on your property from the Village of Harrison Hot Springs.

Building Permit Application forms are available online for your convenience on the Regional District's website at: <http://www.fvrd.ca/EN/main/services/building-permits-inspection/forms.html>

The Regional District wishes to work with you to enable you to bring your property into compliance with the *BC Building Code* and Regional District bylaws. However, if you have not satisfied one of the above options for compliance by the above stated deadline you may be subject to fines of \$500 per occurrence and or other means of enforcement action on behalf of the Regional District in accordance with the *Fraser Valley Regional District Bylaw Notice Enforcement Bylaw No. 1415, 2017*.

We want to convey that your property in its current condition may create a safety concern for yourself, and your neighbours. We encourage you to read the *Occupiers Liability Act*, regarding property safety and negligence, available online at: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96337\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96337_01)

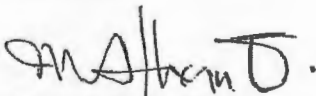
The FVRD has received a number of emails from you and we spoke by telephone, where you requested the following information in writing:

1. A copy of all photos taken by FVRD staff during the February 20, 2018 site visit; and
2. A copy of signed Building Permit drawings showing the existing Flood construction elevation (FCL).

The information that you requested is being assembled and will be forwarded to you by a separate letter.

We look forward to your anticipated cooperation in the quick resolution of this matter, and if you have any questions or wish to discuss this matter further, you may contact me by calling toll-free at 1-800-528-0061, directly at 604-702-5004 or by email at [mthornton@fvrd.ca](mailto:mthornton@fvrd.ca). Our office hours are Monday through Friday from 8:30am to 4:30pm, excluding statutory holidays.

Respectfully,



Margaret-Ann Thornton  
Director of Planning & Development

cc: Madeline McDonald, Village of Harrison Hot Springs  
Debra Key, Village of Harrison Hot Springs  
Greg Price, Building Inspector and Bylaw & Building Coordinator  
Louise Hinton, Bylaw Compliance and Enforcement Officer

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To: Mayor and Council of the Village of Harrison Hot Springs

Date: 2019-07-08

From: Margaret-Ann Thornton, FVRD Director of Planning and Development

File No: HHS5240-16320

Louise Hinton, FVRD Bylaw Compliance & Enforcement Officer

**Subject:** Building Bylaw and BC Building Code Contraventions at Unit #2 – 520 Hot Springs Road, Harrison Hot Springs Road, Harrison Hot Springs (PID: 029-768-381)

## RECOMMENDATION

THAT the Village of Harrison Hot Springs Council direct staff to file a Notice in the Land Title Office in accordance with Section 57 of the *Community Charter* due to the contraventions of the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* and the *BC Building Code*, at Unit #2 – 520 Hot Springs Road Harrison Hot Springs, British Columbia (Legally Described as: Strata Lot 2 Section 13 Township 4 Range 29 West of the 6th Meridian New Westminster District Strata Plan EPS3064 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V. (PID: 029-768-381).

## STRATEGIC AREA(S) OF FOCUS

## PRIORITIES

Support Environmental Stewardship

Provide Responsive & Effective Public Services

## BACKGROUND

- |               |   |
|---------------|---|
| Jan. 29, 2018 | FVRD Bylaw Officer receives written complaint that there is construction work being done at the Branches townhouses at #2-520 Hot Springs Road to enclose their basement level which is below the allowable Flood Construction level (FCL). FVRD Building Inspector confirms that he received a telephone enquiry from the same unit a number of months ago that and owners were told they could not enclose the same unit. |
| Jan. 31, 2018 | FVRD Bylaw Officer and FVRD Building Inspector attended the property for a site inspection. FVRD Staff knocked on the door twice – there was no answer so FVRD Bylaw Officer left a business card in the front door with a note to call. The garage is closed so FVRD Staff is unable to confirm the contravention.   |
| Feb. 1, 2018  | FVRD Bylaw Letter mailed to the owner as listed on the FVRD property information report (Berg - <i>previous owner till January 18, 2018</i> ) that requests   |

access to property to schedule a site inspection, the deadline for response to FVRD is Feb. 16, 2018.

Feb. 2, 2018

FVRD Bylaw Officer receives voicemail with no name, but identifying herself as the property owner, and requesting that we contact her by email as her phone didn't work well.

FVRD Bylaw Officer received a follow-up email from Ms. Desire Bailie confirming that she had received FVRD Bylaw Officer's business card in her door and wanted to know what the visit was about. FVRD Bylaw Officer responded by email confirmed that she and Shawn were tenants of the property and that we were following up on a complaint regarding construction without permit and needed to arrange a site inspection. FVRD Bylaw Officer requested phone and email of the listed property owners.

FVRD Bylaw Officer received a response email back from Ms. Bailie – confirming that she is not a tenant, but in fact the new property owner – as of January 19, 2018. Ms. Bailie requested an official written request for inspection.

FVRD Bylaw Officer pulled an updated title search for the property that confirmed the owner as Ms. Bailie.

FVRD Bylaw Letter mailed to updated owner, requests access to property to schedule a site inspection, the deadline for response to FVRD is Feb. 16, 2018.

Feb. 15, 2018

FVRD Bylaw Officer corresponds with owner by email and schedules a site inspection for Feb. 20, 2019.

Feb. 20, 2018

FVRD Bylaw Officer and FVRD Building Inspector conduct site inspection with property owner. Most of the basement level of the townhouse has been converted to habitable space. Storage space, closet, hallway, living area, and two miscellaneous bonus rooms completed finished spaces with framing, drywall and maybe insulation, lighting etc.

FVRD Building Inspector and owner discussed the following after the inspection: (1) owner didn't think she needed a permit for work of this nature; (2) FVRD Building Inspector explained that works would not be allowed on the basement level because it is below the FCL and that this why the units were built with living space on the upper levels; (3) owner felt like she looked into this and was under the impression that a space wasn't considered habitable space as long as the rooms were not either a bedroom or a living room; (4) owner stated her husband and father who is an engineer in Ontario did the work; (5) owner states there is a number of other units in the complex with finished garages; and (6) FVRD Building Inspector explained that every property has a different FCL level and would have a copy with her purchase paperwork; which the owner states she does not have.

Feb. 20, 2018

Owner left a very detailed voicemail for FVRD Bylaw Officer.

Feb. 21, 2018

FVRD Bylaw Officer received a threatening voicemail message from person identifying himself as the property owner's solicitor.

FVRD Director of Planning and FVRD Bylaw Officer spoke to owner's solicitor by phone, the following was discussed: (1) stated his client feels targeted; (2) FVRD Director of Planning and Development confirmed FVRD Staff attended the site property for a building permit / FCL issue – no more, explained that permit and FCL exemption are required for the completed works, let him know that we would send owner a letter outlining that; (3) solicitor threatened human rights complaint if we didn't get the letter out this week; (4) FVRD Director of Planning and Development stated that we would follow our normal processes to get the letter to his client.

FVRD Staff notified FVRD Manager of Corporate Affairs regarding the threatened legal action.

Feb. 22, 2018

FVRD Bylaw Staff received phone call from owners father, threatening, aggressive, abrasive, yelling about this being an emergency. Let him know that I was not going to be speaking with him as he was not the owner and he was welcome to speak with management.

FVRD Bylaw Officer received a second phone call (20 minutes later), from owners father that went to voicemail.

FVRD Reception staff responds to a call from the owners father who makes a verbally aggressive and substantive threat to staff.

FVRD Director of Planning and Development contacts the Upper Fraser Valley Regional Detachment of the RCMP to notify police of the threat made to staff.

FVRD Director of Planning and Development contacts the owner Ms. Bailie and discusses the incident between the property owner's father and FVRD Staff, legal action by her solicitor and all matters relative to the file.

Feb. 22, 2018

Email correspondence received from owner to FVRD Bylaw Officer and FVRD Director of Planning and Development regarding her file and the concerns requesting to have the no occupancy notice amended to specify just the lower floors of her unit. FVRD Management responds to these emails that a follow-up letter is in progress.

Mar. 1, 2018 FVRD Bylaw Letter mailed owner from management, requests intent to proceed for compliance of all matters with a deadline for response to FVRD is April 4, 2018.

Mar. 6, 2018 FVRD Director of Planning and Development emails owner with information on flood construction level, a site plan showing her elevations, and a copy of the covenant on her property and copies of site inspection photos as requested by owner. Email also provides a chronological list of file events to date.

Mar. 14, 2018 Owner files a complaint with Harrison Hot Springs Mayor regarding the FVRD, the VHHS Mayor responds with a letter.

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Owner leaves voicemail for FVRD Director of Planning and Development.

Mar. 15, 2018 FVRD Director of Planning and Development responds to owner by email, copied to VHHS planning staff, and stated that her specific question around the FCL and her covenant should be directed to HHS as those documents are with HHS. Owner does not feel a building permit is required for the works and wants clarity on the FCL.

Mar. 26, 2018 Owners father contacts FVRD Chief Administrative Officer by telephone. In response, FVRD Director of Planning and Development sends an email to property owner Ms. Bailie, requesting she contact VHHS Planning Department for the application for the floodplain exemption as well as clarification on proposed work for the upper floors.

Mar. 27, 2018 Email correspondence between VHHS and owner. An extension has been granted for her to make application for the exemption application until May 30, 2018.

April 16, 2018 File is discussed at FVRD weekly Bylaw Department team meeting – the owner is working with VHHS to make an application for an FCL exemption.

May 30, 2018 Email correspondence between owner and FVRD Director of Planning and Development for additional clarification on areas used for storage and their association to FCL.

July 9, 2018 VHHS Council considers and denies a Flood Plain exemption request from the owner (Motion # RC-2018-07-06)

Aug. 20, 2018 FVRD is notified that owner has recently lost her husband (deceased) and it is agreed that file is placed on hold on compassionate grounds.

Nov. 8, 2018 Email from VHHS Planning Department requesting discussions of file to commence in January 2019.

- Jan. 7, 2019      Emails between VHHS and owner, copied to FVRD with requests to resume discussions.
- Mar. 13, 2019      No application has been made for FCL exemption and the agreement with VHHS is to move forward with section 57 notice on title.
- July 16, 2019      VHHS Staff sent a letter by mail to owner, Ms. Bailie notifying her of the show cause hearing for September 9, 2019.

**INSPECTION PHOTOS OF SUBJECT PROPERTY:**

February 20, 2018



## DISCUSSION

Section 57 of the Community Charter allows a FVRD Building Inspector to recommend a resolution to place a Notice on the Title of a property if a contravention of a bylaw or another enactment that related to the construction or safety of a building is observed. A Notice on Title serves as notice to anyone searching the title that the property may be in breach of local government bylaws or other enactments; provide disclosure to future owners; and protects against potential claims with regard to the contraventions.

Staff would like you to consider the following information:

### Building Bylaw

Staff is authorized to regulate minimum construction standards within the Village of Harrison Hot Springs via the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* (Building Bylaw) for health, safety and the protection of persons and property. The bylaw provides that no person shall commence any construction, alternation, reconstruction, demolition, removal, relocation or change the occupancy of any building.

The construction works to convert the garage and basement level of the residential townhouse to habitable space below the identified flood construction level was first discovered in January of 2018 to have been done without a required building permit.

The construction to convert the garage and basement level of the residential house to habitable space is required to have a building permit prior to the start of construction.

Any structure that has a change of use from its initial intended use is required to obtain a Building Permit to authorize the new use in order to comply with Bylaw and BC Building Code Regulations. The initial use of the garage and basement level of the town house would be for storage of items not damageable by flood water, so a permit is required for the change of use to habitable space.

There have be no building permit application made to the FVRD for the construction works completed to the garage and basement level of the residential house.

**A Building Permit is required for the construction works undertaken by the property owner.**

### Zoning Bylaw No. 1115, 2017

This property is located within the Village of Harrison Hot Springs, and it is zoned Residential 4 (Townhouse) (R-4) of *Zoning Bylaw No. 1115, 2017* (Bylaw 115). The primary purpose of this zone is to permit a building or structure containing three (3) or more Residential Dwelling Units, each which has its own separate access not located through a common lobby or corridor.

The property is located within the Harrison Lake Floodplain and therefore is subject to Flood construction level as outlined in the Zoning Bylaw.

The construction to convert the garage and basement level of the residential house to habitable space is not permitted because there is a covenant (CA3564902 – attached) on the property which requires that the underside of any floor system supporting a “habitable area” shall be above that specified level being the Flood Construction Level (FCL).

#### OCP Bylaw No. 862, 2006

The subject property also lies within the Miami River Development Permit Area for the protection of the environment and in the Geotechnical Hazards Development Permit Area for areas that are subject to hazardous conditions.

#### **COST**

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Land Titles Office filing fee of approximately \$74.

The owner will be required to pay a removal fee of \$500 in accordance with the *Fraser Valley Regional Building Bylaw 1188, 2013*, for the unauthorized construction works on the single family home by making either:

1. An application for a FVRD demolition building permit to remove the unpermitted construction within the single family dwelling with a completed final inspection; Or
2. An application for a FVRD Building Permit to permit the construction works; it is noted that there is a flood construction elevation (FCL) requirement and a registered consent preventing works below the FCL. These items will need to receive approval from the Village of Harrison Hot Springs before the Building Permit can be considered for issuance.

#### **CONCLUSION**

It is the opinion of the FVRD Bylaw Compliance and Enforcement Officer/Appointed FVRD Building Inspector that the construction works of the addition to the single family dwelling without Building Permits violates the *Regional District Building Bylaw*, and the *British Columbia Building Code*. FVRD Staff further notes that full compliance will only be achieved with the successful completion of an FVRD demolition building permit to remove the unpermitted construction, or FVRD Building Permit to permit the construction works; it is noted that there is a flood construction elevation (FCL) requirement and a registered consent preventing works below the FCL. These items will need to receive approval from the Village of Harrison Hot Springs before the Building Permit can be considered for issuance. Accordingly, in the interest of full public disclosure and as incentive to achieving voluntary compliance, we as the Appointed Building Inspectors, believe that the filing of Notice is appropriate in this instance and submit the above recommendation in accordance with Section 57 of the Community Charter.

The process of filing a Section 57 notice on property title is conducted in accordance with the Community Charter and the Local Government Act.

Regional District requirements for Building Permit works are being administered in accordance with related Fraser Valley Regional District Building Bylaw, Policies, and the BC Building Code.

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**TITLE SEARCH PRINT**

File Reference:

Declared Value \$458500

2019-05-02, 09:05:40

Requestor: Louise Hinton

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****Title Issued Under** STRATA PROPERTY ACT (Section 249)**Land Title District** NEW WESTMINSTER  
Land Title Office NEW WESTMINSTER**Title Number** CA6578917  
From Title Number CA5222258

---

**Application Received** 2018-01-19**Application Entered** 2018-01-23**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

DESIRAE JEAN BAILIE, OFFICE MANAGER  
2-520 HOT SPRINGS RD  
HARRISON HOT SPRINGS, BC  
V0M 1K0**Taxation Authority** Harrison Hot Springs, Village of**Description of Land**

Parcel Identifier: 029-768-381

Legal Description:

STRATA LOT 2 SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF THE 6TH MERIDIAN NEW  
WESTMINSTER DISTRICT  
STRATA PLAN EPS3064  
TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT  
ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V**Legal Notations**HERETO IS ANNEXED EASEMENT CA4968275 OVER LOT 1 PLAN EPP31169  
EXCEPT PHASE ONE STRATA PLAN EPS3064

SUPPLEMENTAL CROWN GRANT OF TIMBER #4976820, SEE 68900E

HERETO IS ANNEXED EASEMENT BF321452 OVER PART PLAN 27506  
OF LOT 1 DISTRICT LOT 6116 GROUP 1 NWD PLAN 27310

**TITLE SEARCH PRINT**

File Reference:

Declared Value \$458500

2019-05-02, 09:05:40

Requestor: Louise Hinton

HERETO IS ANNEXED EASEMENT BF352442 OVER PART PLAN 27506  
OF PARCEL A (REFERENCE PLAN 12348) DISTRICT LOT 6116 GROUP 1  
EXCEPT: PART PLAN 27310

**Charges, Liens and Interests**

Nature:	COVENANT
Registration Number:	CA3564902
Registration Date and Time:	2014-01-27 11:41
Registered Owner:	VILLAGE OF HARRISON HOT SPRINGS
Remarks:	INTER ALIA

---

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA4749291
Registration Date and Time:	2015-10-16 14:30
Registered Owner:	BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks:	INTER ALIA

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA4749292
Registration Date and Time:	2015-10-16 14:30
Registered Owner:	TELUS COMMUNICATIONS INC. INCORPORATION NO. A94610
Remarks:	INTER ALIA

Nature:	MORTGAGE
Registration Number:	CA6578918
Registration Date and Time:	2018-01-19 14:01
Registered Owner:	PROSPERA CREDIT UNION INCORPORATION NO. FI 147

<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING
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<b>Transfers</b>	NONE
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<b>Pending Applications</b>	NONE
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Folio: 527.5240-16320  
Civic: 2 520 HOT SPRINGS RD  
Size: WIDTH/DEPTH

Pid: 029-768-381  
Legal: STRATA LOT 2, PLAN EPS3064, SECTION 13,  
TOWNSHIP 4, RANGE 29, MERIDIAN W6, NEW  
WESTMINSTER LAND DISTRICT, TOGETHER WITH AN  
INTEREST IN THE COMMON PROPERTY IN  
PROPORTION TO THE UNIT ENTITLEMENT OF THE  
STRATA LOT AS SHOWN ON FORM V

Owner: BAILIE, DESIRAE J  
2-520 HOT SPRINGS RD  
HARRISON HOT SPRINGS BC V0M 1K0  
(CA6578917)

2019 Taxable Assessments				Land	Improvements	Net
1	Res	GENERAL	Gross	245,000	230,000	475,000
			Exempt	0	0	0
			Net	245,000	230,000	475,000
1	Res	SCHOOL	Gross	245,000	230,000	475,000
			Exempt	0	0	0
			Net	245,000	230,000	475,000

2019 Actual Assessments		Land Class	Land	Impr Class	Impr
00 - FULLY TAXABLE LAND, STRUCTURES		1 - Res	245000	1 - Res	230000

Lto Number	Sales Price	Date	Description
CA6578917	458,500.00	Jan 19, 2018	IMPROVED SINGLE PROPERTY
CA5222258	325,402.00	May 31, 2016	IMPROVED SINGLE PROPERTY
CA4968266	0.00	Feb 3, 2016	REJECT - NOT SUITABLE FOR SALES ANALYSIS

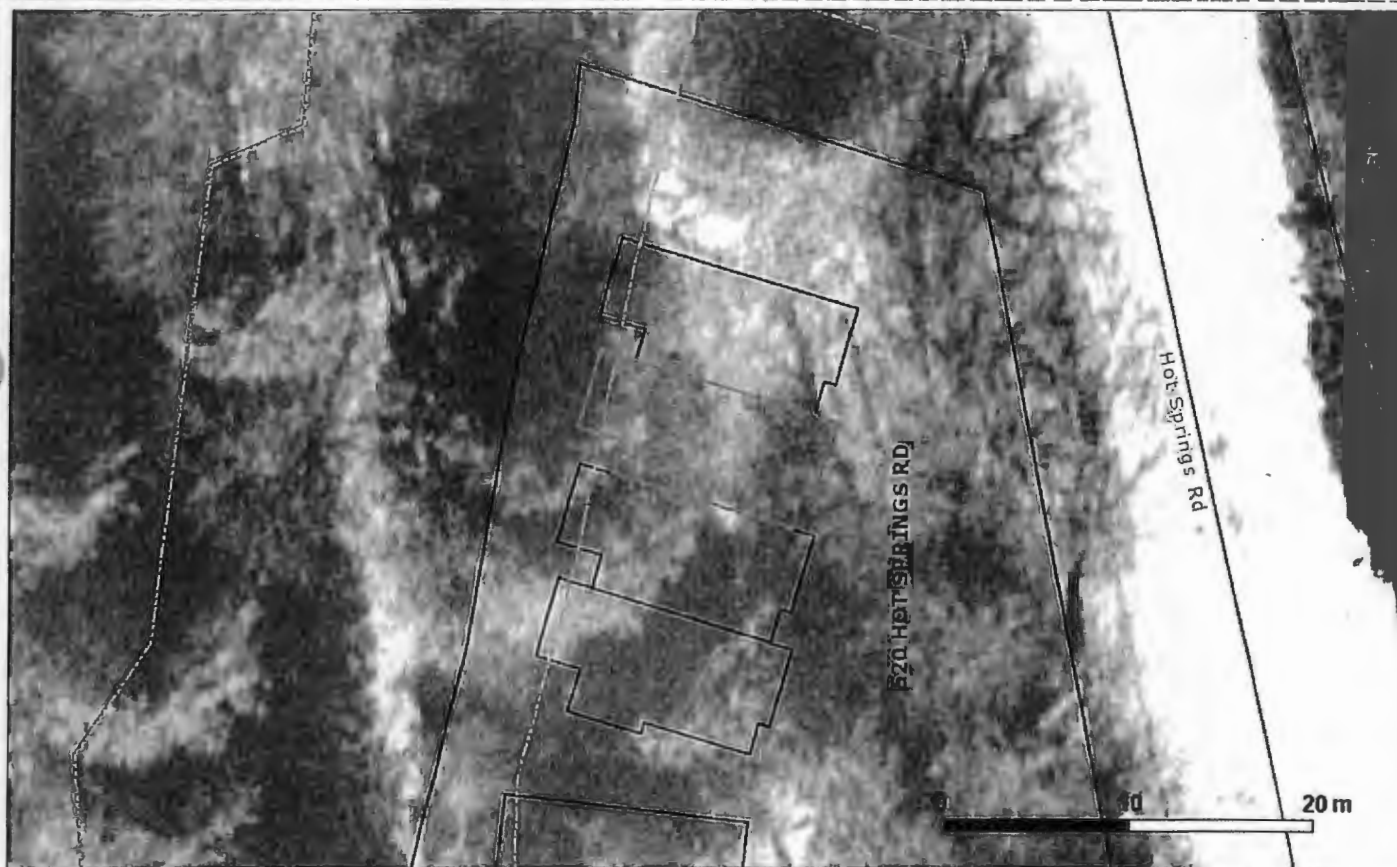
Attribute	Value	Description
ACTUAL USE	039	ROW HOUSING (SINGLE UNIT OWNERSHIP)
MANUAL CLASS	D701	STRATA TOWNHOUSE
NEIGHBOURHOOD	005	
SCHOOL DISTRICT	78	FRASER CASCADE
TENURE TYPE	01	CROWN GRANTED

Classification	Start Date	Stop Date	Comment
BYLAW ENFORCEM	Jan 30, 2018		Please see BYLAW Enforcement RE: HHS5240-16320

Prop.Charge	Type	Sub Type	Project	Discharged	Text
CA3564902	COVENANT				Covenant - see attachments for copy.
CA4749291	RIGHT OF WAY				Stat Right-of-Way: BC Hydro and Telus. Encompasses both CA4749291 and CA4749292. See attached copies.

**Property Information Report**

Civic Address:	2 - 520 HOT SPRINGS RD	Lot Size:	
Folio Number:	527.5240-16320	Electoral Area:	Not defined
PID:	029-768-381	Map Scale:	1:376
Legal Description:	STRATA LOT 2, PLAN EPS3064, SECTION 13, TOWNSHIP 4, RANGE 29, MERIDIAN W6, NEW WESTMINSTER LAND DISTRICT, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		



**Land-use Information**

Zoning Designation:	Contact Planning Department	Zoning Bylaw:	Contact Planning Department
OCP Designation:	Contact Planning Department	OCP Bylaw:	Contact Planning Department
DPA Designation:	Contact Planning Department	ALR:	Contact Planning Department
In Mapped Floodplain:	Contact Planning Department	Watercourse:	Contact Planning Department

**Utility Information**

Local Service Area:	Contact Planning Department
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This information is provided as a public resource for general information purposes only. The information shown is compiled from various sources and the Fraser Valley Regional District makes no warranties, expressed or implied, as to the accuracy or completeness of the information. This report is not a legal document and is published for information and convenience only. The Fraser Valley Regional District is not responsible for any errors or omissions that may appear on this report.

## NOTICE ON TITLE INFORMATION SHEET

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### WHAT IS A NOTICE ON TITLE?

A *Notice on Title*, note against land title, or Section 57 of the *Community Charter*, was provided to local governments by the Province of British Columbia as a tool to administer and enforce the *BC Building Code* and local building bylaws. It involves the registration of a *Notice* on a property title at the Land Title Office, which, once in place, is documented on the title search under the "Legal Notations" section.

A *Notice on Title* serves as notification to anyone searching a property title that the property may be in breach of bylaws or regulations. The *Notice* itself does not disclose details of the breach but specifies that further information may be obtained from the local government office.

### WHAT IS THE PURPOSE OF A NOTICE ON TITLE?

The purpose of a *Notice on Title* is to provide information to potential owners and stakeholders of a breach of bylaws or regulations. It also encourages voluntary compliance to reduce risk to the local government. The filing of a *Notice* is not intended to be a punitive action; rather, it is a method to protect future owners and others with an interest in the property.

### WHEN CAN A NOTICE ON TITLE BE FILED?

A *Notice on Title* may be filed by a local government where there is a breach of bylaws or regulations in respect to a property. Specifically, a *Notice on Title* may be filed where a Building Inspector is made aware of any of the following:

- a) construction has occurred without a valid building permit;
- b) construction deficiencies noted have not been corrected;
- c) covering construction without required inspections;
- d) a permit has expired and the owner refuses to reapply for a new permit;
- e) construction that is in contravention of the *BC Building Code* or Building Bylaw; or
- f) any such circumstances as the Building Inspector may deem necessary.

### HOW IS A NOTICE ON TITLE FILED?

- Step 1: When the Building Inspector is made aware of a breach, a letter is mailed to the registered owner of the property advising of the breach and the required remedial action. The owner is provided approximately thirty (30) days to contact staff and take the necessary steps to resolve the breach. This timeframe may be reduced where there appears to be a serious safety concern.
- Step 2: If no action to contact staff and resolve the issue, a second letter is mailed to the owner advising of the breach and the required remedial action. The owner is provided approximately fourteen (14) days to contact staff and take the necessary steps to resolve the breach. This timeframe may be reduced where there appears to be a serious safety concern.

Step 3: If no action to contact staff and resolve the issue, the Building Inspector may forward a report to the Corporate Officer and a "Show Cause Hearing" is scheduled. A Show Cause Hearing is held during an Electoral Area Services Committee (EASC) meeting. An invitation is mailed to the registered owner of the property advising the specific date and time they are to attend the Show Cause Hearing. A copy of the report produced by the Building Inspector will be included.

Step 4: On the day of the EASC meeting, the Show Cause Hearing will be announced. The owner of the property, or their agent, will be asked if they would like to make representation to the Committee. The Committee shall listen objectively to the owner as well as the Building Inspector. Please note that **attendance is not required** if the owner does not wish to challenge the recommendation.

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Step 5: After hearing from the registered owner of the property and Building Inspector, the committee will then resolve to:

- a) direct the staff to file a *Notice* in the Land Title Office;
- b) direct staff not to file a *Notice* in the Land Title Office; or
- c) defer filing a *Notice* to allow the registered owner more time to comply.

#### **HOW IS A NOTICE ON TITLE CANCELLED?**

Once a *Notice on Title* is filed, it may be cancelled from the title of a property by way of:

- a) the local government after a Building Inspector has provided a report confirming that the condition which caused the *Notice* to be filed has been rectified; or
- b) an Order obtained by the registered owner from the *British Columbia Supreme Court*.

#### **WHAT IS THE COST OF PLACING OR CANCELLING THE NOTICE ON TITLE?**

The Fraser Valley Regional District does not charge the registered owner of the property when a *Notice on Title* is filed at the Land Title Office. However, there is a \$500.00 administrative fee payable to the Fraser Valley Regional District by the property owner when the *Notice* is removed from the Title. The property owner will also be responsible for their legal costs to have a *Notice* removed at the Land Title Office.

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Properties with a *Notice on Title* may be sold at any time; however, the presence of the *Notice* may negatively affect a property's potential sale, perceived property value, access to a mortgage, and/or (re)financing. If a *Notice* is registered or is recommended to be registered upon the title of your property, you are advised to undertake inquiries with your lenders, insurance companies, and any other relevant parties to determine how it may impact you now and in the future.

**If you have any questions regarding this process, please email staff at [enforcement@fvrld.bc.ca](mailto:enforcement@fvrld.bc.ca) or phone directly at 1-800-528-0061.**

*This document is provided for informational purposes and does not constitute legal advice. The Fraser Valley Regional District makes no representations or warranties about the accuracy of the information contained in this document. If you have any questions or concerns as to the nature and effect of Notices on Title, please refer to the actual text of Sections 57 and 58 of the Community Charter and seek your own independent legal advice.*

Excerpts from the *Community Charter*:

**NOTE AGAINST LAND TITLE THAT BUILDING REGULATIONS CONTRAVENED**

- 57 (1) A building inspector may recommend to the council that it consider a resolution under subsection (3) if, during the course of carrying out duties, the building inspector
- (a) observes a condition, with respect to land or a building or other structure, that the inspector considers
    - (i) results from the contravention of, or is in contravention of,
      - (A) a municipal bylaw,
      - (B) a Provincial building regulation, or
      - ~~(C) any other enactment~~
    - that relates to the construction or safety of buildings or other structures, and
    - (ii) that, as a result of the condition, a building or other structure is unsafe or is unlikely to be usable for its expected purpose during its normal lifetime, or
  - (b) discovers that
    - (i) something was done with respect to a building or other structure, or the construction of a building or other structure, that required a permit or an inspection under a bylaw, regulation or enactment referred to in paragraph (a) (i), and
    - (ii) the permit was not obtained or the inspection not satisfactorily completed.
- (2) A recommendation under subsection (1) must be given in writing to the corporate officer, who must
- (a) give notice to the registered owner of the land to which recommendation relates, and
  - (b) after notice under paragraph (a), place the matter before the council.
- (3) After providing the building inspector and the owner an opportunity to be heard, the council may confirm the recommendations of the building inspector and pass a resolution directing the corporate officer to file a notice in the land title office stating that
- (a) a resolution relating to that land has been made under this section, and
  - (b) further information about it may be inspected at the municipal hall.
- (4) The corporate officer must ensure that all records are available for the purpose of subsection (3) (b).
- (5) If the registrar of land titles receives a notice under subsection (3) and payment of the prescribed fee, the registrar must make a note of the filing against the title to the land that is affected by the notice.
- (6) The note of a filing of a notice under this section is extinguished when a new title to the land is issued as a result of the deposit of a plan of subdivision or a strata plan.
- (7) In the event of any omission, mistake or misfeasance by the registrar or an employee of the registrar in relation to the making of a note of the filing under subsection (5), or a cancellation under section 58, after the notice is received by the land title office,
- (a) the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

- (a.1) the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the Land Title Act, and
  - (b) the assurance fund or the minister charged with the administration of the Land Title Act as a nominal defendant is not liable under Part 20 of the Land Title Act.
- (8) Neither the building inspector nor the municipality is liable for damage of any kind for the doing of anything, or the failure to do anything, under this section or section 58 that would have, but for this subsection, constituted a breach of duty to any person.
- (9) The authority under this section is in addition to any other action that a building inspector is authorized to take in respect of a matter referred to in subsection (1).

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#### **CANCELLATION OF NOTE AGAINST LAND TITLE**

- 58
- (1) On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57 (3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.
  - (2) An owner of land with respect to which a notice has been filed under section 57 (3), may apply to the council for a resolution that the note be cancelled.
  - (3) After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.
  - (4) If a resolution has been passed under subsection (3), the corporate officer must file a cancellation notice in the land title office and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.
  - (5) If the council does not pass a resolution under subsection (3), the owner may apply to the Supreme Court and notify the municipality to attend before the court to show cause why the note should not be cancelled.
  - (6) On an application under subsection (5), after reviewing any evidence that the owner and the municipality may adduce, the court may make an order directing the registrar to cancel the note made under section 57 (5) and, on receiving the order, the registrar of land titles must cancel the note accordingly.

## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

**TO:** Mayor and Council **DATE:** June 20, 2018

**FROM:** Ken Cossey, MCIP, RPP **FILE:** 3900-01  
Planning Consultant (Unit 2 – 520 Hot Springs)

**SUBJECT:** Flood Plain Exemption request

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#### ISSUE:

To exempt or not exempt this property from the flood plain requirements of Zoning Bylaw 1020, 2012. The current flood plain level has been established at 14.55 M and the request is to reduce it to 14.00 M, for this specific unit.

#### BACKGROUND:

The applicant owns the above referenced unit located within the "Branches" development located at 520 Hot Springs Road. On February 20, 2018 the FVRD Building Inspector attended the site and determined that there has been construction taking place in the garage area of this unit without the benefit of obtaining a building permit. On February 23 the FVRD posted a "Stop Work" notice on the unit. Subsequently and on March 1, 2018 the owner was sent a letter from the FVRD detailing the infractions and options to bring the building unit into compliance. A copy of this letter is attached to this report for your review and reference.

Along the way the FVRD has held any further Building Bylaw enforcement in abeyance until Ms. Bailie's flood plain exemption request is either approved or denied by the Village.

In preparation of this decision by Council, staff provided direction to Ms. Bailie on what was required with her submission and this included the following; the requirement for a stamped professional's report to accompany her application, the professional working on the report was also required to be a professional with expertise in either hazard land or flood plain analysis and that they must follow the requirements as outlined in the following document, "Legislated Flood Assessments in a Changing Climate in BC (2012)".

In addition to this staff gave Ms. Bailie until May 31, 2018 to get the required report submitted. The exemption request and accompanying report is attached to this report for your review and reference.

As outlined in covenant CA3564902, I draw your attention to section 2(a)(i) which states the following:

“(a) For Lot 1 and the remainder:

- i. No area used for habitation, business or the storage of goods damageable by floodwaters shall be located within any building, unit or structure at an elevation such that the underside of the floor system or the top of the concrete slab is less than 14.55 metres Geodetic Survey of Canada (GSC) datum.”

Ms. Bailie is requesting a site-specific relaxation, for her unit, of the flood plain elevation requirements of 14.55 M down to 14.00 M. In the preparation of this report, staff reviewed the following documents; the covenant, the exemption request and the professional report.

**RECOMMENDATION:**

Staff recommends:

- 1/. That the flood exemption request be denied.

**Next Steps**

Options available to the applicant if Council denies this request;

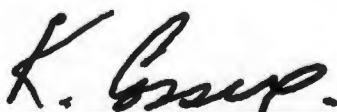
- 1/. An application for a demolition permit will be required to remove the unauthorized work.

Options available to Council, if the applicant does not remove the unauthorized work;

- 1/. Work with the Building Inspector to determine if a recommendation on placing a Notice on Title for the building regulation contravention, as outlined in s 57 of the *Community Charter* is warranted.

Respectfully submitted;

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



Ken Cossey, MCIP/RPP,  
Planning Consultant

Madeline McDonald  
Chief Administrative Officer

Attachments (4)      February 1, 2018 letter from the FVRD  
Exemption request  
Flood Hazard Assessment report  
Covenant CA3564902



February 1, 2018

Mr. David P. Berg  
Mrs. Ruth A. Berg  
21614 47A Avenue  
Langley BC V3A 8S2

**FILE: 4010-20-HHS5240-16320**

**CIVIC: 2 – 520 Hot Springs Road**

**LEGAL: Lot 2, Section 13, Township 4, Range 29, Meridian 6, New Westminster, Plan EPS3064 Meridian W6, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V; PID: 029-768-381.**

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Dear Mr. and Mrs. Berg:

**Re: Request Access for Property Inspection of: #2 - 520 Hot Springs Road**

The Fraser Valley Regional District (FVRD) has been made aware of possible bylaw contraventions on the above noted property. Specifically, information was received of construction without the benefit of a building permit. Please be aware that the *Fraser Valley Regional District Building Bylaw No. 1188, 2013* (Building Bylaw) provides:

*"No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction until a building official has issued a valid and subsisting permit for the work"*

The Building Bylaw encourages owners to comply with minimum standards established by the *BC Building Code*, the *Occupiers Liability Act*, as well as other enactments which relate to health, safety, and use of land.

The FVRD wishes to work with you to ensure your property is compliant with all current regulations. In order to verify compliance, please contact bylaw enforcement staff prior to **February 16, 2018** to arrange access on a mutually convenient date. Please be aware that the authority to conduct inspections and gain entrance to property is recognized within the *Local Government Act* (Section 419) as well as the Building Bylaw (Part 7.2).

If you have any questions or wish to discuss this matter further, you are welcome to contact me by calling toll free at 1-800-528-0061, directly at 604-702-5015, or by email at [lhinton@fvrd.ca](mailto:lhinton@fvrd.ca). Our office hours are Monday through Friday from 8:30am to 4:30pm. Thank you once again for your co-operation.

Yours truly,

Louise Hinton  
Bylaw Compliance and Enforcement Officer

cc: Debra Key, Village of Harrison Hot Springs  
Margaret-Ann Thornton, Director of Planning & Development  
Rudy Wieler, Building Inspector

Desirae Bailie  
2-520 Hot Springs Road B466  
Harrison Hot Springs, BC  
VOM 1K0

April 5, 2018

Village of Harrison Hot Springs  
495 Hot Springs Road  
Harrison Hot Springs, BC  
VOM 1K0

RE: Site Specific Floodplain Exemption

Registered Owner: Desirae Jean Bailie Phone Number: 778-387-6972  
Address: 2-520 Hot Springs Road, Harrison Hot Springs VOM 1K0; B.466

Legal Description of Property: PL EPS3064 LT 2 LD 36 SEC 13 TWP 4 RNG 26 MER 6, MERIDIAN W6

Parcel Identifier Number (PID): 029-768-381

Name of adjacent watercourse or body of water: Miami Slough & Harrison Lake

Flood construction elevation level in Bylaw: 14.55 metres

Flood construction elevation level requested: 14.00 metres

Description of the existing use of the land:

The original use of the ground floor included a 34 sq.ft. foyer (no closet), a 313 sq.ft. fully finished garage with 283 sq.ft. flex area, under stair storage containing the electric hot water tank. The flex area led to the patio and back yard. Ceiling height 9'0". Materials wood frame with drywall, and concrete slab floor.

The current existing use of the ground floor includes the original 34 sq.ft. foyer, an additional 59 sq.ft. area of foyer with a closet, 170 sq.ft. garage, a 76 sq.ft. storage area, 98 sq.ft. tool storage area, and a 176 sq.ft. flex area that leads to the patio access and back yard, and under stair area containing the electric hot water tank. Ceiling height 9'0". Materials original wood frame with drywall, New partition walls are pressure treated wood frame/wood frame with drywall, insulated, concrete slab floor with vinyl plank water resistant flooring.

Describe the reason(s) for the floodplain exemption requested:

1. There was no designated foyer closet. The very small entrance foyer did not provide any location to store coats and shoes, winter wear, umbrella's, etc. Our family coats and shoes were creating a dangerous fire hazard and trip hazard in the stairway. Solution- A closet area was constructed in the pre-existing shelved cove/nook area in the original garage.

2. There is only one way to access the back yard, through the ground floor patio doors. Problem-unsafe tools, chemicals, paints, solvents within reach and readily accessible to young curious children creating a safety concern. Solution – Create partition walls to separate the passing area to the backyard. Create enclosed designated tool storage area that can be locked for safety.
3. The need for storage, I do not have room on the upper floors to house all our belongings, there are no designated storage areas or closets or shelving within the living areas other than for a small amount of clothing in bedroom closets. Solution – create a small designated storage room with wall shelving that is closed off from children's direct access to avoid them getting into stored items and avoid any potential injuries. Items are to be stored on shelves and any lower could be stored in water resistant rubber bins.

Enclosed are:

- Photos of property
- Site Plan
- Form foundation plan
- Maps indicating property location to adjacent watercourse
- State of Title Certificate to verify ownership

Signature of Owner \_\_\_\_\_

Date \_\_\_\_\_

May 25<sup>th</sup>, 2018

**Ms. Desirae Bailie**  
2-520 Hot Springs Road  
Harrison Hot Springs, BC, V0M 1K0

Ref.: #2-520 Hot Springs Road, Harrison Hot Springs, BC - Flood Hazard Assessment

Dear Madam:

As requested, Cornerstone Geo-Structural Engineering Ltd. (Cornerstone) conducted a Flood Hazard Assessment for the subject property to address the requirements of the Village of Harrison Hot Springs in relation to the approval of renovation works at the subject property.

This report, carried out following the APEGBC Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC (2012), summarizes the site conditions, the renovation works carried out at the property, the current flood protection requirements for the area and resulting recommendations, and is intended to be part of a Site-Specific Floodplain Application.

### 1. Site Description

The subject property is part of an existing town house development located on the west side of Harrison Road adjacent to the east of Miami Slough, as shown in Figure 1, attached. Unit # 2 is located in Building # 1, which was built in 2015, at the north end of the development, (See Site Plan, attached).

The town home complex is located in area characterized by generally flat topography within the designated floodplain, according to the Zoning Bylaw No. 1115, 2017, at an approximate distance of 35 m from the boundary of Miami Slough, as measured on the Fraser Valley Regional District Regional Information Map.

The subject building consists of three-level units and the ground floor at Unit # 2 is dedicated to non-habitable space. According to information supplied by Ms. Bailie this level included originally a 34 sq. ft. foyer without closet, a 313 sq. ft. fully finished garage, 283 sq. ft. flex area leading to patio and garage, and some under stair storage. The building materials consisted of wood frame with drywall and concrete slab floor.

Renovation works were carried out to create separate storage areas and a dedicated passage to the backyard through the construction of partition walls; a foyer closet was also installed. The new partition walls were built using pressure treated wood frame with drywall and concrete slab covered with vinyl plank water resistant flooring. It is important to highlight that the renovated

Unit 1B – 30508 Great Northern Ave, Abbotsford, BC V2T 6H4 Phone: 604-746-5070

space is not intended to be used as habitable space as informed by Ms. Bailie. The details of the above features are included in the floodplain exemption application letter attached to this report.

## **2. Review of Background Information**

Cornerstone conducted a desktop review of relevant information to the project that included the following documents:

- Village of Harrison Hot Springs Official Community Plan, Bylaw No. 864
- Village of Harrison Hot Springs Zoning Bylaw No. 1115, 2017
- Village of Harrison Hot Springs, Fraser River Flood Control 1968 Agreement – Operation and Maintenance Instruction Flood Control Works, Volume 3, “As Constructed” Drawings
- CTQ Consultants – Harrison Hot Springs Screw Pump Flood Control Project Description (<https://www.ctqconsultants.ca/project/harrison-hot-springs-screw-pump-flood-control/>)
- BC Integrated Land Management Bureau – Village of Harrison Hot Springs Local Diking Authority Map (October 26, 2009)
- BC Ministry of Water, Land and Air Protection (2004). Flood Hazard Area Land Use Management Guideline
- Fraser Valley Regional District (FVRD) Regional Information Map
- Association of Professional Engineers and Geoscientists of BC (2012). Legislated Flood Assessments in a Changing Climate in BC

## **3. Flood Hazard**

### *Flood Construction Level*

According to the Official Community Plan and the Zoning Bylaw the subject property is located within the Designated Floodplain, with a Floodplain Construction Level (FCL) of 14.55 m Geodetic Survey of Canada (GSC) datum.

The above FCL corresponds to a return period of 200 years or an approximate annual probability of 0.5%. This means that for a design life of a house of 50 years, the probability of equaling or exceeding the 200-yr flood elevation is 22%.

According to information supplied by Ms. Bailie, the subject unit has been built at an elevation of 14.00 m and therefore the FCL is not met. However, the occurrence of flooding may be mitigated by the operation of the existing structural measures for flood protection consisting of the dike and pump described below.

### *Existing Structural Measures for Flood Protection*

Harrison Lake is fed by several tributaries and water runoff from melting of the snowpack that may cause the rise of its level above that of Miami River at certain times of the year.

To mitigate the flood risk, a dike was built back in the 1960's including a pump that moves the water flowing from Miami River into the lake in times of high lake levels. This pump has been upgraded recently. Therefore, damage to the subject property may occur only in the case of breach of the dike or malfunction of the pump.

*Potential Consequences in Case of Flood*

In the event of failure of the structural Flood Control measures described above, non-structural damage to the subject residential unit could be expected as a result of the occurrence of the design flood. Among the potential damages affecting the structure are:

- Damage to building envelope
- Damage to dry wall partitions and non-structural elements
- Damage to floors
- Damage to electrical connections

**4. Conclusions and Recommendations**

The mitigation of the flooding hazard in the Village of Harrison Hot Springs is implemented by structural measures including the dike and pump located at Harrison Lake. The occurrence of flooding affecting the subject property depends on the reliable operation of the above elements.

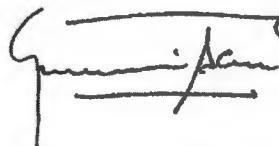
In the event of the occurrence of flooding affecting the subject property, damage to non-structural elements described previously may take place. However, it is our opinion that the stability of the structure is not compromised.

Based on the above, and on the non-habitable condition of the area subject to flood hazard, we recommend that an exception to the Flood Control Requirements of the Zoning Bylaw be granted for the renovations carried out on this property. Entering into an indemnification covenant pursuant to Section 219 of the Land Title Act may be required.

**5. Closure**

We trust this report satisfies the current requirements from the Village of Harrison Hot Springs. Please don't hesitate to contact us if you have any questions.

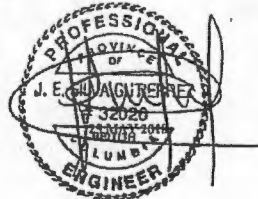
Yours truly,



**German A. Cajigas, M.Eng., P.Eng.**  
Senior Geotechnical Engineer



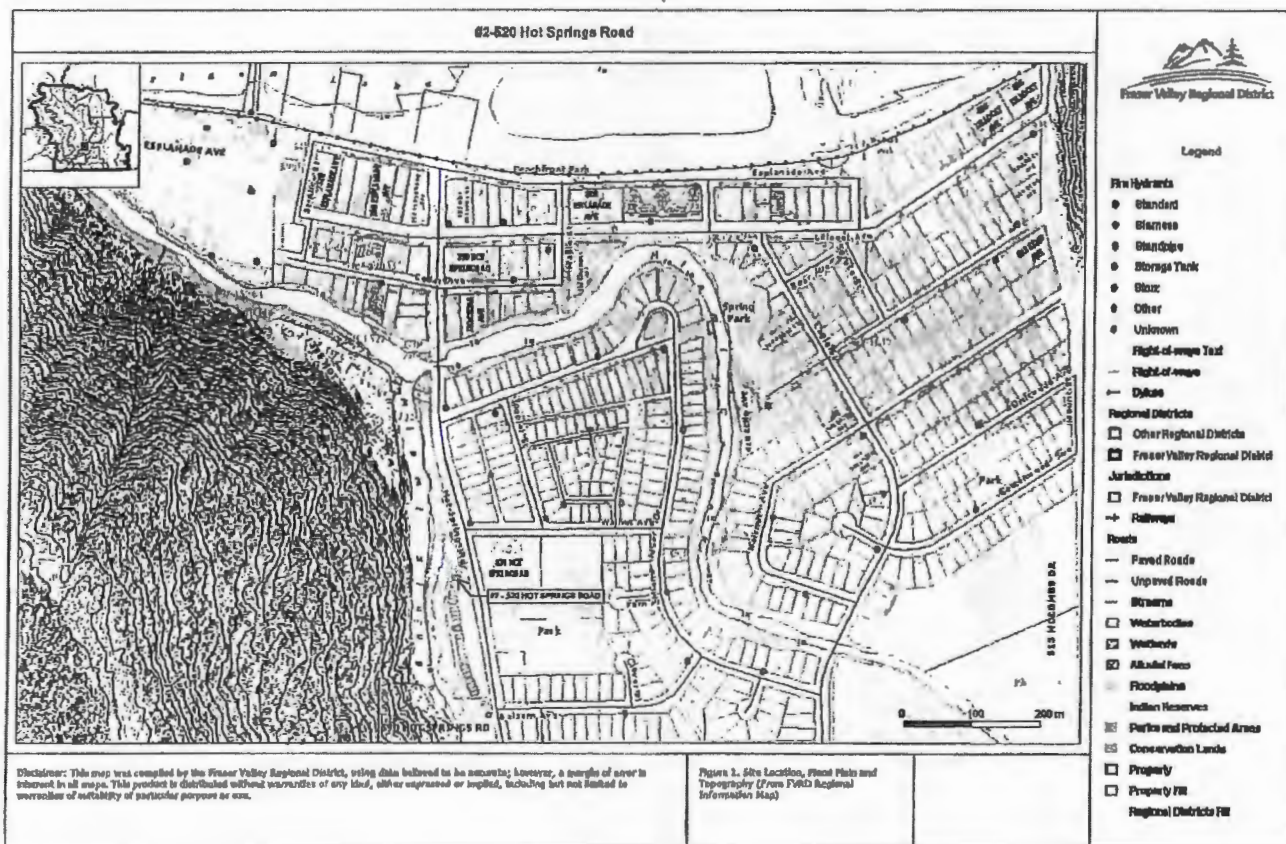
Reviewed,



**Jorge Silva, P.Eng.**  
Principal

#### ATTACHMENTS

- Figure 1. General Site Location
- Site Plan
- Dike and Pump Location
- Photographs
- APEGBC Appendix J – Flood Hazard and Risk Assurance Statement
- Site Specific Floodplain Exception Letter







**PHOTOGRAPHS**



**Photo 1. Garage area converted into storage**



Photo 2. Additional storage area



Photo 3. Games room right before exterior patio



Photo 4. Games room right before exterior patio



Photo 5. Hallway

## APPENDIX J: FLOOD HAZARD AND RISK ASSURANCE STATEMENT

Note: This Statement is to be read and completed in conjunction with the "APEGBC Professional Practice Guidelines - Legislated Flood Assessments in a Changing Climate, March 2012 ("APEGBC Guidelines") and is to be provided for flood assessments for the purposes of the Land Title Act, Community Charter or the Local Government Act. Italicized words are defined in the APEGBC Guidelines.

To: The Approving Authority

Date: 25 MAY 2018

VILLAGE OF HALLISON HOT SPRINGS

Jurisdiction and address

With reference to (check one):

- ☐ Land Title Act (Section 86) – Subdivision Approval
- ☐ Local Government Act (Sections 919.1 and 920) – Development Permit
- ☒ Community Charter (Section 56) – Building Permit
- ☐ Local Government Act (Section 910) – Flood Plain Bylaw Variance
- ☐ Local Government Act (Section 910) – Flood Plain Bylaw Exemption

For the Property:

STRATA LOT 2 SEC. 13 TWP. 4 RANGE 29 WEST OF THE 6<sup>TH</sup> MERIDIAN N.W.D. /  
Legal description and civic address of the Property No. 2 - 520 HOT SPRINGS ROAD.

The undersigned hereby gives assurance that he/she is a *Qualified Professional* and is a *Professional Engineer* or *Professional Geoscientist*.

I have signed, sealed and dated, and thereby certified, the attached flood assessment report on the Property in accordance with the APEGBC Guidelines. That report must be read in conjunction with this Statement. In preparing that report I have:

Check to the left of applicable items

- ☒ 1. Collected and reviewed appropriate background information
- ☒ 2. Reviewed the proposed *residential development* on the Property
- ☒ 3. Conducted field work on and, if required, beyond the Property
- ☒ 4. Reported on the results of the field work on and, if required, beyond the Property
- ☒ 5. Considered any changed conditions on and, if required, beyond the Property
- 6. For a *flood hazard analysis* or *flood risk analysis* I have:
  - ☒ 6.1 reviewed and characterized, if appropriate, floods that may affect the Property
  - ☒ 6.2 estimated the *flood hazard* or *flood risk* on the property
  - ☐ 6.3 included (if appropriate) the effects of climate change and land use change
  - ☒ 6.4 identified existing and anticipated future *elements at risk* on and, if required, beyond the Property
  - ☒ 6.5 estimated the potential *consequences* to those *elements at risk*
- 7. Where the *Approving Authority* has adopted a specific level of *flood hazard* or *flood risk* tolerance or return period that is different from the standard 200-year return period design criteria<sup>(1)</sup>, I have
  - ☒ 7.1 compared the level of *flood hazard* or *flood risk* tolerance adopted by the *Approving Authority* with the findings of my investigation
  - ☒ 7.2 made a finding on the level of *flood hazard* or *flood risk* tolerance on the Property based on the comparison
  - ☐ 7.3 made recommendations to reduce the *flood hazard* or *flood risk* on the Property

<sup>(1)</sup> *Flood Hazard Area Land Use Management Guidelines* published by the BC Ministry of Forests, Lands, and Natural Resource Operations and the 2009 publication *Subdivision Preliminary Layout Review – Natural Hazard Risk* published by the Ministry of Transportation and Public Infrastructure. It should be noted that the 200-year return period is a standard used typically for rivers and purely fluvial processes. For small creeks subject to debris floods and debris flows return periods are commonly applied that exceed 200 years. For life-threatening events including debris flows, the Ministry of Transportation and Public Infrastructure stipulates in their 2009 publication *Subdivision Preliminary Layout Review – Natural Hazard Risk* that a 10,000-year return period needs to be considered.

8. Where the Approving Authority has not adopted a level of flood risk or flood hazard tolerance I have:
- ☐ 8.1 described the method of flood hazard analysis or flood risk analysis used
  - ☐ 8.2 referred to an appropriate and identified provincial or national guideline for level of flood hazard or flood risk
  - ☐ 8.3 compared this guideline with the findings of my investigation
  - ☐ 8.4 made a finding on the level of flood hazard or flood risk tolerance on the Property based on the comparison
  - ☐ 8.5 made recommendations to reduce flood risks
- ☐ 9. Reported on the requirements for future inspections of the Property and recommended who should conduct those inspections.

Based on my comparison between

Check one

- ☒ the findings from the investigation and the adopted level of flood hazard or flood risk tolerance (item 7.2 above)
- ☐ the appropriate and identified provincial or national guideline for level of flood hazard or flood risk tolerance (item 8.4 above)

I hereby give my assurance that, based on the conditions contained in the attached flood assessment report,

Check one

- ☐ for subdivision approval, as required by the Land Title Act (Section 86), "that the land may be used safely for the use intended".

Check one

- ☐ with one or more recommended registered covenants.
- ☐ without any registered covenant.

- ☐ for a development permit, as required by the Local Government Act (Sections 919.1 and 920), my report will "assist the local government in determining what conditions or requirements under [Section 920] subsection (7.1) it will impose in the permit".
- ☒ for a building permit, as required by the Community Charter (Section 56), "the land may be used safely for the use intended".

Check one

- ☒ with one or more recommended registered covenants.
- ☐ without any registered covenant.
- ☐ for flood plain bylaw variance, as required by the Flood Hazard Area Land Use Management Guidelines associated with the Local Government Act (Section 910), "the development may occur safely".
- ☐ for flood plain bylaw exemption, as required by the Local Government Act (Section 910), "the land may be used safely for the use intended".

GERTIN A. CATIGAS SILVA

Name (print)

Signature

18-30508 NORTHERN AVE,

Address

ABBOTSFORD, BC V2T 6H4

778-918-7085

Telephone

25 MAY 2018

Date



(Affix Professional seal here)

If the Qualified Professional is a member of a firm, complete the following.

I am a member of the firm COLNESTONE GEO-STRUCTURAL ENGINEERING LTD.  
and I sign this letter on behalf of the firm. (Print name of firm)



## NEW WESTMINSTER LAND TITLE OFFICE

## LAND TITLE ACT

Jan-27-2014 11:41:52.003

CA3564902

## FORM C (Section 233) CHARGE

## GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 8 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Digitally signed by Heather Waal  
 RNX5M6  
 DN: o=CA, cn=Heather Waal  
 RNX5M6, o=Notary, ou=Vardy ID at  
 www.justicelaw.com/LKUP.cfm?  
 id=RNX5M6  
 Date: 2014.01.27 11:03:21 -0800

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

Waal and Co.,

Notaries Public

9086 Young Road

Chilliwack

BC V2P 4R5

File: 13-181/cn

LTO #011001 Phone: 604-795-0070

Corry Newport, Auth-Agent (Floodplain)

Document Fees: \$73.50

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
- 
- [PID] [LEGAL DESCRIPTION]

SEE SCHEDULE

STC? YES ☐

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

Section 219 (Floodplain)

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

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

WILMARK HOMES LTD. (INC. NO. BC0199454) AND

HOMECRAFT CONSTRUCTION LTD. (INC. NO. BC0207043)

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

VILLAGE OF HARRISON HOT SPRINGS

P.O. BOX 160, 495 HOT SPRINGS ROAD

HARRISON HOT SPRINGS

BRITISH COLUMBIA

V0M 1K0

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

Nil

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

Officer Signature(s)

Brad R. Waal

Notary Public

9086 Young Road

Chilliwack, BC V2P 4R5

604-795-0070

Permanent Commission

Execution Date		
Y	M	D
14	01	23

Transferor(s) Signature(s)

Wilmark Homes Ltd. by its  
authorized signatory:

Marvin Kingma

## OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

LAND TITLE ACT  
FORM D

EXECUTIONS CONTINUED

PAGE 2 of 8 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Brad R. Waal

14

01

23

Homecraft Construction Ltd. by its  
authorized signatory:

Notary Public

9086 Young Road  
Chilliwack, BC V2P 4R5  
604-795-0070  
Permanent Commission

Marvin Kingma

Brad R. Waal

14

01

22

VILLAGE OF HARRISON HOT  
SPRINGS by its authorized signatory  
(ies):

Notary Public

9086 Young Road  
Chilliwack, BC V2P 4R5  
604-795-0070  
Permanent Commission

Name: Ian Crane

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT  
FORM E

SCHEDULE

PAGE 3 OF 8 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:  
[PID] [LEGAL DESCRIPTION]

**NO PID NMBR LOT 1 SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF THE SIXTH MERIDIAN  
NEW WESTMINSTER DISTRICT PLAN EPP31169**

STC? YES

[Related Plan Number]

EPP31169

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:  
[PID] [LEGAL DESCRIPTION]

**002-102-234 REMAINDER FRACTIONAL SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF  
THE 6TH MERIDIAN EXCEPT: FIRSTLY: PART SUBDIVIDED BY PLAN 251,  
SECONDLY: PART SUBDIVIDED BY PLAN 9656, THIRDLY: PART  
SUBDIVIDED BY PLAN 9786, FOURTHLY: PART SUBDIVIDED BY PLAN  
27133, FIFTHLY: PART SUBDIVIDED BY PLAN 38836, SIXTHLY: PART  
SUBDIVIDED BY PLAN 48818, SEVENTHLY: PART SUBDIVIDED BY PLAN  
53383, EIGHTHLY: PART SUBDIVIDED BY PLAN 66843, NINTHLY: PART  
SUBDIVIDED BY PLAN 66844, TENTHLY: PART SUBDIVIDED BY PLAN 66845,  
ELEVENTHLY: PART SUBDIVIDED BY PLAN 66846, TWELFTHLY: PART  
SUBDIVIDED BY PLAN 70213, THIRTEENTHLY: PART SUBDIVIDED BY PLAN  
LMP10582 NEW WESTMINSTER DISTRICT, FOURTEENTHLY: PART  
SUBDIVIDED BY PLAN EPP31169**

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:  
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

**TERMS OF INSTRUMENT - PART 2**

Page 4

**BETWEEN:** **WILMARK HOMES LTD.** (Inc. No. BC0199454)  
(as to an undivided ½ interest) and  
**HEMECRAFT CONSTRUCTION LTD.** (Inc. No. BC0207043)  
(as to an undivided ½ interest)  
Having a postal address of:  
33677 Arcadian Way  
Abbotsford, BC V2S 7T4  
(hereinafter called the "Transferor")

OF THE FIRST PART

**AND:**

**VILLAGE OF HARRISON HOT SPRINGS**  
P.O. Box 160, 495 Hot Springs Road  
Harrison Hot Springs, BC V0M 1K0  
(hereinafter called the "Transferee")

OF THE SECOND PART

- A. WHEREAS** the Transferor is the registered owner of an estate in fee simple of the following lands situated within the Village of Harrison Hot Springs, Province of British Columbia, more particularly known and described as:

**Parcel Identifier:** 002-102-234

**Legal Description:**

FRACTIONAL SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF THE 6TH MERIDIAN  
EXCEPT: FIRSTLY: PART SUBDIVIDED BY PLAN 251, SECONDLY: PART  
SUBDIVIDED BY PLAN 9656, THIRDLY: PART SUBDIVIDED BY PLAN 9786,  
FOURTHLY: PART SUBDIVIDED BY PLAN 27133, FIFTHLY: PART SUBDIVIDED BY  
PLAN 38836, SIXTHLY: PART SUBDIVIDED BY PLAN 48818, SEVENTHLY: PART  
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PLAN 66845, ELEVENTHLY: PART SUBDIVIDED BY PLAN 66846, TWELFTHLY: PART  
SUBDIVIDED BY PLAN 70213, THIRTEENTHLY: PART SUBDIVIDED BY PLAN  
LMP10582 NEW WESTMINSTER DISTRICT  
(hereinafter called the "Lands");

- B. AND WHEREAS** the Transferor proposes to subdivide the Lands according to a Plan of Subdivision filed in the Land Title Office under Plan EPP31169 completed on the 15<sup>th</sup> day of May, 2013 by Mitchell Power, a British Columbia Land Surveyor, a copy of which is attached hereto as Schedule "A", into the following Lot:

- a. Lot 1 Section 13 Township 4 Range 29 West of the 6<sup>th</sup> Meridian  
New Westminster District Plan EPP31169
- b. Remainder Fractional Section 13 Township 4 Range 29 West of the 6th Meridian Except:  
Firstly: Part Subdivided by Plan 251, Secondly: Part Subdivided by Plan 9656, Thirdly:  
Part Subdivided by Plan 9786, Fourthly: Part Subdivided by Plan 27133, Fifthly: Part

## Page 5

Subdivided by Plan 38836, Sixthly: Part Subdivided by Plan 48818, Seventhly: Part Subdivided by Plan 53383, Eighthly: Part Subdivided by Plan 66843, Ninthly: Part Subdivided by Plan 66844, Tenthly: Part Subdivided by Plan 66845, Eleventhly: Part Subdivided by Plan 66846, Twelfthly: Part Subdivided by Plan 70213, Thirteenthly: Part Subdivided by Plan LMP10582 New Westminster District; Fourteenthly: Part Subdivided by Plan EPP31169

- c. (hereinafter individually called "Lot 1" and "Remainder Fractional Section 13" respectively and collectively, the "Lots");

**C. AND WHEREAS** a covenant under Section 219 of the Land Title Act against the Lots is required as a condition of the consent to approval of the subdivision of the Lands by the Approving Officer under Section 86 of the Land Title Act;

**D. AND WHEREAS** Section 219 of the Land Title Act provides that there may be registered as a charge against the title to any land a covenant in favor of Transferee and a municipality that land is to be used in a particular manner or that land is not to be subdivided except in accordance with the covenant,

**E. AND WHEREAS** the Lands are subject to the provisions of the Village of Harrison Hot Springs Zoning Bylaw No. 1020, 2012, in force from time to time, and are within the floodplain designated therein. In respect to said Lands, Section 18.2 of said Bylaw requires that the underside of any floor system supporting a "habitable area" shall be above that specified level being the Flood Construction Level (FCL).

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration paid by the Transferee to the Transferor, the receipt of which is hereby acknowledged, the Transferor does hereby covenant with the Transferee under Section 219 of the Land Title Act of the Province of British Columbia as follows:

1. The Transferor is aware of and, on behalf of himself or herself and his or her heirs, executors, administrators, successors and assigns, hereby acknowledges that there is a potential flood danger to the Lands and that the level to which flooding could occur in a 1 in 200 year flood in the area of the Lands, should the protecting dyke be breached, is 14.55 metres GSC, that Natural Ground Elevation of the building site is approximately 11.63 metres GSC, and that the elevation of the crown of the road where water may pond is approximately 14.61 metres GSC.
2. The Transferor, on behalf himself or herself and his or her heirs, executors, administrators, successors and assigns, hereby covenants and agrees with the Transferee, as a covenant in favor of the Transferee pursuant to Section 219 of the Land Title Act, it being the intention and agreement of the Transferor, that the provisions hereof be annexed to and run with and be a charge upon the Lots, that from and after the date hereof:

## Page 6

- (a) For Lot 1 and Remainder:
- i. No area used for habitation, business or storage of goods damageable by floodwaters shall be located within any building, unit or structure at an elevation such that the underside of the floor system or top of concrete slab is less than 14.55 metres Geodetic Survey of Canada (GSC) datum.
  - ii. No area used for parking, entrance foyer or indoor recreation shall be located at an elevation such that the top of concrete floor is less than 0.15 metres above the crown of the road where water may pond.
- (b) The required elevation may be achieved by structural elevation of the said habitable, business or storage area or by adequately compacted landfill on which any building, or unit located, or a combination of both structural elevation and landfill.
- (c) Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement above. The face of the landfill slope shall be adequately protected against erosion from flood flow.
3. The Transferor, on behalf of himself or herself or his or her heirs, executors, administrators, successors and assigns acknowledges that the Transferee does not represent to the Transferor, nor to any other person that any building, modular home, manufactured home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots will not be damaged by flooding or erosion and the Transferor, on behalf of himself or herself and his or her heirs, executors, administrators, successors and assigns, with full knowledge of the potential flood or erosion danger and in consideration of the approvals given by the Transferee hereby:
- (a) agrees to indemnify and to save harmless the Transferee and the Transferee's employees, servants or agents from all loss, damage, costs, actions, suits, debts, accounts, claims and demands which the Transferee or any of the Transferee's employees, servants, or agents, may suffer or incur or be put to arising out of or in connection with any breach of any covenant or agreement on the part of the Transferor or his or her heirs, executors, administrators, successors and assigns contained in this Agreement or arising out of or in connection with any personal injury, death or loss or damage to the Lots, or to any building, modular home, manufactured home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots caused by flooding, erosion or other such similar cause; and
  - (b) does remise, release and forever discharge the Transferee and the Transferee's employees, servants or agents from all manner of actions, cause of actions, suits, debts, accounts, covenants, contracts, claims and demands which the Transferor or any of his or her heirs, executors, administrators, successors and assigns may have against the Transferee and the Transferee's employees, servants or agents for and by reason of any personal injury, death or loss or damage to the Lots, or to any building, modular home, manufactured home or unit, improvement, chattel or other structure, including the contents of any of them, built, constructed or placed on the Lots caused

LAND TITLE ACT  
FORM E

SCHEDULE

PAGE 3 OF 8 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:  
[PID] [LEGAL DESCRIPTION]

**NO PID NMBR LOT 1 SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF THE SIXTH MERIDIAN  
NEW WESTMINSTER DISTRICT PLAN EPP31169**

STC? YES

[Related Plan Number]

EPP31169

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LMP10582 NEW WESTMINSTER DISTRICT, FOURTEENTHLY: PART  
SUBDIVIDED BY PLAN EPP31169**

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[PID] [LEGAL DESCRIPTION]

STC? YES ☐

**TERMS OF INSTRUMENT - PART 2****Page 4**

**BETWEEN:** **WILMARK HOMES LTD.** (Inc. No. BC0199454)  
(as to an undivided ½ interest) and  
**HEMECRAFT CONSTRUCTION LTD.** (Inc. No. BC0207043)  
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Having a postal address of:  
33677 Arcadian Way  
Abbotsford, BC V2S 7T4  
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**OF THE FIRST PART**

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Harrison Hot Springs, BC V0M 1K0  
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LMP10582 NEW WESTMINSTER DISTRICT  
(hereinafter called the "Lands");

- B. AND WHEREAS** the Transferor proposes to subdivide the Lands according to a Plan of Subdivision filed in the Land Title Office under Plan EPP31169 completed on the 15<sup>th</sup> day of May, 2013 by Mitchell Power, a British Columbia Land Surveyor, a copy of which is attached hereto as Schedule "A", into the following Lot:

- a. Lot 1 Section 13 Township 4 Range 29 West of the 6<sup>th</sup> Meridian  
New Westminster District Plan EPP31169
- b. Remainder Fractional Section 13 Township 4 Range 29 West of the 6<sup>th</sup> Meridian Except:  
Firstly: Part Subdivided by Plan 251, Secondly: Part Subdivided by Plan 9656, Thirdly:  
Part Subdivided by Plan 9786, Fourthly: Part Subdivided by Plan 27133, Fifthly: Part

## Page 5

Subdivided by Plan 38836, Sixthly: Part Subdivided by Plan 48818, Seventhly: Part Subdivided by Plan 53383, Eighthly: Part Subdivided by Plan 66843, Ninthly: Part Subdivided by Plan 66844, Tenthly: Part Subdivided by Plan 66845, Eleventhly: Part Subdivided by Plan 66846, Twelfthly: Part Subdivided by Plan 70213, Thirteenthly: Part Subdivided by Plan LMP10582 New Westminster District; Fourteenthly: Part Subdivided by Plan EPP31169

- c. (hereinafter individually called "Lot 1" and "Remainder Fractional Section 13" respectively and collectively, the "Lots");

- C. **AND WHEREAS** a covenant under Section 219 of the Land Title Act against the Lots is required as a condition of the consent to approval of the subdivision of the Lands by the Approving Officer under Section 86 of the Land Title Act;
- D. **AND WHEREAS** Section 219 of the Land Title Act provides that there may be registered as a charge against the title to any land a covenant in favor of Transferee and a municipality that land is to be used in a particular manner or that land is not to be subdivided except in accordance with the covenant.
- E. **AND WHEREAS** the Lands are subject to the provisions of the Village of Harrison Hot Springs Zoning Bylaw No. 1020, 2012, in force from time to time, and are within the floodplain designated therein. In respect to said Lands, Section 18.2 of said Bylaw requires that the underside of any floor system supporting a "habitable area" shall be above that specified level being the Flood Construction Level (FCL).

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the sum of One Dollar (\$1.00) of lawful money of Canada and other good and valuable consideration paid by the Transferee to the Transferor, the receipt of which is hereby acknowledged, the Transferor does hereby covenant with the Transferee under Section 219 of the Land Title Act of the Province of British Columbia as follows:

1. The Transferor is aware of and, on behalf of himself or herself and his or her heirs, executors, administrators, successors and assigns, hereby acknowledges that there is a potential flood danger to the Lands and that the level to which flooding could occur in a 1 in 200 year flood in the area of the Lands, should the protecting dyke be breached, is 14.55 metres GSC, that Natural Ground Elevation of the building site is approximately 11.63 metres GSC, and that the elevation of the crown of the road where water may pond is approximately 14.61 metres GSC.
2. The Transferor, on behalf himself or herself and his or her heirs, executors, administrators, successors and assigns, hereby covenants and agrees with the Transferee, as a covenant in favor of the Transferee pursuant to Section 219 of the Land Title Act, it being the intention and agreement of the Transferor, that the provisions hereof be annexed to and run with and be a charge upon the Lots, that from and after the date hereof:

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

**DATE:** July 9, 2018  
**TIME:** 7:00 p.m.  
**PLACE:** Council Chambers  
495 Hot Springs Road  
Harrison Hot Springs, BC

**IN ATTENDANCE:** Mayor Leo Facio  
Councillor John Hansen  
Councillor Sonja Reyerse  
Chief Administrative Officer, Madeline McDonald  
Deputy Chief Administrative Officer/Corporate Officer, Debra Key  
Financial Officer, Tracey Jones  
Infrastructure Manager, Troy Davis

**ABSENT:** Councillor John Buckley  
Councillor Samantha Piper

*Recording Secretary: Debra Key*

**1. CALL TO ORDER**

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

**2. INTRODUCTION OF LATE ITEMS**

Report of Planning Consultant – July 3, 2018  
Re: Start of Development Permit Process – 800 Hot Springs Road

**3. APPROVAL OF AGENDA**

Moved by Councillor Hansen  
Seconded by Councillor Reyerse

THAT the agenda be approved as amended.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-01

**4. ADOPTION OF COUNCIL MINUTES**

Moved by Councillor Hansen  
Seconded by Councillor Reyerse

THAT the minutes of the Regular Council Meeting held on June 18, 2018 be adopted.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-02

**5. BUSINESS ARISING FROM THE MINUTES**

None

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
July 9, 2018*

**6. CONSENT AGENDA**

**i. Bylaws**

**ii. Agreements**

**iii. Committee/  
Commission  
Minutes**

**iv.  
Correspondence**

(a) Advisory Planning Commission Meeting Minutes of March 16, 2018.

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

THAT the Minutes of the Advisory Planning Commission Meeting be received.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-03

**7. DELEGATIONS**

(a) Fraser Valley Regional District Chief Administrative Officer, Paul Gipps  
Re: Fraser Valley Regional District Regional Solid Waste Management  
Service Area Establishment Bylaw No. 1478, 2018

Paul Gipps provided an overview and explanation for recovery of costs for the  
Fraser Valley Regional District Regional Solid Waste Management Service  
Area Establishment Bylaw No. 1478, 2018

**8. CORRESPONDENCE**

(a) Email correspondence dated June 29, 2018 from Melissa Smith, Business  
Services, Ministry of Transportation and Infrastructure  
Re: Nomination for "Sasquatch" Stop of Interest Initiative

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

THAT the correspondence be received.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-04

**9. BUSINESS ARISING OUT OF CORRESPONDENCE**

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

THAT the nomination for a "Sasquatch" Stop of Interest Sign under the Ministry of  
Transportation and Infrastructure's Stop of Interest Sign Program be accepted, the  
placement of the sign be approved near the Sasquatch Museum and that the  
Ministry work in collaboration with Tourism Harrison and Sts'ailes First Nation on the  
initiative.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-05

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
July 9, 2018*

10.

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

**Councillor Reyerse**

- Reported that the Chamber of Commerce Bursary was awarded to Jessica Lucki and the Ian Maw Memorial Bursary was awarded to Amanda Heffell who was accepted into the UFV's Culinary Program.
- Reported that the Agassiz Library held their annual Quiz Night attracting 80 participants of 10 teams of 8. The winning team was the "Lost Boys" who walked away with the coveted title of the "Know-it-Alls". The event raised approximately \$1300 for the Agassiz Library.
- Reported that the library also has a new Virtual Reality Vive station. Seventeen customers experienced this new technology during the VR event. It gave some opportunities to experience once-in-a-lifetime events without leaving the room or the ground. The Virtual Reality station is one of the latest additions to the FVRL playground.
- Attended Sasquatch Days and was part of the parade and welcoming ceremony.
- Attended the Canada Day celebrations and was part of the welcoming ceremony.
- Attended the Quarry Development open house at the Agricultural Hall.

11.

**REPORT FROM MAYOR FACIO**

- Reported there will be an Open House on July 21, 2018 at the Agassiz-Harrison Museum.
- Reported on a letter received June 22, 2018 in response to the Village's letter of April 12, 2018 from Minister Mungall, Ministry of Energy, Mines and Petroleum Resources regarding the proposed construction of the aggregate quarry in Agassiz.
- July 5, 2018 attended an Opening Reception at the Ranger Station Gallery for the 40<sup>th</sup> anniversary of the Festival of the Arts.
- Last Saturday met with former Chief Willie Charlie of Sts'ailes First Nation and the Sasquatch Dancers to open the Festival of the Arts on the beach and to wish the Festival success for the events. Also expressed acknowledgment to Ed and Phyllis Stenson, former Executive Directors of the Festival Society.
- Reported that at the Fraser Valley Regional District Board of Directors Meeting of June 26, 2018, it was announced that the Electoral Areas now connected to water systems and moving away from well systems.
- Reported on the recently completed water system upgrades in the south area of the Village.

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
July 9, 2018*

- Reported on a Fraser Valley Regional District letter that will be forwarded to the Prime Minister regarding flood risk mitigation on the Fraser River
- Reported that the Fraser Valley Regional District will be communicating with the Provincial Government and Translink Board on the imposition of mobility charges on Fraser Valley Regional District residents and businesses

12.

**REPORTS FROM STAFF**

- (a) Report of the Planning Consultant – June 20, 2018  
Re: Flood Plain Exemption request for Unit 2 of 520 Hot Springs Road

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

THAT the flood exemption request be denied.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-06

- (b) Report of the Chief Administrative Officer – June 18, 2018  
Re: Development Variance Permit for 296 Cedar Avenue

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

THAT Council issue Development Variance Permit DVP 06/18, for the property located at 296 Cedar Avenue, Harrison Hot Springs for land legally described as: Lot 19 Block 2 Fractional Section 13 Township 4 Range 29 West of the Sixth Meridian New Westminster Plan 251 (PID: 002-176-971).

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-07

- (c) Report of the Planning Consultant – June 26, 2018  
Re: To start the Development Variance Permit and the Development Permit process for 247 Miami River Drive

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

THAT Council authorize staff to work on application 3090-20-DVP04/18 for land legally described as: Lot 19, Except: Part on Plan 66847; Block 3 Fractional Section 13 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 9786, with the civic address of 247 Miami River Drive; and

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
July 9, 2018*

THAT Council authorize staff to work on application 3060-20-DP03/18 for land legally described as: Lot 19, Except: Part on Plan 66847; Block 3 Fractional Section 13 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 9786, with the civic address of 247 Miami River Drive.

**CARRIED  
UNANIMOUSLY**  
*RC-2018-07-08*

- (d) Report of the Planning Consultant – July 3, 2018  
Re: Development Permit for 296 Cedar Avenue

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

THAT Council issue Development Permit 3060-20-DP07/18 for land located at 296 Cedar Avenue, Harrison Hot Springs BC and legally described as: Lot 19; Blk 2 of Fractional Section 13; Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 251.

Subject to a covenant being in place to address the following issues:

- a) No trees in the Streamside Protection Enhancement Area (SPEA) will be removed and if they are the replacement ratio will be for every tree removed two replacement trees will be replanted;
- b) Permanent signage and fencing must be erected around any rehabilitated areas within the SPEA. Signage indicating that this area is a sensitive wildlife and fisheries area. The fence may be any of the following:
  - i) a rail fence,
  - ii) a chain link fence, or
  - iii) a cedar fence.
- c) Except for the proposed residential development, including the driveway and the landscaping area, the SPEA is a no disturbance area and it must not be used as a dump site for any yard waste; and
- d) Encroachment into the SPEA area to remove any invasive vegetation species and to plant native species is permitted, if it does not adversely affect the native vegetation and the work is being conducted under the recommendations of a Qualified Environmental Professional (QEP). The development of the QEP's plan or any professional work related to this issue is the financial responsibility of the land owner.

**CARRIED  
UNANIMOUSLY**  
*RC-2018-07-09*

*Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
July 9, 2018*

- (e) Report of the Deputy Chief Administrative Officer/Corporate Officer – July 3, 2018

Re: Proposed "Fraser Valley Regional District Regional Solid Waste Management Service Area Establishment Bylaw No. 1478, 2018"

**Moved by Councillor Hansen**

**Seconded by Councillor Reyerse**

THAT Council consents to the Fraser Valley Regional District's "Fraser Valley Regional District Regional Solid Waste Management Service Establishment Bylaw No. 1478, 2018".

**CARRIED  
UNANIMOUSLY**  
*RC-2018-07-10*

- (f) Report of the Chief Administrative Officer – July 5, 2018

Re: UBCM Ministerial Meetings

**Moved by Councillor Reyerse**

**Seconded by Councillor Hansen**

THAT the Village request meetings with the following Cabinet Ministers at the 2018 UBCM Annual Conference:

- Office of the Premier – Premier John Horgan
- Minister of Energy, Mines and Petroleum Resources - Honourable Michelle Mungall
- Minister of Health - Honourable Adrian Dix
- Minister of Public Safety and Solicitor General - Honourable Mike Farnworth
- Minister of Tourism, Arts and Culture - Honourable Lisa Beare
- Minister of Transportation and Infrastructure - Honourable Claire Trevena
- Ministry of Indigenous Relations and Reconciliation - Honourable Scott Fraser
- Ministry of Municipal Affairs and Housing - Honourable Selena Robinson

**CARRIED  
UNANIMOUSLY**  
*RC-2018-07-11*

- (g) Report of Planning Consultant – July 3, 2018

Re: Start of Development Permit Process – 800 Hot Springs Road

**Moved by Councillor Hansen**

**Seconded by Councillor Reyerse**

THAT staff be authorized to work on application 3060-20-DP04/18 for land legally described as: Lot 8, Section 12 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 17111.

**CARRIED  
UNANIMOUSLY**  
*RC-2018-07-12*

Village of Harrison Hot Springs  
Minutes of the Regular Council Meeting  
July 9, 2018

13. **BYLAWS**

None

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

Questions from the public were entertained.

15. **ADJOURNMENT**

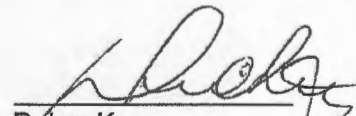
**Moved by Councillor Hansen**

**Seconded by Councillor Reyerse**

THAT the meeting be adjourned 7:55 p.m.

**CARRIED  
UNANIMOUSLY**  
RC-2018-07-13

  
Leo Facio  
Mayor

  
Debra Key  
Corporate Officer

# VILLAGE OF HARRISON HOT SPRINGS



## REPORT TO COUNCIL

<b>TO:</b>	<b>Mayor and Council</b>	<b>DATE:</b> Aug 27, 2019
<b>FROM:</b>	<b>Ken Cossey, MCIP, RPP Planning Consultant</b>	<b>FILE:</b> 3360-20-Z03/19 622 Hot Springs Road
<b>SUBJECT:</b> To start the Rezoning process		

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### ISSUE:

Seeking approval to start the rezoning review process.

### BACKGROUND:

This site is currently developed with one dwelling unit and is approximately 0.56 Ha (2,290.88 M<sup>2</sup>) in size. The site has an extensive depressed area, that covers proposed Lots 2 and 3, that will required extensive fill for this area to raise this site to the FCL of 14.55 M.

The site can be easily serviced as adjacent sewer and water lines and BC Hydro lines are quite close to this site. There are two fire hydrants located immediately adjacent to this site. The requested rezoning amendment is to change the current zoning from an R-1 zone (Residential 1 – Conventional Lot) to an R-3 zone (Low Density Residential – Small Lot). The request is to facilitate a future 3-Lot subdivision application.

### Official Community Plan (OCP) designation

The site is currently designated as a Low Density Residential area, as per s 6.3.2 of the Village's OCP. No OCP amendment is required as the proposed R-3 uses are compatible with the current Low Density Residential policies.

In 2010 this site was redesignated from Tourist Commercial to Low Density Residential. This site was also rezoned at the same time from TC to R-1.

### Surrounding Land Uses

On the north, south and west sides of this site, the zoning is C-3 (Tourist Commercial) and on the east side of the site, across Hot Springs Road, the zoning is R-2. In this neighbourhood, the site is approximately 40M from an R-4 site and 140M from an R-3 site.

Title Issues

Both Title for this site have been reviewed and there are no issues to report on.

**RECOMMENDATION:**

- 1/. That staff be authorized to work on application 3360-20-Z03/19 for land legally described as: Parcel "A" (Reference Plan 11753) Lots 15 and 16 Except: Parcel One (Reference Plan 12824); and
- 2/. Parcel "B" (Explanatory Plan 15935) Lot 15 both of Section 12 Township 4 Range 29 West of the Sixth Meridian New Westminster District Plan 5519.

**Respectfully submitted:**

**REVIEWED BY and Concurrence  
with the RECOMMENDATIONS**

*Ken Cossey*

*Madeline McDonald*

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Ken Cossey, MCIP, RPP,  
Planning Consultant

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Madeline McDonald  
Chief Administrative Officer

Attachments (1)      Location Map

REPORT TO COUNCIL

TO: Mayor and Council

DATE: August 14, 2019

FROM: Debra Key  
Deputy Chief Administrative Officer/CO

FILE: 3900-01

SUBJECT: Barbeques and tents on the beach

ISSUE: Petition requesting designated areas for barbeque users and to limit size of tents.

BACKGROUND:

The Village is in receipt of a petition from local business operators asking Council to consider restriction of barbeque use and limit the size of tents on the beachfront.

The current Park Regulation Bylaw prohibits any fire, barbeque, hibachi or any other form of cooking apparatus that uses **wood, charcoal, briquettes or any other form of natural burning product** at any time on any beach or park within the Village, but permits the use of propane, butane or natural gas fired grills or barbeques for the purpose of cooking food on any beach or park within the Village. Rendall Park is the only area that provides picnic tables, however, no areas are specifically designated for barbeque use.

The use, placement or set up of any structure or camping equipment in any park is prohibited, however, the use of shade tents or canopies has been allowed provided the use is temporary and is only for the purpose of creating shade areas for users.

The Open Burning and Outdoor Fire Regulation Bylaw does not permit the use of a barbeque, hibachi or any other form of cooking apparatus that uses wood and charcoal briquettes at any time, on any beach or foreshore of Harrison Lake, Harrison River or Miami River or its tributaries, or in any zone with the community unless it is:

- The normal use of liquid fuel or gaseous fueled or electric grills and barbeques for the purpose of cooking food;
- The normal use of hibachis and charcoal barbeques on private property for the purpose of cooking food;
- The normal use of a CSA rated or ULC rated approved electric or wood pellet smoker on private property to process, flavor, brown, cook or preserve food;

Council may wish to consider the following options:

1. Limit the use of propane, butane or natural gas fired grills or barbeques for the purpose of cooking food in designated areas only, such as Rendall Park;
2. Limit the use of propane, butane or natural gas fired grills or barbeques for the purpose of cooking food to designated areas where barbeque pedestals are installed by the Village;
3. Limit the size of barbeque to the size of the pedestal;
4. Prohibit the use of propane, butane or natural gas fired grills or barbeques on any beach or foreshore of Harrison Lake, Harrison River or Miami River or its tributaries, or in any zone with the community unless it is on private property;
5. Limit the size of sun shade canopies to 4' high x 6' wide;
6. Prohibit the use of tents other shade canopies.

Respectfully submitted:

REVIEWED BY:

Debra Key

Debra Key  
Deputy Chief Administrative Officer/CO

Madeline McDonald

Madeline McDonald  
Chief Administrative Officer

RECEIVED

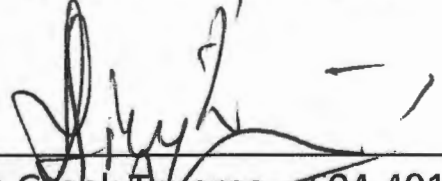
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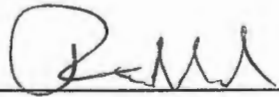
VILLAGE OF HARRISON HOT SPRINGS

To Village of Harrison,


As a part of the business community, we would like the Village of Harrison to review their barbeque and tent policy. Lately we have noticed that it has been affecting food related business' due to heavy volume of barbeque usage on the beach. Because of that, the volume of trash left behind is discouraging people who really want to enjoy the lake and help the local economy. We as a business community would like to suggest village to have a designated area for the barbeque users and also a limit the size of tents. Thank you for your consideration and if you have any questions or concerns , please feel free to contact the following businesses:

  
Black Forest Restaurant – 604-796-9343

  
Milos Greek Taverna – 604-491-8811

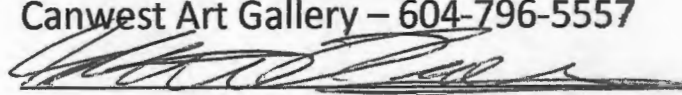
 Roger Hedder  
Chantilly Ice Cream – 604-796-1980

  
Muddy Waters Caffe – 604-796-5563

  
Harrison Corner Caffe – 604-491-4429

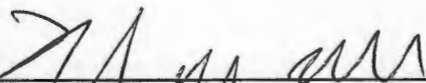


Canwest Art Gallery – 604-796-5557

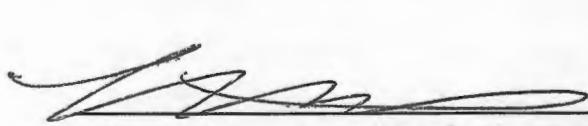


(Stewart Pritchard)

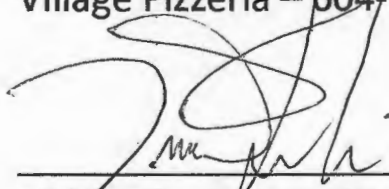
Morgan's Bistro – 604-491-1696



Lakeview Restaurant – 604-796-9888

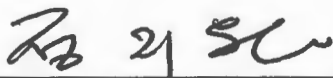


John. Kim  
Village Pizzeria – 604-796-1170 (604-727-7764)



Trent Lucki  
Old Settler Pub – 604-796-9722

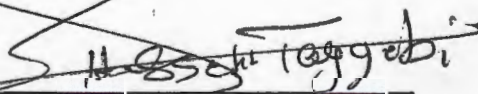
Suzy's Caffe – 604-796-2229



Yukiya Sushi – 604-796-2633 (778-887-3223)



WonsHouse – 604-781-0540



Harrison Market – 604-796-2180

Pho Ho Vietnamese

*Pho Ho* Tel (604) 491-8888

Lucky Phuc Duong

Hot Spring Villa Restaurant

*Pho Ho* 604 796 9339

~~Harrison Lake Health Bcr~~

~~514-777-2779~~

HARRISON BEACH HOTEL

*Janet Kim GM-604-796 1111 ext 2*

Harrison Spa Motel.

*David Kim*

GM-604-772-7788

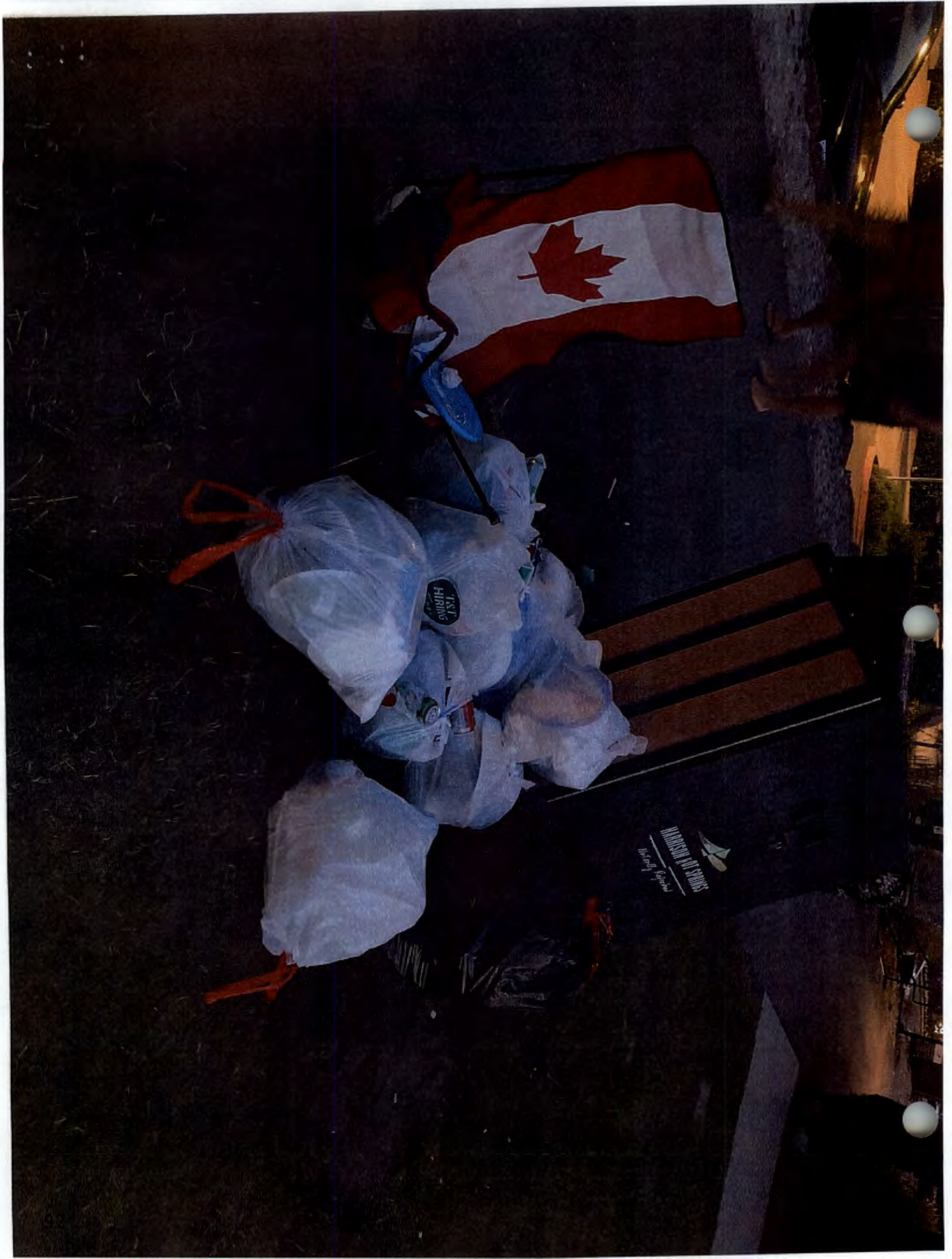
Blue Dandelion Gifts

*W. Bob*

778-999-3634









## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

TO: Mayor and Council DATE: Aug 28, 2019

FROM: Ken Cossey, MCIP, RPP FILE: 3320-20-SUB-875/879HSR  
Planning Consultant

SUBJECT: Panhandle Lot width exemption

**ISSUE:** Seeking relief under section 512 of the *Local Government Act*, minimum highway frontage requirements.

#### BACKGROUND:

Under the *Local Government Act*, specifically section 512, if a Lot is being created by a subdivision the minimum frontage along a highway, must be the greater of:

- 10% of the perimeter of the Lot that fronts the highway; and
- It must meet the minimum frontage requirement that the Village has adopted through Zoning Bylaw, 1115, 2017.

Council may exempt any Lot being created by subdivision from these requirements.

In this case the applicant is proposing a frontage of 7.531 M, which is less than the 10% requirement of 18.6 M and the minimum Lot width of 18 M as per Zoning Bylaw 1115, 2017.

In order to assist the Council on whether or not the 10% requirement and the minimum frontage requirements should be waved, a policy has been created and was shared with Council during an earlier Council meeting. The guiding principle for this policy is the concept of "fair play", in that all the applicants seeking relief from this requirement are treated in the same manner. The guiding objectives for this policy are:

- Safety - Is the frontage reduction too restrictive for an emergency vehicle's access to the proposed dwelling?
- Impact analysis - Identification of the potential impacts of the reduced frontage.
- Servicing of the new dwelling - Can the dwelling unit still be properly serviced? Can the sewer and water lines or other utility lines be located under the access strip?
- Drainage - Will the access strip cause any additional surface water runoff discharge, if so, will it flow onto the adjacent owner's property?

## Results of the review

### 1/. Safety

The average fire truck is 2.4 to 3.04 M wide. The City of Burnaby requires that any access point to a dwelling unit, for any new construction be at least 7.3 M wide and have no obstructions along the route. With respect to ambulances in BC we have three ground vehicle types; Type III, Type II and Type I and the width of the three types ranges from 2 M to 2.48 M.

### 2/. Impacts

Based upon a site inspection of the site, no sight line impacts are anticipated.

### 3/. Servicing (taken from the proposed Village's Subdivision and Servicing Bylaw)

If laid above each other, the water line is over top of the sewer line and is separated by a distance of 0.5 M. In addition to this, all the water line joints must be heat wrapped. If laid vertically they must be at least 3 M apart from each other. In this situation as well, all the water line joints must also be heat wrapped.

### 4/. Drainage

The site is relatively flat, and no extra surface water runoff is expected.

To facilitate an informed decision, and to start the subdivision approval process, it is prudent to seek comment with respect to the safety and servicing issues identified above.

## RECOMMENDATIONS:

**THAT** proposed Lot 2 in subdivision file 3320-20-SUB-875/879HSR for land legally described as: Lots G and F Section 12, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New West Minister District Plan 16245, from the 10% frontage requirement be referred to the Harrison Hot Springs Fire Chief for review and comment with respect to emergency access to the proposed new lots; and

**THAT** proposed Lot 2 in subdivision file 3320-20-SUB-875/879HSR for land legally described as: Lots G and F Section 12, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New West Minister District Plan 16245 be referred to the Village Engineer of Record for review and comment with respect to the ability of the Village to provide appropriate water and sewer services to the property

Respectfully submitted;

REVIEWED BY and Concurrence  
with the RECOMMENDATIONS:

*Ken Cossey*

*Madeline McDonald*

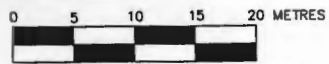
Ken Cossey, MCIP, RPP,  
Planning Consultant  
Attachments (1)      Site plan

Madeline McDonald  
Chief Administrative Officer

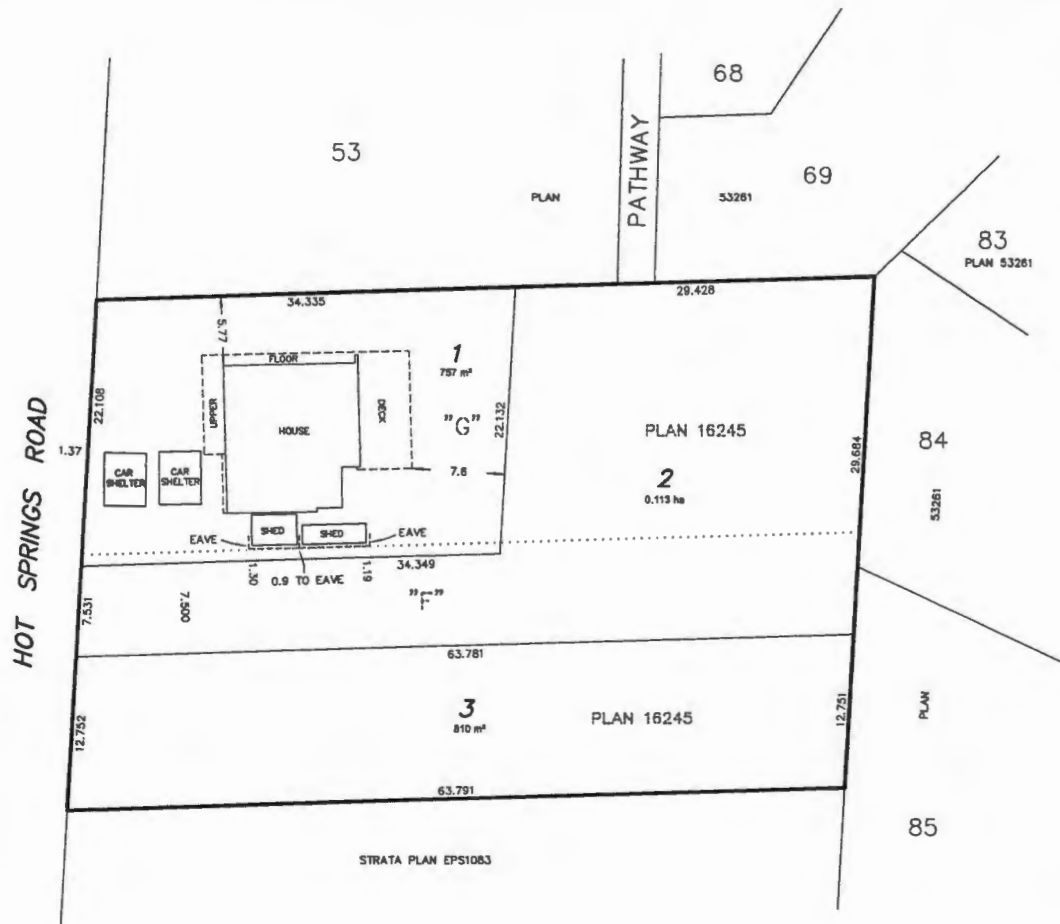
**PROPOSED SUBDIVISION PLAN OF LOTS "F" AND "G"**  
**SECTION 12 TOWNSHIP 4 RANGE 29 WEST OF THE SIXTH MERIDIAN**  
**NEW WESTMINSTER DISTRICT PLAN 16245**

875 & 879 HOT SPRINGS ROAD, HARRISON HOT SPRINGS, BC

SCALE 1 : 300



ALL DISTANCES ARE HORIZONTAL GROUND-LEVEL  
 DISTANCES IN METRES AND DECIMALS THEREOF



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 Ph. (604) 796-LAND (5263)

OUR FILE: 0644 DRAWING: 0644 PROP SUB 5

PREPARED BY EDWARD EATON, BCLS, CLS  
 THIS 11th DAY OF APRIL, 2019.





## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

TO: Mayor and Council  
 FROM: Ken Cossey, MCIP, RPP  
 Planning Consultant  
 DATE: Aug 28, 2019  
 FILE: 3320-20-SUB-34ECHO  
 SUBJECT: Panhandle Lot width exemption

**ISSUE:** Seeking relief under section 512 of the *Local Government Act*, minimum highway frontage requirements.

#### BACKGROUND:

Under the *Local Government Act*, specifically section 512, if a Lot is being created by a subdivision the minimum frontage along a highway, must be the greater of:

- 10% of the perimeter of the Lot that fronts the highway; and
- It must meet the minimum frontage requirement that the Village has adopted through Zoning Bylaw, 1115, 2017.

Council may exempt any Lot being created by subdivision from these requirements.

In this case the applicant is proposing a frontage of 7.5 M, which is less than the 10% requirement of 13.7 M and the minimum Lot width of 12.5 M as per Zoning Bylaw 1115, 2017.

In order to assist the Council on whether or not the 10% requirement and the minimum frontage requirements should be waived, a policy has been created and was shared with Council during an earlier Council meeting. The guiding principle for this policy is the concept of "fair play", in that all the applicants seeking relief from this requirement are treated in the same manner. The guiding objectives for this policy are:

- Safety - Is the frontage reduction too restrictive for an emergency vehicle's access to the proposed dwelling?
- Impact analysis - Identification of the potential impacts of the reduced frontage.
- Servicing of the new dwelling - Can the dwelling unit still be properly serviced? Can the sewer and water lines or other utility lines be located under the access strip?
- Drainage - Will the access strip cause any additional surface water runoff discharge, if so, will it flow onto the adjacent owner's property?

## Results of the review

### 1/. Safety

The average fire truck is from 2.4 to 3.04 M wide. The City of Burnaby requires that all access points to a dwelling unit, for any new construction be at least 7.3 M wide and have no obstructions along the route. With respect to ambulances in BC we have three ground vehicle types; Type III, Type II and Type I and the width of the three types ranges from 2 M to 2.48 M.

### 2/. Impacts

Based upon a site inspection of the site, no sight line impacts are anticipated.

### 3/. Servicing (taken from the proposed Village's Subdivision and Servicing Bylaw)

If laid above each other, the water line is over top of the sewer line and is separated by a distance of 0.5 M. In addition to this, all the water line joints must be heat wrapped. If laid vertically they must be at least 3 M apart from each other. In this situation as well, all the water line joints must also be heat wrapped.

### 4/. Drainage

The site is relatively flat, and no extra surface water runoff is expected.

To facilitate an informed decision, and to start the subdivision approval process, it is prudent to seek comment with respect to the safety and servicing issues identified above.

## RECOMMENDATIONS:

THAT proposed Lot 4 in subdivision file 3320-20-SUB-34ECHO for land legally described as: Lot 34, Section 13, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New Westminster District Plan 27133, be referred to the Harrison Hot Springs Fire Chief for review and comment with respect to emergency access to the proposed new lots;

AND THAT proposed Lot 4 in subdivision file 3320-20-SUB-34ECHO for land legally described as: Lot 34, Section 13, Township 4, Range 29, West of the 6<sup>th</sup> Meridian, New Westminster District Plan 27133 be referred to the Village Engineer of Record for review and comment with respect to the ability of the Village to provide appropriate water and sewer services to the property

Respectfully submitted;

*Ken Cossey*

Ken Cossey, MCIP, RPP,  
Planning Consultant  
Attachments (1)      Site plan

REVIEWED BY and Concurrence  
with the RECOMMENDATIONS:

*Madeline McDonald*

Madeline McDonald  
Chief Administrative Officer

**PROPOSED SUBDIVISION PLAN OF LOT 34  
SECTION 13 TOWNSHIP 4 RANGE 29 WEST OF THE 6TH MERIDIAN  
NEW WESTMINSTER DISTRICT PLAN 27133**

SCALE 1 : 300

0 5 10 15 20 METRES



ALL DISTANCES AND ELEVATIONS ARE IN  
METRES AND DECIMALS THEREOF



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OUR FILE: 0700 DRAWING: 0700 PROF SUB 3

DIMENSIONS SHOWN ARE ACCORDING TO LAND TITLE & SURVEY AUTHORITY  
OF BC RECORDS PLAN 27133.

PREPARED BY EDWARD C. EATON, BCL, CLS  
THIS 24th DAY OF JANUARY, 2019.





## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

TO: Mayor and Council                      DATE: September 3, 2019  
 FROM: Troy Davis                      FILE: 5400-01  
       Infrastructure Manager  
 SUBJECT: Dedicated Road north of Mount Street

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**ISSUE:** Parking lot proposal north of Mount Street

#### BACKGROUND:

The Dedicated Road north of Mount Street that has been investigated as a parking lot area is a 1.54 hectare Village owned parcel. It is on the most easterly border of the Village, and bounded on the south end by Driftwood Avenue, and at the north end by the intersection of Lillooet Avenue and Rockwell Drive. The property was dedicated as road in 2013 for future consideration as a parking lot area.

In 2017, Council identified the need for additional parking as an organizational goal and staff were directed to conduct a feasibility study for the conversion of the unconstructed portion north of Mount Street into a parking lot. The intent to undertake the feasibility study was highlighted at the 2017 Financial Plan Open House and was added to the budget.

Village engineers undertook a preliminary survey to determine the portion of the property that could be practically developed as a parking lot. While they found that the area would accommodate up to 50 parking stalls, they also identified several challenges with the property. The two most significant are the stability of the slope in immediate proximity to the proposed parking lot, and the depth to competent subgrade. It is likely that significant excavation would be necessary to reach competent subgrade, and such work could destabilized the slope. Efforts to mitigate these issues would be costly and complex.

Accordingly, it is not recommended that the Village continue with the parking lot concept for the road north of Mount Street.

To date approximately \$3,500 has been spent on the feasibility study.

**RECOMMENDATION:**

THAT the feasibility study to develop parking spaces on the road north of Mount Street be discontinued at this time.

Respectfully submitted;

*Troy Davis*

---

Troy Davis  
Infrastructure Manager

**REVIEWED BY:**

*Madeline McDonald*

---

Madeline McDonald  
Chief Administrative Officer



## VILLAGE OF HARRISON HOT SPRINGS

### REPORT TO COUNCIL

**TO:** Mayor and Council **DATE:** September 4, 2019

**FROM:** Rhonda Schell **FILE:** 3900-01  
Community Services Coordinator

**SUBJECT:** Response to Provincial Plastics Action Plan

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#### ISSUE:

To seek Council's support for a response to the Provincial Plastics Action Plan.

#### BACKGROUND:

This issue was raised at the June 27, 2019 Regular Council Meeting and staff was directed to research options to develop a bylaw to prohibit single-use plastics.

#### DISCUSSION:

Since the June 27, 2019 Regular Council, the Ministry of Environment began a consultation process on the cleanBC Plastics Action Plan Policy Consultation Paper and proposed revisions to the Recycling Regulation of the Environmental Management Act to address plastic waste. Comments will be accepted until September 30, 2019.

A working group made up of staff from approximately 40 municipalities and regional districts had several meetings to review the diverse and unique requirements of each community. In order to have a stronger voice, some communities that have similar requirements are preparing joint responses, others are responding as individual communities, some communities are doing both an individual letter and signing on to a joint submission. Due to the unique requirements of a smaller resort municipality, staff has drafted a response letter expressing our strong support for the principles of producer responsibility, packaging reduction and an end to wasteful practices with respect to single use plastics.

In addition to participating in the working group to create a response to the Plastics Action Plan, staff has begun consultation with affected businesses via a survey and will continue to accept responses as we work towards a draft Single-use Plastics Bylaw.

**RECOMMENDATION:**

THAT Council provide a response to the Ministry of Environment and Climate Change Strategy's proposed amendments to the Recycling Regulation of the Environmental Management Act, to encourage the reduction of the wasteful use of single-use plastics.

Respectfully submitted:

Rhonda Schell

Rhonda Schell  
Community Services Coordinator

REVIEWED BY:

Madeline McDonald

Madeline McDonald  
Chief Administrative Officer



## VILLAGE OF HARRISON HOT SPRINGS

## REPORT TO COUNCIL

TO: Mayor and Council DATE: August 21, 2019

FROM: Debra Key FILE: 3900-01/4300-01  
Deputy Chief Administrative Officer

SUBJECT: Inter-Municipal Business Licence Bylaw

## ISSUE: Introduction and readings to Inter-Municipal Business Licence Bylaw

**BACKGROUND:**

On February 19, 2019 at a Regular Council Meeting, Council authorized staff to pursue registering the Village of Harrison Hot Springs as a participant in the Fraser Valley Inter-Municipal Business Licence program starting in the year 2020.

An Inter-Municipal Business Licence (IMBL) will allow eligible businesses to operate across participating communities without having to buy a separate business licence in each community. These licenses can be purchased by a trades contractor or other professional (related to the construction industry) or a contractor who performs maintenance and/or repair of land and buildings from other than their Premises.

Currently, several municipalities in the Fraser Valley are participants in the program. Staff met with all of the participating municipalities via teleconference to discuss the program and received approval to enter into an agreement and accept the City of Merritt and the Village of Harrison Hot Springs as participants. In order for the Village of Harrison Hot Springs to participate in the program, a bylaw is required.

The Village has approximately 51 non-resident business licence holders and it is estimated that 27 of these businesses may be eligible to participate in the IMBL program. In addition, the Village has approximately 118 resident business licence holders and it is estimated that 10 may be eligible to participate in the IMBL program.

The City of Abbotsford developed an IMBL Brochure for the participating municipalities which has been modified for Harrison and will be included as notification of the new Inter-Municipal Business Licencing Program. This and other information will be included in the renewal notices that are distributed in November to all current Business Licence holders and will be posted to the Village website and

social media. The Inter-Municipal Business Licencing Program will take effect on January 1, 2020.

The draft Inter-Municipal Business Licence Bylaw is attached for Council's consideration.

**RECOMMENDATION:**

THAT Inter-Municipal Business Licence Bylaw No. 1144, 2019 be given first, second and third readings.

Respectfully submitted;

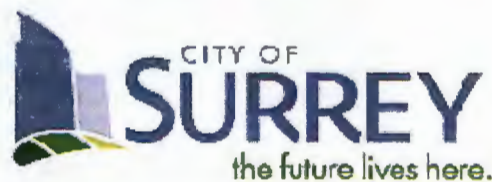
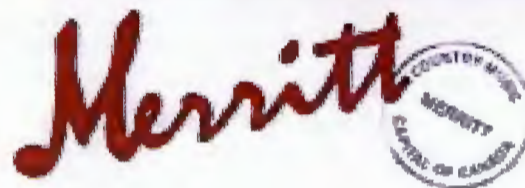
Reviewed:

Debra Key

Debra Key  
Deputy Chief Administrative Officer/  
Corporate Officer

Madeline McDonald

Madeline McDonald  
Chief Administrative Officer



For further assistance,  
please contact the Village of Harrison Hot  
Springs at:

PO Box 160  
495 Hot Springs Road  
Harrison Hot Springs, BC V0M 1K0  
info@harrisonhotsprings.ca



Village of  
Harrison  
Hot Springs

## Fraser Valley Inter-municipal Business Licence

Why buy several different  
non-resident business licenses  
when you can buy just one  
inter-municipal business licence?



VILLAGE OF HARRISON HOT SPRINGS  
BYLAW NO. 1144

A Bylaw to enter into an Inter-Municipal Business Licence Scheme

WHEREAS Fraser Valley municipalities wish to enter into an agreement with one another to permit certain categories of businesses to operate across municipal jurisdictions within the Fraser Valley region while recognizing the need to obtain a separate Municipal Business Licence in each jurisdiction;

AND WHEREAS each of the undersigned local governments (herein referred to collectively as the "Participating Municipalities") has adopted this Bylaw;

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

1. There is hereby established an inter-municipal business licence scheme, pursuant to section 14 of the Community Charter and according to the terms and conditions of this Bylaw.

2. This Bylaw may be cited for all purposes as the Village of Harrison Hot Springs Inter-Municipal Business Licence Bylaw 1144, 2019.

3. In this Bylaw:

"Business" has the meaning as defined by the Community Charter;

"Mobile Business" means a trades contractor or other professional related to the construction industry or a contractor who performs maintenance and/or repair of land and buildings from other than their premises;

"Inter-Municipal Business Licence" means a business licence which authorizes a Mobile Business to be carried on within the jurisdictional boundaries of any or all of the Participating Municipalities in accordance with this Bylaw and will be in addition to a Municipal Business Licence.

# Inter-municipal Business Licences

## Eligible Businesses:

Trades contractors or other professionals (related to the construction industry) are eligible for an Inter-municipal Business Licence (IMBL). A business that does not have a business location in any of the Participating Municipalities may also obtain a standard business licence from any one of the Participating Municipalities and then may apply for an IMBL. If a mobile business has store-fronts in multiple communities, they must purchase a municipal business licence in each of those Participating Municipalities.

## Cost:

**\$250 for a resident business licence  
and \$300 for a non-resident licence**

The IMBL cost is separate and additional to the Business Licence cost. Each business owner has the option to purchase the additional IMBL if they will be performing their services in any or all Participating Municipalities.

## Compliance:

Businesses must comply with all regulations of any municipal business licence bylaw or regulation in addition to any other bylaws that may apply within any jurisdiction.

**LICENSED**

## Participating Municipalities

For more information contact your local Business Licensing Office:

**City of Abbotsford**  
32315 South Fraser Way  
Abbotsford, BC, V2T 1W7  
Phone: 604-853-2281  
E: [info@abbotsford.ca](mailto:info@abbotsford.ca) W: <http://www.abbotsford.ca>

**City of Delta**  
4500 Clarence Taylor Crescent  
Delta, BC V4K 3E2  
Phone: 604-946-4141  
E: [businesslicences@delta.ca](mailto:businesslicences@delta.ca)  
W: <http://www.delta.ca>

**District of Hope**  
325 Wallace Street  
Hope, BC V0X 1L0  
Phone: 604-869-5671  
E: [info@hope.ca](mailto:info@hope.ca) W: <http://www.hope.ca>

**City of Langley**  
20399 Douglas Crescent  
Langley, BC V3A 4B3  
Phone: 604-514-2800  
E: [info@langleycity.ca](mailto:info@langleycity.ca) W: <http://www.langleycity.ca>

**City of Maple Ridge**  
11995 Haney Place  
Maple Ridge, BC V2X 6A9  
Phone: 604-463-5221  
E: [enquiries@mapleridge.ca](mailto:enquiries@mapleridge.ca) W: <http://www.mapleridge.ca>

**District of Mission**  
8645 Stave Lake Street  
Mission, BC V2V 4L9  
Phone: 604-820-3700  
E: [info@mission.ca](mailto:info@mission.ca) W: <http://www.mission.ca>

**City of Surrey**  
13450-104 Avenue  
Surrey, BC V3T 1V8  
Phone: 604-591-4011  
E: [clerks@surrey.ca](mailto:clerks@surrey.ca) W: <http://www.surrey.ca>

**City of Chilliwack**  
8550 Young Road  
Chilliwack, BC V2P 8A4  
Phone: 604-792-9311  
E: [info@chilliwack.com](mailto:info@chilliwack.com) W: <http://www.chilliwack.com>

**Village of Harrison Hot Springs**  
495 Hot Springs Road  
Harrison Hot Springs, BC V0M 1K0  
Phone: 604-796-2171  
E: [info@harrisonhotsprings.ca](mailto:info@harrisonhotsprings.ca)  
W: <http://www.harrisonhotsprings.ca>

**District of Kent**  
7170 Cheam Avenue  
Agassiz, BC V0M 1A0  
Phone: 604-796-2235  
E: [cleee@kentbc.ca](mailto:cleee@kentbc.ca) W: <http://www.kentbc.ca>

**Township of Langley**  
20338 - 65 Avenue  
Langley, BC V2Y 3J1  
Phone: 604-534-3211  
E: [info@tol.ca](mailto:info@tol.ca) W: <http://www.tol.ca>

**City of Merritt**  
2185 Voght Street  
Merritt, BC V1K 1B8  
Phone: 250-378-4224  
E: [info@merritt.ca](mailto:info@merritt.ca) W: <http://www.merritt.ca>

**City of Pitt Meadows**  
12007 Harris Road  
Pitt Meadows, BC V3Y 2B5  
Phone: 604-465-5454  
E: [info@pittmeadows.bc.ca](mailto:info@pittmeadows.bc.ca) W: <https://www.pittmeadows.ca>

\* Specific Municipal Restricts May Apply

**A bylaw to enter into an Inter-Municipal Business Licence Scheme**

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WHEREAS Fraser Valley municipalities wish to enter into an agreement with one another to permit certain categories of Businesses to operate across municipal jurisdictions within the Fraser Valley region while minimizing the need to obtain a separate Municipal Business Licence in each jurisdiction;

AND WHEREAS each of the undersigned local governments (herein called singularly the Participating Municipality or as a group the "Participating Municipalities") has adopted this Bylaw;

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

1. There is hereby established an Inter-Municipal business licence scheme, pursuant to section 14 of the *Community Charter* and according to the terms and conditions of this Bylaw.
2. This bylaw may be cited for all purposes as the Village of Harrison Hot Springs "Inter-Municipal Business Licence Bylaw 1144, 2019".
3. In this Bylaw:

"*Business*" has the meaning as defined by the *Community Charter*,

*Community Charter*" means the *Community Charter*, SBC 2003, c.26;

"*Mobile Business*" means a trades contractor or other professional (related to the construction industry) or a contractor who performs maintenance and/or repair of land and buildings from other than their Premises;

"*Inter-Municipal Business Licence*" means a business licence which authorizes a Mobile Business to be carried on within the jurisdictional boundaries of any or all of the Participating Municipalities in accordance with this Bylaw and will be in addition to a Municipal Business Licence;

"*Municipal Business Licence*" means a licence or permit, other than an Inter-Municipal Business Licence, issued by a Participating Municipality that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Municipality;

*"Participating Municipality"* means those of the following municipalities that have adopted this Bylaw:

City of Abbotsford	Township of Langley
City of Chilliwack	City of Maple Ridge
City of Delta	District of Mission
District of Hope	City of Pitt Meadows
District of Kent	City of Surrey
City of Langley	Village of Harrison Hot Springs
City of Merritt	

*"Person"* has the meaning as defined by the *Interpretation Act*, SBC, 1996, c. 238;

*"Premises"* means a fixed or permanent location where the Person ordinarily carries on Business; and

*"Principal Municipality"* means the Participating Municipality where a Business is located or has a Premises, or, where the licensee does not maintain Premises in any of the Participating Municipalities, the municipality that issues the Inter-Municipal Business licence;

4. Subject to the provisions of the Inter-Municipal Business Licence Bylaw, the Participating Municipalities will permit a Person who has obtained an Inter-municipality Business Licence carry on Business within any Participating Municipality for the term authorized by the Inter-Municipal Business Licence without obtaining a Municipal Business Licence in the other Participating Municipalities.
5. A Principal Municipality may issue an Inter-Municipal Business Licence to an applicant for an Inter-Municipal Business Licence provided the applicant is a Mobile Business and meets the requirements of this Bylaw in addition to the requirements of the Municipal Business Licence bylaw of the Principal Municipality.
6. Notwithstanding that a Person may hold an Inter-Municipal Business Licence that would make it unnecessary to obtain a Municipal Business Licence in other Participating Municipalities, the Person must still comply with all other regulations of any municipal business licence bylaw or regulation in addition to any other bylaws that may apply within any jurisdiction in which the Person carries on Business.
7. A Person that operates a Mobile Business may only apply for an Inter-Municipal Business Licence from the Participating Municipality in which they maintain a Premises, or, where the licensee does not maintain Premises in any of the Participating Municipalities, the municipality that issues the Inter-Municipal Business Licence.

8. Neither this Bylaw nor the issuance of an Inter-Municipal Business Licence eliminates a requirement of a holder of an Inter-Municipal Business Licence to obtain a Municipal Business Licence for each Premises that is maintained within the jurisdiction of the Participating Municipality.
9. The Inter-Municipal Business Licence fee is \$250 for a business with premises in participating municipalities and \$300 for a business without premises in participating municipalities. The fee is payable to the Principal Municipality. The Inter-Municipal Business Licence fee is separate and additional to any Municipal Business Licence fee that may be required.
10. Notwithstanding that some Participating Municipalities pro-rate their Municipal Business Licence fee, the Inter-Municipal Business Licence fee must not be pro-rated.
11. The Participating Municipalities will distribute revenue generated from Inter-municipal Business Licence fees from Inter-Municipal Businesses with premises within Participating Municipalities amongst all Participating Municipalities based on the Principal Municipality retaining 90% of the Inter-Municipal Business Licence fee and the remaining 10% distributed equally to the remaining Participating Municipalities.
12. The Participating Municipalities will distribute revenue generated from Inter-Municipal Business Licence fees from Inter-Municipal Businesses without premises within Participating Municipalities evenly amongst all participating Municipalities.
13. The Participating Municipalities agree that the revenue sharing formula will be reviewed from time to time, and will be altered as necessary upon agreement of all Participating Municipalities.
14. The revenue generated from Inter-Municipal Business Licence fees collected by the Partnering Municipalities will be distributed by each Participating Municipality to the other Participating Municipalities as follows:
  - a) The revenue generated from Inter-Municipal Business Licence fees collected from January 1 to December 31 inclusive will be distributed by February 28 of the following year in which the fees were collected.
15. The term of the Inter-Municipal Business Licence is the same as the term for the Municipal Business Licence issued by the Principal Municipality for that Business category.
16. An Inter-Municipal Business Licence issued within the 12 month term of the Inter-Municipal business licence scheme established by this Bylaw shall, until its term expires, remain valid within the jurisdictional boundaries of any or all of the Participating Municipalities.

17. Each Participating Municipality shall provide the other Participating Municipalities with information regarding the Inter-Municipal Business Licences that it issues by way of regular updates on a shared database that is available to all Participating Municipalities.
18. A Participating Municipality may exercise the authority of the Principal Municipality and suspend an Inter-Municipal Business Licence in relation to conduct by the holder within the Participating Municipality which would give rise to the power to suspend a business licence under the *Community Charter* or the Municipal Business Licence bylaw or regulation of the Participating Municipality. The suspension shall be in effect throughout all of the Participating Municipalities and it shall be unlawful for the holder to carry on the Business authorized by the Inter-Municipal Business Licence in any Participating Municipality for the period of the suspension.
19. If the Council of a Participating Municipality is of the opinion that reasonable cause exists to cancel an Inter-Municipal Business Licence issued by another of the Participating Municipalities, then it may by resolution reciting the details of such reasonable cause request the Principal Municipality that issued the licence to consider whether or not the licence should be cancelled pursuant to section 15 or section 60(2) of the *Community Charter*.
20. Any resolution made under section 18 of this Bylaw shall be communicated in writing to the Principal Municipality that issued the Inter-Municipal Business Licence, together with such documentary evidence of the reasonable cause as may be available, and such Principal Municipality shall as soon thereafter as reasonably possible consider whether the Inter-Municipal Business Licence should be cancelled.
21. In making any decision as to whether to cancel an Inter-Municipal Business Licence under section 19 of this Bylaw or section 15 or section 60(2) of the *Community Charter*, the Principal Municipality shall approach the matter as if the conduct complained of had occurred within its own jurisdictional boundaries.
22. The Principal Municipality will retain the authority to hear related reconsiderations or appeals of suspensions and cancellations of Inter-Municipal Business Licences.
23. Nothing in this Bylaw affects the authority of a Participating Municipality to suspend or cancel any business licence issued by that municipality or to enact regulations in respect of any category of Business under section 15 of the *Community Charter*.
24. The invalidity or unenforceability of any provision of this Bylaw shall not affect the validity or enforceability of any other provisions of this Bylaw and any such invalid or unenforceable provision shall be deemed to be severable.

25. In the event of an inconsistency between this Bylaw and any other bylaw relating to business licensing of a Participating Municipality, the provisions of this Bylaw shall take precedence.

This Bylaw shall come into force and take effect on the 1st day of January, 2020.

READ A FIRST TIME THIS                      DAY OF SEPTEMBER, 2019

READ A SECOND TIME THIS                      DAY OF SEPTEMBER, 2019

READ A THIRD TIME THIS                      DAY OF SEPTEMBER, 2019

ADOPTED THIS                      DAY OF                      , 2019

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

