THE CORPORATION OF THE CITY OF GRAND FORKS AGENDA – REGULAR MEETING

Monday June 11th, 2012 – 7:00 p.m. Council Chambers City Hall

SUBJECT MATTER R

RECOMMENDATION

1. CALL TO ORDER

7:00 p.m. Call to Order

Call Meeting to Order at 7:00 p.m.

2 REGULAR MEETING AGENDA

ITEM

June 11th, 2012 Agenda

Adopt Agenda

3 MINUTES

-	May 28 th , 2012	Regular Meeting Minutes	Adopt Mir
-	May 28 th , 2012	Primary Committee Meeting Minutes	Adopt Mir

Adopt Minutes Adopt Minutes and all recommendations contained therein

- 4. REGISTERED PETITIONS AND DELEGATIONS None
- 5. UNFINISHED BUSINESS: None
- 6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL)
 - a) Corporate Officer's Report

Members of Council may ask questions, seek clarification and report on issues Issues seeking information on operations be referred to the Chief Administrative Officer prior to the meeting.

7. REPORT FROM THE COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

a) Corporate Officer's Report

The City's Representative to the Regional District of Kootenay Boundary will report to Council on actions of the RDKB.

Receive the Report.

8. <u>RECOMMENDATIONS FROM STAFF</u> FOR DECISIONS:

a) Chief Administrative Officer's Report – Strategic Plan Goal Action In accordance with the Strategic Plan which was adopted on Feb 20th, 2012, Staff was directed to evaluate tax incentive bylaws in other municipalities for fit with the City and report back to Council by the end of June, 2012 That the Chief Administrative Officer's report dated June 5th, 2012, regarding the action, requiring "Staff to evaluate tax incentive bylaws in other municipalities for fit for the City and report back to Council by the end of June, 2012", as outlined

in the Corporate Strategic Plan 2012-2014, be received, and referred to the Economic Development Advisory Committee for further review and discussion with downtown property owners, and report back to Council later this year.

9. REQUESTS ARISING FROM CORRESPONDENCE: None

10 INFORMATION ITEMS

- Summary of Informational Items Information Items 10(a) to 10(l)

Receive the items and direct staff to act upon as recommended

- 11. <u>BYLAWS</u> None
- 12. LATE ITEMS
- 13. QUESTIONS FROM THE PUBLIC AND THE MEDIA
- 14. ADJOURNMENT

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING OF COUNCIL MONDAY, MAY 28TH, 2012

PRESENT: MAYOR BRIAN TAYLOR COUNCILLOR BOB KENDEL COUNCILLOR PATRICK O'DOHERTY COUNCILLOR GARY SMITH COUNCILLOR MICHAEL WIRISCHAGIN COUNCILLOR CHER WYERS

> CHIEF ADMINISTRATIVE OFFICER L. Burch CORPORATE OFFICER D. Heinrich

GALLERY

CALL TO ORDER:

The Mayor called the Meeting to order at 7:01 p.m.

RECESS TO PRIMARY COMMITTEE MEETING:

MOTION: SMITH / O'DOHERTY

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE RECESSED AT 7:01 P.M. TO ALLOW FOR THE PRIMARY COMMITTEE MEETING, AND THAT THIS REGULAR MEETING OF COUNCIL BE RECONVENED AT THE CONCLUSION OF THE PRIMARY COMMITTEE MEETING. CARRIED.

The regular meeting reconvened at 7:40 p.m.

ADOPTION OF AGENDA:

Amendment to the Agenda:

The Mayor advised that Council will be going into an In-Camera Meeting immediately following the Regular Meeting this evening in compliance with Section 90 (1) (a)

MOTION: SMITH / KENDEL

RESOLVED THAT THE MAY 28TH, 2012, REGULAR MEETING AGENDA BE ADOPTED AS AMENDED.

MINUTES:

Amendment to the minutes:

The Mayor advised that the Regular Meeting Minutes of May 7th, 2012, be amended to include his Mayoral power in accordance with Section 131 of the Community Charter, to bring back the issue of a defeated motion with regard to the re-allocation of entrance sign funding to go towards a branding exercise.

MOTION: SMITH / O'DOHERTY

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING OF COUNCIL HELD ON MONDAY MAY 7TH, 2012, BE ADOPTED AS AMENDED.

CARRIED.

Councillor Wirischagin and Councillor Wyers voted against the motion.

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MINUTES:

MOTION: SMITH / O'DOHERTY

RESOLVED THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON TUESDAY MAY 15TH, 2012, BE ADOPTED AS CIRCULATED.

CARRIED.

DELEGATION:

None

UNFINISHED BUSINESS

a) Corporate Officer's Report – Application for subdivision in the Agriculture Land Reserve

At the May 7th, 2012 Regular Meeting, Council deferred this item so that more information regarding the proposed use and intentions of the property could be provided.

MOTION: O'DOHERTY / WIRISCHAGIN

RESOLVED THAT THE STAFF REPORT DATED MAY 22ND, 2012, REGARDING THE APPLICATION FOR SUBDIVISION IN THE AGRICULTURAL LAND RESERVE, BE RECEIVED, AND THAT COUNCIL DETERMINES TO SUPPORT THIS APPLICATION AND FURTHER DIRECTS STAFF TO ADVISE THE AGRICULTURAL LAND COMMISSION OF COUNCIL'S POSITION IN REGARDS TO THE APPLICATION TO SUBDIVIDE PROPERTY LEGALLY DESCRIBED AS LOT 2, DL 533, SDYD, PLAN KAP90660, LOCATED AT 2150 KETTLE RIVER DRIVE, AS SUBMITTED BY PROPERTY OWNERS, ALEX & SHIRLEY PEREVERZOFF.

CARRIED.

REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL)

Councillor Wirischagin:

Councillor Wirischagin reported on the following items:

- He reported on his attendance at the USCC Youth Festival on May 19th in Castlegar. He advised that such an extravagant event was put on by high school students.
- He reported on his attendance at a Grand Forks Recreation Commission meeting last Thursday and advised that Grand Forks isn't receiving Grant Funding from the Province, as these grants are intended to retrofit existing structures and are not intended for new projects.
- He advised that he has been approached by persons asking with regard to the Economic Development Advisory Committee and of the minutes to these meetings which should be made available to the public. Councillor Smith advised that the minutes could be made available at next Council meeting on June 11th, 2012

Councillor Wyers:

Councillor Wyers reported on the following items:

- She reported on her attendance at a May 9th Dog Sled Race meeting, and advised that January 25 to 27, 2013, are the intended dates for next year's event.
- She reported on her attendance on May 10th, at a Boundary Restorative Justice Committee Meeting and advised that this committee will be hosting a three day training session in July. She further reported that this is a free training session and that 11 persons have registered to date. She advised that anyone interested should call Richard at 442-8633.
- Councillor Wyers reported on her attendance at a Concerned Citizens for Gilpin Grasslands Meeting on May 10th.
- She reported on her attendance at the Greenwood Celebration for the "Best Drinking Water in the World" on May 11th.
- She reported on her attendance at a May 12th Elks Canada Open House celebration.
- She advised that on May 15th, 2012, Council had a Special Meeting that included the yearly Auditor's Financial Report.
- She reported on her attendance on May 23rd, at an Interior Health delegation in Grand Forks where there was a discussion on the roles of the provincial health services. She further advised that the Boundary Hospital will be constructing a helicopter pad at the hospital, and that the project is expected to be complete in the spring of 2013.
- She advised that the Grand Forks Environment Committee received a grant to hire a student to conduct Nephelometer Readings on air particulates in the area. She advised that Jordon Andrews, a local student, was the success applicant.
- She advised that she joined Mayor Taylor on May 24th at City Hall to participate in a tour with Grades 2-3 Perley Students and that the "Mock Council Meeting" was very entertaining.

- She advised that Adrian Dix, candidate for the NDP party, visited Grand Forks on May 26th at a Meet and Greet Session in Gyro Park.
- She announced that BETHS (Boundary Emergency Transitional Housing Society) is holding their Annual General Meeting on May 30th at Selkirk College and that everyone is welcome to attend.

Councillor O'Doherty:

Councillor O'Doherty reported on the following items:

• He advised that he had no report

Councillor Smith:

Councillor Smith reported on the following items:

- He reported on his attendance at an ATV function
- He reported on his attendance at a meeting on May 17th which was a discussion on how to enhance the airport
- He reported on his attendance at a Phoenix Foundation meeting
- He reported on his attendance at an Economic Development Advisory Committee meeting on May 22nd
- On May 24th, he reported on his attendance at a meeting that discussed branding for for the community.

Councillor Kendel:

Councillor Kendel reported on the following items:

- He reported his attendance at an ATV function where fun was had by all
- He reported on his attendance at a meeting on May 17th which was a discussion on how to enhance the airport
- He reported on his attendance at an Economic Development Advisory Committee meeting on May 22nd, where topics that included community branding and airport opportunities were discussed
- He reported on his attendance at the Elks Club Open House on May 12th.
- He spoke with regard to a Scooter concern, and advised that the pedals need to be "on board" but not necessarily attached.

Mayor Taylor:

The Mayor reported on the following items:

• The Mayor spoke with regard to the Mayor's Caucus which was in held in Penticton on May 16 and 17th. He reported that there were 81 Mayors out of 160

in attendance. He advised that the Mayors were really committed to finding better ways of doing things for less money and still provide the same services to their communities. He further advised that there was a discussion on the costs of grant programs, and that the grant process sets up Local Governments to work against each other to compete for the same funds; whereas these communities should be working together.

- He advised that the local Elks Club are showing support for the Slavonic Hall by utilizing this facility and by working with the Slavonic Hall members on making improvements to the hall.
- He advised that he has received thanks to the City of Grand Forks from the City of Greenwood for the use of Grand Forks water truck and City crew for hauling their drinking water to Miller Springs for processing.
- He spoke with regard to a conversation that he had with Interior Health with regard to the Airport and advised that IHA were not aware that the City funds 100% of the airport.

MOTION: SMITH / WYERS

RESOLVED THAT ALL REPORTS OF MEMBERS OF COUNCIL GIVEN VERBALLY AT THIS MEETING, BE RECEIVED.

CARRIED.

REPORT FROM THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY (VERBAL)

The March 30th, 2012 Minutes of the Regional District of Kootenay Boundary were included in the report.

- The Mayor advised that the Regional District of Kootenay Boundary has a meeting this Tuesday evening, May 29th, in Trail, and that this is an open meeting.
- He advised that the Boundary Economic Development Committee will be meeting on June 5th, and that the beginning of meeting will be an In-Camera Meeting intended to discuss Community Forests.

MOTION: SMITH / WIRISCHAGIN

RESOLVED THAT THE MAYOR'S REPORT ON THE ACTIVITIES OF THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY, GIVEN VERBALLY AT THIS MEETING, BE RECEIVED.

RECOMMENDATIONS FROM STAFF FOR DECISIONS:

a) Chief Administrative Officer's Report – Request for comments on the proposal from the Ministry of Forests, Lands and Natural Resources

Referral from the Ministry of Forests, Lands and Natural Resources requesting comments on a proposal to construct two snowmobile shelters for public use as outlined in the application as submitted by the Boundary Snowmobile Club

MOTION: O'DOHERTY / KENDEL

RESOLVED THAT COUNCIL RECEIVES THE CHIEF ADMINISTRATIVE OFFICER'S REPORT DATED, MAY 22ND, 2012, REGARDING A REFERRAL NOTICE RECEIVED FROM THE MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCES, WITH REGARD TO A PROPOSAL TO CONSTRUCT TWO SNOWMOBILE SHELTERS FOR PUBLIC USE IN THE GABLE AND UPPER TRAVERSE AREAS IN THE BOUNDARY AREA NORTH OF GRAND FORKS BY THE BOUNDARY SNOWMOBILE CLUB, AND THAT THE MINISTRY BE ADVISED THAT THE CITY'S INTERESTS ARE NOT IMPACTED BY THIS PROPOSAL.

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b) Chief Administrative Officer's Report – Green Bin Kitchen Food Waste Collection

Expansion of the Val Mar Green Bin Kitchen Food Waste Collection Pilot Project to all Residential Garbage Collection customers in the City of Grand Forks

MOTION: O'DOHERTY / SMITH

RESOLVED THAT COUNCIL DETERMINES TO EXPAND THE KITCHEN WASTE COLLECTION PROGRAM TO ALL OF THE CITY'S GARBAGE COLLECTION SERVICE CUSTOMERS, AND FURTHER DIRECTS STAFF TO REVIEW THE RESIDENTIAL GARBAGE COLLECTION BYLAW TO DETERMINE APPROPRIATE GARBAGE COLLECTION RATES AS WELL AS ANY ADMINISTRATIVE BYLAW CHANGES REQUIRED.

REQUESTS ARISING FROM CORRESPONDENCE:

None

INFORMATION ITEMS:

MOTION: O'DOHERTY / SMITH

RESOLVED THAT INFORMATION ITEMS NUMBERED 11(a) TO 11(f) BE RECEIVED AND ACTED UPON AS RECOMMENDED AND/OR AS AMENDED. CARRIED.

- a) Correspondence from N. Heiberg regarding backyard campfires In addition, excerpts from the City's Fire & Life Safety Bylaw 1320- Sections 5 & 8 are enclosed for information purposes. **Recommend to receive for information.**
- b) Correspondence from Grand Forks International Requesting permission to sell liquor at James Donaldson Park for the 2012 GFI Baseball Tournament. **Recommend that Council approve the issuing of a special occasion liquor license.**

MOTION: O'DOHERTY / WIRISCHAGIN

RESOLVED THAT COUNCIL APPROVE THE ISSUING OF A SPECIAL OCCASION LIQUOR LICENSE TO THE GRAND FORKS INTERNATIONAL FOR THE SIX DAY EVENT FROM AUGUST 29TH TO SEPTEMBER 3, 2012, AT THE JAMES DONALDSON PARK SUBJECT TO THE GFI OBTAINING 3RD PARTY (PARTY ALCOHOL) LIABILITY INSURANCE, NAMING THE CITY OF GRAND FORKS AS AN ADDITIONAL INSURED ON THAT POLICY FOR THE SIX DAY EVENT; ALL GFI LIQUOR PROVIDERS TO HOLD A SERVE-IT-RIGHT LICENSE CERTIFICATE; AND ICBC "DRINKING AND DRIVING" WARNING POSTERS TO BE DISPLAYED. CARRIED.

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c) Invitation to Castlegar Stakeholder Meeting on Thursday, June 21st from 10:00 am to 12:00 pm - Notice of Public Consultation regarding BC Hydro's Draft Integrated Resource Plan. **Recommend to receive for information – Members of Council wishing to attend may do so by emailing or by phone as per information contained in the correspondence.**

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d) From Ministry of Forests and Range Tenure Amendment - These changes in the Forest Development Unit Boundary location do not change the status or location of BC Timber Sales operating area. Recommend to receive for information. Any comments must be forwarded in writing by July 10th, 2012. The Mayor advised that he is meeting with a group with regard to forest tenures and its impact on wildlife in the Lynch Creek area.

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e) Email from the Water Supply Association of BC - Advising on Interior Health Document now available at on-line address in the correspondence. **Recommend to receive for information.**

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f) May 7th Task List. List of completed and in-progress tasks. **Recommend to file.**

BYLAWS: None

LATE ITEMS:

None

QUESTIONS FROM THE PUBLIC:

LES JOHNSON – He advised that he is looking into putting Council Meetings on UTUBE which would also provide members of the public, the opportunity to comment on the meetings.

IN-CAMERA RESOLUTION:

MOTION: WIRISCHAGIN / O'DOHERTY

RESOLVED THAT COUNCIL CONVENE AN IN-CAMERA MEETING AS OUTLINED UNDER SECTION 90 OF THE COMMUNITY CHARTER TO DISCUSS MATTERS IN A CLOSED MEETING WHICH ARE THE SUBJECT OF SECTION 90(1)(a) PERSONAL INFORMATION ABOUT IDENTIFIABLE INDIVIDUAL(S) WHO ARE BEING CONSIDERED BY A POSITION APPOINTED BY THE MUNICIPALITY; OF THE COMMUNITY CHARTER.

BE IT FURTHER RESOLVED THAT PERSONS, OTHER THAN MEMBERS, OFFICERS, OR OTHER PERSONS TO WHOM COUNCIL MAY DEEM NECESSARY TO CONDUCT CITY BUSINESS, WILL BE EXCLUDED FROM THE IN-CAMERA MEETING.

CARRIED.

ADJOURNMENT:

MOTION: WYERS

RESOLVED THAT THIS REGULAR MEETING OF COUNCIL BE ADJOURNED AT 8:35 P.M.

<u>CERTIFIED CORRECT</u>:

MAYOR BRIAN TAYLOR

CORPORATE OFFICER- DIANE HEINRICH

THE CORPORATION OF THE CITY OF GRAND FORKS

PRIMARY COMMITTEE MEETING OF COUNCIL MONDAY MAY 28TH, 2012

PRESENT: MAYOR BRIAN TAYLOR COUNCILLOR BOB KENDEL COUNCILLOR PATRICK O'DOHERTY COUNCILLOR GARY SMITH COUNCILLOR MICHAEL WIRISCHAGIN COUNCILLOR CHER WYERS

CHIEF ADMINISTRATIVE OFFICERL. BurchCORPORATE OFFICERD. Heinrich

GALLERY

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

ADOPTION OF THE AGENDA:

MOTION: SMITH / KENDEL

RESOLVED THAT THE AGENDA OF THE PRIMARY COMMITTEE MEETING OF COUNCIL HELD MONDAY, MAY 28TH, 2012, BE ADOPTED AS CIRCULATED. CARRIED.

DELEGATIONS:

None

UNFINISHED BUSINESS:

None

RECOMMENDATIONS FOR CONSIDERATION:

None

INFORMATION ITEMS:

a) Correspondence signed by eight Mayors from British Columbia to the Provincial Government, including information regarding Stop the Violence Coalition, in support of a campaign aimed at developing and implementing cannabis-related policies that improve public health while reducing social harms, including violent crime and gang activity. **Recommend to receive for discussion.**

The Mayor advised that large grow operations are relocating from urban centres to the rural areas of British Columbia and that these operations often have their own security systems that involve weapons. He advised that he is looking for an opinion from Council on where they stand on this issue.

MOTION: SMITH / KENDEL

RESOLVED THAT THE PRIMARY COMMITTEE RECOMMENDS TO COUNCIL TO RECEIVE THE INFORMATION WITH REGARD TO THE CORRESPONDENCE ON "STOP THE VIOLENCE" CAMPAIGN AIMED AT DEVELOPING AND IMPLEMENTING CANNABIS-RELATED POLICIES THAT IMPROVE PUBLIC HEALTH WHILE REDUCING SOCIAL HARMS, INCLUDING CRIME AND GANG ACTIVITY.

CARRIED.

PROPOSED BYLAWS FOR DISCUSSION:

None

LATE ITEMS:

None

REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL) None

QUESTION PERIOD FROM THE PUBLIC:

Mayor Taylor stated that City Council is interested in hearing from the public on the issues it is dealing with or on any other issue that is of interest to the general public. To ensure that this process is open and does not feel uncomfortable to anyone, he advised that Council has set up some parameters to follow, and the normal rules apply.

JIM LESLIE –He spoke with regard to the "War on Drugs" and advised of its impact on society and how the prohibition of marijuana actually increases the violence levels. LES JOHNSON – He advised that Local Government officials are the speakers for its citizens, and it's up to local officials to put the pressure on the Provincial and Federal Governments with regard to the regulation of marijuana.

NIGEL JAMES – He advised that he has lived in Grand Forks for 3 years and spoke with regard to marijuana and grow ops within the area and advised that it's up to Council to put some pressure on Provincial and Federal Governments.

ADJOURNMENT:

MOTION: SMITH

RESOLVED THAT THIS PRIMARY COMMITTEE MEETING BE ADJOURNED AT 7:36 P.M. CARRIED.

CERTIFIED CORRECT:

MAYOR BRIAN TAYLOR

CORPORATE OFFICER – DIANE HEINRICH

THE CITY OF GRAND FORKS REQUEST FOR COUNCIL DECISION

DATE	-	June 5 th , 2012
TOPIC		Reports, Questions and Inquiries from the Members of Council
PROPOSAL	:	Members of Council May Ask Questions, Seek Clarification and Report on Issues
PROPOSED BY	:	Procedure Bylaw / Chief Administrative Officer

SUMMARY:

Under the City's Procedures Bylaw No. 1889, 2009, the Order of Business permits the members of Council to report to the Community on issues, bring community issues for discussion and initiate action through motions of Council, ask questions on matters pertaining to the City Operations and inquire on any issues and reports.

STAFF SUGGESTION FOR HANDLING QUESTIONS AND INQUIRIES: (no motion is required for this)

Option 2: Issues which seek information on City Operations or have been brought to the attention of the Members of Council prior to the meeting of Council should be referred to the Chief Administrative Officer so that Staff can provide background and any additional information in support of the issues and the member can report at the meeting on the issue including the information provided by Staff. Further the member may make motions on issues that require actions. It is in the interest of fiscal responsibility members may wish to avoid committing funding without receiving a report on its impact on the operations and property taxation.

OPTIONS AND ALTERNATIVES:

Option 1: Submit a motion for Approval: Under this option, a member might wish to submit an immediate motion for expediency to resolve an issue or problem brought forward by a constituent. This approach might catch other members by surprise, result in conflict and might not resolve the problem. **Option 2: Issues, Questions and Inquiries** should be made with the intent to resolve problems, seek clarification and take actions on behalf of constituents. Everyone is well served when research has been carried out on the issue and all relevant information has been made available prior to the meeting. It is recognized that at times this may not be possible and the request may have to be referred to another meeting of Council.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The main advantage of using this approach is to bring the matter before Council on behalf of constituents. Immediate action might result in inordinate amount of resource inadvertently directed without specific approval in the financial plan.

Option 2: The main advantage is that there is a genuine interest to resolve issues and seek clarifications without spending too much resources of the City. The disadvantage is that there may be issues brought forward which have no direct municipal jurisdiction, however, due to the motion of Council arising from the issue, resources are directed and priorities are altered without due process. **COSTS AND BUDGET IMPACTS – REVENUE GENERATION:**

Both options could result in expenditures being incurred as a result of a motion on an issue without supporting documentation and report on its implications.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

The Procedure Bylaw is the governing document setting out the Order of Business at a Council meeting.

Department Head or Corporate Officer Or Chief Administrative Officer

Reviewed by Chief Administrative Officer

THE CITY OF GRAND FORKS REQUEST FOR COUNCIL DECISION

DATE		June 5 th , 2012
TOPIC	:	Report - from the Council's Representative to the Regional
		District of Kootenay Boundary
PROPOSAL	:	Regional District of Kootenay Director representing Council
		Will report on actions and issues being dealt with by the
		Regional District of Kootenay Boundary
PROPOSED BY	:	Procedure Bylaw / Council
TOPIC	:	Report - from the Council's Representative to the Regional District of Kootenay Boundary Regional District of Kootenay Director representing Council Will report on actions and issues being dealt with by the Regional District of Kootenay Boundary

SUMMARY:

Under the City's Procedures Bylaw No. 1889, 2009, the Order of Business permits the City's representative to the Regional District of Kootenay to report to Council and the Community on issues, and actions of the Regional District of Kootenay Boundary.

STAFF RECOMMENDATION:

Option 1: Receive the Report.

OPTIONS AND ALTERNATIVES:

Option 1: Receive the Report: Under this option, Council is provided with the information provided verbally by the Regional District Director representing Council. **Option 2: Receive the Report and Refer Any Issues for Further Discussion or a Report:** Under this option, Council provided with the information given verbally by the Regional District of Kootenay Boundary Director representing Council and requests further research or clarification of information from Staff on a Regional District issue

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The main advantage is that all of Council and the Public is provided with information on the Regional District of Kootenay Boundary. **Option 2:** The main advantage to this option is the same as Option 1.

COSTS AND BUDGET IMPACTS - REVENUE GENERATION:

There is no direct financial impact on the provision of information.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

The Procedure Bylaw is the governing document setting out the Order of Business at a Council meeting. Bylaw 1889, Council's Procedure Bylaw, was implemented in early February to include a specific line item in the Order of Business at a Regular Meeting to include a Report on the Regional District of Kootenay Boundary.

-all

Department Head or Corporate Officer or Chief Administrative Officer

Reviewed by Chief Administrative Officer



Minutes of a regular meeting of the Board of Directors of the Regional District of Kootenay Boundary held in the Regional District of Kootenay Boundary Board Room, Grand Forks, B.C., Thursday, April 26, 2012 at 6:00 p.m.

Present:Director G. McGregor, Vice-Chair
Director N. Kettle
Director D. Duclos
Director D. Duclos
Director K. Wallace
Director B. Taylor
Director I. Perepolkin
Director M. Rotvold
Director B. Baird
Director B. Crockett
Director A. Grieve
Director L. Worley
Director R. Cacchioni
Director P. Cecchini (Alternate)

Call to Order

The Vice-Chair called the meeting to order at 6:00 p.m.

<u>Agenda</u>

The Chair advised that there was a late item regarding the Columbia Initiatives Funds.

The Director of Corporate Administration advised that this was a late item as some of the communities were not able to meet prior to the agenda going out.

168-12 Moved: Director Grieve/Sec'd: Director Cacchioni

That the staff report from Elaine Kumar, Director of Corporate Administration, regarding the C.B.T. Community Initiatives grants be added to the agenda.

Carried.

Director Perepolkin advised that the grant-in-aid to the Kettle Valley Food Co-op is from Area 'D' and not 'E' and it was;

169-12 Moved: Director Grieve/Sec'd: Director Cacchioni

That the agenda be adopted as amended.

Minutes

170-12 Moved: Director Cacchioni/Sec'd: Director Crockett

That the minutes of the regular Board meeting held March 30, 2012 be adopted as circulated.

Carried.

Delegations

Mr. Don Catalano re: 2011 Audit

The Chair welcomed Mr. Don Catalano of Soligo & Associates to the meeting.

Mr. Catalano thanked the Board members for the opportunity to attend the meeting and reviewed the District's 2011 Financial Statements.

Mr. Catalano answered any questions or concerns the Directors had with the statements.

The Chair thanked Mr. Catalano for presenting the Financial Statements and he was excused from the meeting at 6:12 p.m.

Unfinished Business

A.P.C. Appointments

171-12 Moved: Director Baird/Sec'd: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors appoints Mr. George Dagg, Mr. Vic Lockhart and Mr. Michael Fenwick-Wilson to the Electoral Area 'E' (Except Big White) Advisory Planning Commission.

Carried.

<u>Communications (Information Only)</u>

172-12 Moved: Director Kettle/Sec'd: Director Rotvold

That Items:

- a) Minutes Area 'B' Recreation Committee Mar. 12/12
- b) Agricultural Land Commission Mar. 28/12 re: Application for Subdivision
- c) Heart & Stroke Mar. 29/12 re: Smoke-Free Outdoor Public Places Bylaw

- d) City of Trail Mar. 30/12 re: Heritage Service
- e) Minutes S.I.B.A.C. Apr. 2/12
- f) Minutes Area 'C' A.P.C. Apr. 3/12
- g) Minutes Area 'E' (Big White) A.P.C. Apr. 3/12
- h) City of Kamloops Apr. 5/12 re: Cities Fit for Children Conference
- i) Minutes Area 'C' Parks & Recreation Apr. 11/12
- j) Minutes Area 'E' A.P.C. Apr. 12/12
- k) Minutes Grand Forks & District Recreation Apr. 12/12
- Ministry of Community, Sport & Cultural Development Apr. 12/12 re: Sewer Service Dispute
- m) R. & M. Malcolm Apr. 19/12 re: Use of Herbicides
- n) West Kootenay Regional Science Fair Apr. 22/12 re: Funding Request

be received.

Carried.

Use of Herbicides Letter

Director Rotvold reviewed the letter from R. & M. Malcolm wherein they express their concerns that the Regional District is using herbicides for weed control and suggested that this letter should be referred to the Environmental Services Committee and it was;

173-12 Moved: Director Rotvold/Sec'd: Director Wallace

That the letter be referred to the Environmental Services Committee.

Carried.

Reports

Payroll Int. Schedule of Accounts March, 2012

174-12 Moved: Director Rotvold/Sec'd: Director Cacchioni

That the following items be approved for payment:

i) Int. Sch. of Accounts – Mar./12 Cheque Nos. 29859 – 30391 \$1,150,285.15

April 26, 2012

ii) Payroll Account

327,418.24

\$1,477,703.39

Carried.

Electoral Area Services Committee April 12, 2012

175-12 Moved: Director Grieve/Sec'd: Director Baird

That the draft minutes of the Electoral Area Services Committee meeting held April 12, 2012 be received.

Carried.

Development Variance Permit Applications

176-12 Moved: Director Grieve/Sec'd: Director Baird

That the Development Variance Permit application submitted by Jeremy Hopkinson of Big White Ski Resort Ltd., for the properties legally described as SL 159 and SL 169, Lot 1, Plan 40578, Block A, DL 4109S to allow a decrease in the setback from the rear property line of 4 metres for an addition, from 4 metres to 0 metres be approved.

Carried.

177-12 Moved: Director Grieve/Sec'd: Director Worley

That the Development Variance Permit application submitted by Rod Bergum, on behalf of Heather and Ivan Bach, for the property legally described as Lot 5, Block 5, DL 963, SDYD, Plan 6348, to allow a decrease in the setback from the front parcel line of 2.3 metres, from 4.5 metres to 2.2 metres in order to build a single family dwelling be approved.

Carried.

178-12 Moved: Director Grieve/Sec'd: Director Baird

That the Development Variance Permit application submitted by Rod Bergum, for Stephen Wiesner, for the property legally described as Lot B, DL 970, SDYD, Plan 32381 to allow an increase of 1.0 metres in the height from 4.6 metres to 5.6 metres, in order to build an accessory building be approved.

Beaver Valley Water Committee April 10, 2012

179-12 Moved: Director Grieve/Sec'd: Director Cacchioni

That the draft minutes of the Beaver Valley Water Committee meeting held April 16, 2012 be received.

Carried.

Beaver Valley Recreation, Parks & Trails Committee April 10, 2012

180-12 Moved: Director Grieve/Sec'd: Director Cacchioni

That the draft minutes of the Beaver Valley Recreation, Parks & Trails Committee meeting held April 16, 2012 be received.

Carried.

Board Appointments Update

Columbia River Treaty Committee

Director Worley advised that community meetings are being planned.

Boundary Weed/Stakeholder

Directors Perepolkin and Baird advised that the committee has changed their name to the Boundary Invasive Species Committee.

Community Updates

The Chair advised that this item had been placed on the agenda for discussion at the request of Director Kettle.

The Board members discussed the item and it was;

181-12 Moved: Director Grieve/Sec'd: Director Cacchioni

That Directors provide written submissions on their communities with opportunities being provided for Directors to comment or ask questions.

It was generally agreed that community updates could be provided via e-mail, circulated at the meeting and/or on the agenda under Communications (Information Only).

Staff Reports

T. Lenardon re: Memorandum of Resolutions

182-12 Moved: Director Cacchioni/Sec'd: Director Wallace

That the Memorandum be received.

Carried.

S. Dreher – Apr. 16/12 re: Building Bylaw Contravention (L. Dover - Area 'B')

A report from Sig Dreher, Chief Building Officer, dated Apr. 16/12 regarding a building bylaw contravention in Electoral Area 'B' was read to the meeting.
183-12 Moved: Director Worley/Sec'd: Director Rotvold

That the staff report be received.

Carried.

184-12 Moved: Director Worley/Sec'd: Alternate Director Cecchini

That the Regional District of Kootenay Boundary Board of Directors direct the Chief Administrative Officer to file a Notice in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 57 of the Community Charter against the property legally described as Lot 38, DL 2404, K.D., Plan 2231.

Carried.

S. Dreher – Apr. 16/12 re: Building Bylaw Contravention (V. Fabrick & D. Menard – Area 'D')

A report from Sig Dreher, Chief Building Officer, dated Apr. 16/12 regarding a building bylaw contravention in Electoral Area 'D' was read to the meeting.

185-12 Moved: Director Perepolkin/Sec'd: Director Cacchioni

That the staff report be received.

186-12 Moved: Director Perepolkin/Sec'd: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors cancel the notices registered in the Land Title Office pursuant to Section 695 of the Local Government Act and Section 58 of the Community Charter against the property legally described as Lot A, DL 1358, SDYD, Plan KAP72057.

Carried.

E. Kumar – Apr. 17/12 re: Approval of Kootenay 2012/13 A.O.A.

A report from Elaine Kumar, Director of Corporate Administration, dated Apr. 17/12 regarding the Kootenay 2012/13 Annual Operating Agreement with B.C. Transit was read to the meeting.

187-12 Moved: Director Grieve/Sec'd: Director Kettle

That the staff report be received.

Carried.

188-12 Moved: Director Wallace/Sec'd: Director Kettle

That the Regional District of Kootenay Boundary Board of Directors authorizes the District's signing authorities to execute the 2012/13 Annual Operating Agreement for the Kootenay Transit System.

Carried.

E. Kumar – Apr. 17/12 re: Approval of Boundary 2012/13 A.O.A.

A report from Elaine Kumar, Director of Corporate Administration, dated Apr. 17/12 regarding the Boundary 2012/13 Annual Operating Agreement with B.C. Transit was read to the meeting.

189-12 Moved: Director Duclos/Sec'd: Director Cacchioni

That the staff report be received.

Carried.

190-12 Moved: Director Rotvold/Sec'd: Director Cacchioni

That the Regional District of Kootenay Boundary Board of Directors authorizes the District's signing authorities to execute the 2012/13 Annual Operating Agreement for the Boundary

April 26, 2012

Transit System.

Carried.

E. Kumar – Mar. 30/12 re: Oueen Elizabeth II Diamond Jubilee Medal

A report from Elaine Kumar, Director of Corporate Administration, dated Mar. 30/12 regarding the Queen Elizabeth II's Diamond Jubilee Medals was read to the meeting.

191-12 Moved: Director Crockett/Sec'd: Director Kettle

That the staff report be received.

Carried.

The Chief Administrative Officer advised that Mr. Alex Atamanenko, M.P., has advised that 10 medals have been reserved for the Kootenay Boundary area.

Alternate Director Cecchini questioned the process involved in nominating someone for the medal (i.e. Do municipalities nominate individually or do nominations flow through the Regional District?).

192-12 Moved: Director Rotvold/Sec'd: Director Grieve

That the item be referred back to the Personnel, Executive & Policy Committee for further information and clarification.

Carried.

M. Fournier-Beck – Apr. 13/12 re: Amendment to Primary Liquor License for the Time & Place Pub

A report from Marie-Ange Fournier-Beck, Assistant Planner, dated Apr. 13/12 regarding a liquor control and licensing branch application for the Time and Place Pub was read to the meeting..

193-12 Moved: Director Cacchioni/Sec'd: Director Kettle

That the staff report be received.

Carried.

194-12 Moved: Director Taylor/Sec'd: Director Cacchioni

Be it resolved that:

April 26, 2012

1. The Board recommends the amendment of the liquor primary licence for the following reasons:

The new owners of the Time and Place Pub (now The Crow and Bear Pub and Restaurant) are revitalizing the pub and seeking a variety of patrons in order to improve their business and this gathering place in the community. Extending the hours of liquor sale will help to increase the number of patrons as well as employment in the area.

- 2. The Board's comments on the prescribed considerations are as follows:
 - a. The location of the establishment:

The property is located along Highway 3 in a commercial zone (Highway Commercial 2). The neighbouring properties are also zoned commercial; residential impacts are likely to be negligible.

b. The proximity of the establishment to other social or recreational facilities and public buildings:

The establishment is approximately 500 m from the Christina Lake Arts and Artisans Centre, the highway and Sandner Frontage Road separate the two parcels. The Community Hall and Elementary School are approximately 2 km away, southwest of the establishment. The Christina Lake Community Park is directly across the highway from the pub.

c. The person capacity and hours of liquor service:

Originally, the pub was designed for an occupancy load of 220-250 patrons. The proposed hours of liquor service are 11 am -1 am on Sundays and 11 am -2 am Monday through Saturday. The extra hour requested for service will help the applicants to meet their occupancy load. It is their intention to increase the occupancy load at a later time if it is feasible to do so.

d. The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance to the proposed location:

The pub is located approximately 5 km from the nearest liquor-primary licence establishment, the Christina Lake Golf Club.

e. Traffic, noise, parking and zoning:

The Highway Commercial 2 zone requires 1 parking space per 3 seats available. The RDKB is unaware of any current constraints on parking at the establishment. If an increase in capacity is requested the RDKB may require a parking plan designed in accordance with the parking regulations outlined in Part 3 of the Area 'C' Zoning Bylaw. Noise is unlikely to be an issue as the establishment is a distance from any residential dwellings. The extended hour of operation will not likely impact neighbouring commercial establishments as they do not have similar operating hours. Sandner Frontage Road may see an increase in traffic, but it is structured in such a way that the traffic should not impede other road users.

f. Population, population density and population trends; relevant socioeconomic information:

According to the Census Profile, the population at Christina Lake is approximately 1,168. The community is a summer destination for many tourists and out of town property owners. The establishment will especially benefit from change in hours during the summer months when most people are visiting the area.

g. The impact on the community:

If the application is approved, the impact is expected to be positive. It will support growth in tourism and offer an improved social venue for residents. No comments have been received from the public concerning this application.

3. The Board's comments on the views of the residents are as follows:

The applicant posted a notice of the proposed development in the front window of their establishment. The notices were posted from April 12, 2012 through April 26, 2012. No comments have been received.

Carried.

G. Gardner – Apr. 20/12 re: 2011Financial Statements & Statement of Financial Information Schedules

A report from Gerry Gardner, Director of Finance, dated Apr. 20/12 regarding the 2011 Financial Statements & Statement of Financial Information Schedules was read to the meeting.

195-12 Moved: Director Rotvold/Sec'd: Director Worley

That the staff report be received.

Carried.

196-12 Moved: Director Wallace/Sec'd: Cacchioni

That the Regional District of Kootenay Boundary Board of Directors receive the Financial Statements for the year ended December 31, 2011.

Carried.

197-12 Moved: Director Rotvold/Sec'd: Director Perepolkin

That the Regional District of Kootenay Boundary Board of Directors approve the audited

Financial Statements for the year ended December 31, 2011.

Carried.

198-12 Moved: Director Crockett/Sec'd: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors receive the SOFI Schedules as prescribed by the Financial Information Act **AND FURTHER** that the Regional District of Kootenay Boundary Board of Directors approve the Schedules.

Carried.

199-12 Moved: Director Worley/Sec'd: Director Duclos

That the Regional District of Kootenay Boundary Board of Directors waive the \$5.00 fee for the SOFI Schedules.

Carried.

T. Lenardon – Apr. 23/12 re: LCCDTS Attainable Housing Needs Assessment and Strategic Planning Project

A report from Theresa Lenardon, Executive Assistant, dated Apr. 23/12 regarding Lower Columbia Community Development Team Society Attainable Housing Needs Assessment and Strategic Planning Project for the Lower Columbia was read to the meeting.

200-12 Moved: Director Cacchioni/Sec'd: Director Duclos

That the staff report be received.

Carried.

201-12 Moved: Director Rotvold/Sec'd: Director Kettle

That the report be referred to the East End Services Committee.

Carried.

J. MacLean – Apr. 23/12 re: Strategic Planning

A report from John MacLean, Chief Administrative Officer, dated Apr. 23/12 regarding strategic planning was read to the meeting.

202-12 Moved: Director Wallace/Sec'd: Director Crockett

That the staff report be received.

Carried.

The Board members discussed a possible date to hold a strategic planning session and it was;

203-12 Moved: Director Rotvold/Sec'd: Director Cacchioni

That a strategic planning session be held June 22 (all day) and July 18 (half day).

Carried.

(Director Grieve opposed)

Director Wallace advised that she felt that all Directors should be in attendance and it was;

204-12 Moved: Director Crockett/Sec'd: Director Duclos

That a strategic planning session be held June 14 (all day) and June 22 (half day commencing at 3:00 p.m.).

Carried.

J. MacLean – Apr. 23/12 re: Meals

A report from John MacLean, C.A.O., dated Apr. 23/12 regarding the need for a policy to assist in meal planning for Board/Committee meetings.

205-12 Moved: Director Cacchioni/Sec'd: Director Duclos

That the staff report be received.

Carried.

206-12 Moved: Director Grieve/Sec'd: Director Cacchioni

That the report be referred to the Personnel, Executive & Policy Committee for discussion and development of a policy.

Carried.

D. Dean – Apr. 24/12 re: Mt. Baldy Amendment Bylaw Nos. 1501 & 1502

April 26, 2012

A report from Donna Dean, Planner, dated Apr. 24/12 regarding Mt. Baldy Amendment Bylaw Nos. 1501 and 1502 was read to the meeting.

207-12 Moved: Director Crockett/Sec'd: Director Baird

That the staff report be received.

Carried.

The C.A.O. reviewed some additional information that Donna Dean, Planner, received from the Resort Development Branch of the Province on the afternoon of April 26, 2012.

The information was in response to a concern expressed at the Public Hearing for amendment bylaws 1501 and 1502 regarding what control would be in place if construction of the hotel starts, but is abandoned prior to completion.

The Province suggested that there could be a lease to purchase agreement and the crown grant would not take place until a pre-determined level of construction has been completed. If there was a default, the lease could be cancelled and the Province would have options to consider.

208-12 Moved: Director Baird/Sec'd: Director Wallace

That the Regional District of Kootenay Boundary Board of Directors forward a letter to the Resort Development Branch of the Ministry of Forests, Lands, and Natural Resource Operations suggesting additional information that should be included in the offer of sale of Crown land as outlined in the staff report dated April 24, 2012 **AND FURTHER** the letter also suggest that the Province consider a lease to own agreement with the potential purchaser and that the crown grant not take place until a pre-determined level of construction has been completed.

Carried.

E. Kumar – Apr. 24/12 re: Timberwolf Subdivision

A report from Elaine Kumar, Director of Corporate Administration, dated Apr. 24/12 regarding the Timberwolf subdivision in the Regal Ridge Subdivision was read to the meeting.

209-12 Moved: Director Baird/Sec'd: Director Grieve

That the staff report be received.

Carried.

210-12 Moved: Director Baird/Sec'd: Director Grieve

That the letter be referred to the Electoral Area 'E' A.P.C. for review and comment.

Carried.

East-End Services Committee April 17, 2012

211-12 Moved: Director Wallace/Sec'd: Director Cacchioni

That the draft minutes of the East End Services Committee meeting held April 17, 2012 be received.

Carried.

Second Access to Hospital

Moved: Director Wallace/Sec'd: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors authorize staff to prepare an information package/business case that provides sound and compelling reasons for the West Kootenay Boundary Regional Hospital District to fund the Kootenay Boundary Regional Hospital Second Access project **AND FURTHER** that the information package be presented to the Regional District of Kootenay Boundary Board of Directors for review and after approval that this matter be referred to the West Kootenay Boundary Regional Hospital District Board of Directors for consideration of inclusion within their 2013 capital plans.

Director Grieve advised of her concern with this resolution and suggested it be referred back to the committee for further review.

Voting on the resolution - **Defeated**.

212-12 Moved: Director Cacchioni/Sec'd: Director Grieve

That the resolution be referred back to the East End Services Committee.

Carried.

Red Baron Aircraft Repair Inc.

213-12 Moved: Director Wallace/Sec'd: Director Cacchioni

That the Regional District of Kootenay Boundary Board of Directors authorize staff to execute a one year agreement, pro-rated from March 1, 2012 with Red Baron Aircraft Repair Inc. to provide ongoing administrative and technical support to the Airport Manager to continue with the efficient and cost effective certified operation of the Trail Regional Airport with the total value of the agreement not to exceed the approved budget of \$20,000.

Personnel, Executive & Policy Committee April: 18, 2012

214-12 Moved: Director Cacchioni/Sec'd: Director Wallace

That the draft minutes of the Personnel, Executive & Policy Committee meeting held April 18, 2012 be received.

Carried.

Approval of Funding for Study

Moved: Director Cacchioni/Sec'd: Director Taylor

That the Regional District of Kootenay Boundary Board of Directors approves up to \$70,000 (would require a Financial Plan amendment to release reserve funding) to undertake a comprehensive administrative/service organizational structure review.

The Board members discussed the resolution and some concern was expressed that there was not a proposal available that would detail what the end result of the report would accomplish.

Voting on the resolution - Defeated.

215-12 Moved: Director Rotvold/Sec'd: Director Taylor

That the Personnel, Executive & Policy Committee bring forward a proposal on what the proposed study would entail.

Carried.

Boundary Economic Development Committee April 3, 2012

216-12 Moved: Director Taylor/Sec'd: Director Rotvold

That the draft minutes of the Boundary Economic Development Committee meeting held April 3, 2012 be received.

Carried.

Public Hearing (Bylaw Nos. 1501 & 1502) April 16, 2012

217-12 Moved: Director Kettle/Sec'd: Director Baird

That the minutes of the Public Hearing meeting for Bylaw Nos. 1501 & 1502 held April 16, 2012 be received.

Carried.

Bylaws

Regulate and Set Fees for the Use of Solid Waste Management Facilities

218-12 Moved: Director Worley/Sec'd: Director Rotvold

That Regional District of Kootenay Boundary Bylaw No. 1504 be given first, second and third readings.

Carried.

219-12 Moved: Director Worley/Sec'd: Director Wallace

That Regional District of Kootenay Boundary Bylaw No. 1504 be now reconsidered and finally adopted.

Carried.

Mt. Baldy O.C.P. Amendment

220-12 Moved: Director Baird/Sec'd: Director Grieve

That Regional District of Kootenay Boundary Bylaw No. 1501 be given third reading.

Carried.

221-12 Moved: Director Baird/Sec'd: Director Perepolkin

That Regional District of Kootenay Boundary Bylaw No. 1501 be now reconsidered and finally adopted.

Carried.

Mt. Baldy Zoning Amendment

222-12 Moved: Director Baird/Sec'd: Director Grieve

That Regional District of Kootenay Boundary Bylaw No. 1502 be given third reading.

223-12 Moved: Director Baird/Sec'd: Director Perepolkin

That Regional District of Kootenay Boundary Bylaw No. 1502 be now reconsidered and finally adopted.

Carried.

New Business

Grants-in-Aid

224-12 Moved: Director Baird/Sec'd: Director Perepolkin

That the following grants in aid be approved:

- Bike to Work Kootenays Areas 'A' & 'B' \$1,000 each
- Horbul Scholarship Fund Area 'A' \$600
- Montrose Family Fun Days Area 'A' \$500
- B.V. May Days (3 on 3 St. Hockey) Area 'A' \$500
- B.V. Avalanche Hockey Club Area 'A' \$1,000
- West Kootenay Boys Basketball Area 'A' \$150
- B.V. May Days Area 'A' \$4,000
- Christina Lake Chamber of Commerce (fishing derby) Area 'C' \$400
- Canadian National Womens Volleyball (A. Christman) Area 'C' \$350
- Triathalon Shirts Area 'C' \$1,000
- Kettle Valley Food Co-op Area 'D' \$500
- Boundary Hospital Auxiliary Area 'D' \$1,500
- Boundary Museum Society Area 'D' \$7,358
- Discover Rock Creek Area 'E' \$400
- Kettle River Trails Association Area 'E' \$2,000
- Greenwood Demolition Derby Area 'E' \$500
- Kettle Valley Golf Club Area 'E' \$10,000
- Discover Rock Creek Society Area 'E' \$4,000
- B.V. Citizen of the Year Area 'A' \$100

Carried.

In Camera Meeting

225-12 Moved: Director Grieve/Sec'd: Director Rotvold

That the Regional District of Kootenay Boundary Board of Directors proceed to an in camera meeting pursuant to Section 90 (2)(b) of the Community Charter (time: 7:28 p.m.).

226-12 Moved: Director Cacchioni/Sec'd: Director Grieve

That the Regional District of Kootenay Boundary reconvenes to the regular meeting (time: 7:35 p.m.).

Carried.

E. Kumar – Apr. 25/12 re: <u>C.B.T. Community Initiatives Program</u>

A report from Elaine Kumar, Director of Corporate Administration, dated Apr. 25/12 regarding the C.B.T. Community Initiatives Program was read to the meeting.

227-12 Moved: Director Grieve/Sec'd: Director Worley

That the staff report be received.

Carried.

228-12 Moved: Alternate Director Cecchini/Sec'd: Director Grieve

That the Regional District of Kootenay Boundary Board of Directors approves the distribution of the Columbia Basin Trust Community Initiatives Program funds as follows:

Area B	
Applicant	Amount
All the Way Home Chaplaincy Society	\$ 2,000.00
Black Jack Cross Country Ski Club	\$ 1,000.00
Canadian Red Cross Society	\$ 697.25
Casino Recreation Society	\$ 2,500.00
Genelle Recreation Commission	\$ 2,000.00
Greater Trail Community Justice Program Society	\$ 1,260.00
Greater Trail Creative Activities Centre for Visual Arts	\$ 750.00
Kootenay Boundary Regional Hospital & Health Foundation	\$ 2,100.00
Kootenay Cinch & Saddle – 4-H Club	\$ 1,000.00
Red Mountain Racers	\$ 2,500.00
Rossland & District Search & Rescue Society	\$ 2,500.00
Rossland Gold Fever Follies	\$ 1,000.00
Royal Canadian Legion – Branch #14	\$ 3,000.00
Senior Citizen's Association – Trail Branch #47	\$ 1,766.75
Society for the Prevention of Cruelty to Animals	\$ 1,000.00
Trail and District Community Arts Council	\$ 260.00
Trail Gymnastics Club Society	\$ 760.00
Trail Italico Recreation Society	\$ 750.00
Trail Pipe Band	\$ 1,000.00
Trail United Church sponsoring Tuesday Morning Quilters	\$ 300.00
Trail Youth Baseball Association	\$ 1,000.00
	April 26, 2012

\$ 1,500.00

TOTAL DISBURSEMENT TOTAL ALLOCATION \$ 30,644.00 \$ 30,644.00

City of Trail

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Applicant Amount				
All the Way Home Chaplaincy Society	\$ 7,500.00			
Back Country Horsemen Society	\$ 500.00			
B.C. Amateur Softball	\$ 500.00			
Black Jack Cross Country Ski Club Society	\$ 1,500.00			
Canadian Red Cross Society	\$ 1,394.50			
Career Development Services	\$ 4,000.00			
Greater Trail Community Justice Program Society	\$ 2,500.00			
Greater Trail Community Skills Centre	\$ 1,000.00			
Greater Trail Creative Activities Centre for Visual Arts	\$ 1,500.00			
Health Arts Society	\$ 1,000.00			
Kootenay Boundary Regional Hospital & Health Foundation	\$ 10,000.00			
Kootenay Cinch & Saddle - 4-H Club	\$ 600.00			
Kootenay Columbia Educational Heritage Society	\$ 500.00			
Kootenay Columbia Trails Society - Website Replacement	\$ 600.00			
Kootenay Columbia Trails Society – Sunningdale Link	\$ 5,000.00			
Lower Columbia Community Development Team	\$ 10,000.00			
Red Mountain Racers	\$ 1,000.00			
Rossland & District Search & Rescue Society	\$ 2,500.00			
Rossland Gold Fever Follies	\$ 500.00			
Scouts Canada – Camp Tweedsmuir	\$ 1,750.00			
Senior Citizen's Association - Trail Branch #47	\$ 3,132.00			
Societa Cristoforo Colombo Lodge	\$ 500.00			
Society for the Prevention of Cruelty to Animals	\$ 2,000.00			
South Columbia Search & Rescue Society	\$ 3,000.00			
St. Andrew's Anglican Church	\$ 2,000.00			
St. John Ambulance/BC and Yukon	\$ 500.00			
The Columbia Youth Development Centre	\$ 10,000.00			
Trail and District Community Arts Council	\$ 850.00			
Trail Curling Association – Fire Suppression system	\$ 15,000.00			
Trail Curling Association – Youth Curling	\$ 1,000.00			
Trail Family & Individual Resource Centre and Society	\$ 1,500.00			
Trail Gymnastics Club Society	\$ 1,000.00			
Trail Italico Recreation Society	\$ 2,000.00			
Trail Pipe Band	\$ 2,000.00			
Trail Skating Club Society	\$ 750.00			
Trail United Church/Tuesday Morning Quilters	\$ 300.00			
Trail Youth Baseball Association	\$ 1,500.00			
West Kootenay Brain Injury Association	\$ 1,000.00			
West Kootenay Women's Association	\$ 250.00			
TOTAL DISBURSEMENT	\$102,126.50			
TOTAL ALLOCATION	\$102,132.00			

Village of Warfield

Applicant	Amount
All the Way Home Chaplaincy Society	\$ 1,900.00
Black Jack Cross Country Ski Club Society	\$ 1,400.00
Career Development Services	\$ 1,400.00
Greater Trail Community Justice Program Society	\$ 450.00
Greater Trail Creative Activities Centre for Visual Arts	\$ 350.00
Health Arts Society	\$ 950.00
Horse Association of Central Kootenay	\$ 200.00
Kootenay Boundary Regional Hospital & Health Foundation	\$ 2,500.00
Kootenay Columbia Trails Society	\$ 150.00
Red Mountain Racer Society	\$ 650.00
Rossland & District Search & Rescue Society	\$ 1,900.00
Rossland Gold Fever Follies	\$ 200.00
Scouts Canada – Camp Tweedsmuir	\$ 1,900.00
Senior Citizen's Association – Trail Branch #47	\$ 1,000.00
Society Cristoforo Colombo Lodge	\$ 400.00
Society for the Prevention of Cruelty to Animals	\$ 300.00
Trail and District Community Arts Council	\$ 260.00
Trail Family & individual Resource Centre and Society	\$ 450.00
Trail Gymnastics Club Society	\$ 450.00
Trail Italico Recreation Society	\$ 500.00
Trail Pipe Band	\$ 700.00
Trail Skating Club	\$ 400.00
Trail United Church/Tuesday Morning Quilters	\$ 200.00
Trail Youth Baseball Association	\$ 1,400.00
Webster Parents' Advisory Council – Pink Shirt Project	\$ 2,200.00
Webster Parents' Advisory Council – Webster Community Bldg.	\$ 7,826.00
West Kootenay Brain Injury Association	\$ 750.00
TOTAL DISBURSEMENT	\$ 30,786.00
TOTAL ALLOCATION	\$ 30,786.00

Village of Montrose/Fruitvale/Area 'A'

Applicant	Amount
Back Country Horsemen Society of BC/WK Chapter	\$ 587.25
Beaver Valley Blooming Society	\$ 5,000.00
Beaver Valley Lion's Park Society	\$ 5,500.00
Beaver Valley Manor Society	\$ 18,726.36
Beaver Valley May Days sponsoring B.V. AD HOC Committee	\$ 7,500.00
Beaver Valley May Days Society	\$ 2,000.00
Beaver Valley Nursery School Society	\$ 10,000.00
Canadian Red Cross Society	\$ 697.25
Career Development Services	\$ 3,500.00
Columbia Phoenix Players	\$ 2,500.00
Greater Trail Community Justice Program Society	\$ 2,899.00
Greater Trail Creative Activities Centre for Visual Arts	\$ 2,250.00
Health Arts Society	\$ 3,500.00
Horse Association of Central Kootenay	\$ 1,000.00
Kootenay Cinch & Saddle – 4-H Club	\$ 1,200.00
Kootenay Columbia Educational Heritage Society	\$ 720.00
Kootenay Columbia Trails Society	\$ 700.00

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Red Mountain Racers	\$	500.00
Rossland Gold Fever Follies	\$	1,000.00
Scouts Canada – Camp Tweedsmuir	\$	2,200.00
Society for the Prevention of Cruelty to Animals	\$	5,000.00
South Columbia Search & Rescue Society	\$	7,000.00
Trail and District Community Arts Council	\$	760.00
Trail Family & Individual Resource Centre and Society	\$	2,000.00
Trail Gymnastics Club Society	\$	760.00
Trail Pipe Band	\$	1,000.00
Trail Youth Baseball Association	\$	3,000.00
West Kootenay Brain Injury Association	\$	750.00
TOTAL DISBURSEMENT		2,249.86
TOTAL ALLOCATION	\$ 9	2,249.86

City of Rossland

Applicant		Amount
All the Way Home Chaplaincy Society	\$	1,375.00
Back Country Horsemen Society	\$	357.00
Black Jack Cross Country Ski Club Society	\$	2,208.00
Career Development Services	\$	625.00
Friends of the Rossland Range	\$	1,500.00
Greater Trail Community Justice Program Society	\$	875.00
Greater Trail Creative Activities Centre for Visual Arts	\$	475.00
Horse Association of Central Kootenay	\$	500.00
Kootenay Boundary Regional Hospital & Health Foundation	\$	3,000.00
Kootenay Cinch & Saddle – 4-H Club	\$	575.00
Kootenay Columbia Educational Heritage Society	\$	580.00
Kootenay Columbia Trails Society	\$	400.00
Kootenay Food Strategy Society	\$	700.00
Red Mountain Racers Society	\$	2,517.00
Rossland & District Search & Rescue Society	\$	2,250.00
Rossland Chamber of Commerce	\$	491.00
Rossland Council for Arts & Culture	\$	3,625.00
Rossland Council for Arts & Culture/Kootenay Dance Works	\$	1,625.00
Rossland Fall Fair Core Group	\$	2,875.00
Rossland Gold Fever Follies	\$	1,675.00
Rossland Historical Museum & Archives	\$	3,273.00
Rossland Public Library	\$	1,750.00
Royal Canadian Legion – Branch #14	\$	2,500.00
Scouts Canada – Camp Tweedsmuir	\$	1,000.00
Society for the Prevention of Cruelty to Animals	\$	1,225.00
The Columbia Youth Development Centre	\$	250.00
The Rouge Centre for the Arts Society	\$	2,898.00
Tourism Rossland Society	\$	1,495.00
Trail and District Community Arts Council	\$	360.00
Trail Family & Individual Resource Centre and Society	\$	525.00
Trail Gymnastics Club Society	\$	628.00
Trail Pipe Band	\$	828.00
Trail Youth Baseball Association	\$	750.00
West Kootenay Brain Injury Association	3	\$ 550.00

TOTAL DISBURSEMENT

\$ 46,260.00

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TOTAL ALLOCATION

\$ 46,260.00

TOTAL FUNDS 2012/13	\$	302,071.86
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TOTAL FUNDS DISBURSED

Carried.

Adjournment

229-12 Moved: Director Baird

That the meeting be adjourned.

Vice-Chair

Time: 7:35 p.m.

Director of Corporate Administration

\$ 302,066.36

THE CITY OF GRAND FORKS REQUEST FOR COUNCIL DECISION

DATE	:	June 5, 2012
TOPIC	:	Strategic Plan Goal Action
PROPOSAL	8 0	Report on Action – Staff to evaluate incentive bylaws in other Municipalities for fit for the City and Report back to Council by June 30, 2012.
PROPOSED BY	:	City Staff

SUMMARY:

At the Regular Meeting of February 20th, 2012, Council adopted the Corporate Strategic Plan 2012-2014. The basis of the plan was developed during a 1 ½ day Workshop held on January 25th and 26th, 2012, attended by Members of Council and Staff representatives. The report outlines 6 main strategic goals as well as several actions to accomplish these goals, 13 of which are identified to be completed in the year 2012. Three of these actions were to be completed by the end of June, 2012. These three actions are:

- 1. Staff to evaluate tax incentive bylaws in other municipalities for fit for the City and report back to Council by the end of June, 2012.
- 2. Staff to Determine the usability of City lands through an inventory by the end of June, 2012.
- 3. Develop a Strategy for Regional Service Integration.

This report is intended to focus on the Action "Staff to evaluate tax incentive bylaws in other municipalities for fit with the City and report back to Council by the end of June, 2012". The City has a similar tax incentive program for Major Industrial properties (Class 4 properties), which was undertaken by the previous operator of the local sawmill, Pope & Talbot Inc., and which Interfor is enjoying the remaining years.

The authority for Council to provide "revitalization tax exemptions" is found in Section 226 of the Community Charter. Council may, for the purpose of encouraging revitalization in the municipality, provide tax exemptions for land or improvements, as long as the bylaw outlining the revitalization tax exemption program is drafted and performed within the parameters of the legislation. A revitalization tax exemption program must be established by bylaw and must include a description of the reasons for and the objectives of the program, a description of how the program is intended to accomplish the objectives, a description of the kinds of property or circumstances that will be eligible for tax exemption, the amounts of exemption that will be available and the term which may not be longer than 5 years, with the option of one renewal term. A revitalization program bylaw may only be adopted after Council has given notice of the permissive tax exemption (adoption of the bylaw), and Council has considered the bylaw in conjunction with the objectives and policies set out in its financial plan.

There are three parts to a "revitalization tax exemption". Part one is the "revitalization tax exemption" program which is outlined and enshrined in a bylaw. Part two is a specific agreement entered into between the City and the owner of a property within the exemption area. Part three is the exemption certificate which is issued by resolution of Council, once all requirements established in the revitalization program bylaw and any additional requirements established in the exemption agreement

have been met. A copy of Section 226 of the Community Charter, identified as "Appendix 1" is attached for Council's reference.

DISCUSSION:

In following through with the instruction received from Council through the Corporate Strategic Plan to evaluate tax incentive bylaws in other municipalities, Staff tried to find bylaws adopted by similar size municipalities. The only municipality of similar size was the City of Rossland's bylaw adopted in 2010. For comparison we have also reviewed bylaws from the City of Salmon Arm and the City of Terrace. Attached to this report and identified as "*Appendix 11*" is a copy of City of Rossland Bylaw No. 2488, as well as back-up documentation from the Rossland website. Attached and identified as "*Appendix 11*", is a copy of Salmon Arm Bylaw No. 3741, as well as back-up documentation from the City of Salmon Arm website. Attached and identified as "*Appendix IV*" is a copy of the City of Terrace Bylaw No. 1946 and the tax exemption program summary. And finally attached as "*Appendix V*" is City of Grand Forks Bylaw No. 1780, establishing the Major Industrial Revitalization Tax Exemption Area and Program" and a copy of the Revitalization Tax Exemption Agreement between the City of Grand Forks and Pope & Talbot Inc. Council will note that the City's bylaw, adopted in 2005 is different in that it is an amendment to the Five Year Financial Plan Bylaw. This was the requirement of the legislation at the time. In 2007 the legislation was amended to allow for the adoption of revitalization tax exemption bylaws, which simplifies the process some.

It is Staff's understanding that Council's desire in establishing another revitalization tax exemption program is to encourage investment and re-development in the down town core. In this regard, we are focusing on the area outlined on the map, which is identified as *"Appendix VI"* attached to this report. It must be clear that the rationale behind establishing another revitalization tax exemption program is not to assist downtown business property owners (that is contrary to legislation), but to encourage investment and upgrading of existing buildings. The tax exemption will only apply to that part of the assessment which is the increase due to the new construction or the re-developed or upgraded property. This legislation does not allow Council to exempt property owners from paying property taxes on what exists today, but rather encourages the investment by not taxing the increased value of the property for a period of years.

Should Council wish to proceed with such a program, the "City of Grand Forks Heritage Program" might be considered as the basis for the program. This program was developed as a result of the province's Heritage Branch conducting a public workshop in response to the City's outlined initiative of Downtown Revitalization in the Community First Agreement with the Province in 2010-2011. Attached to this report and identified as "*Appendix VII*" is a copy of the Executive Summary of the 148 page document titled City of Grand Forks Heritage Program. Also attached and identified as "*Appendix VIII*" is an excerpt copy from this document "Statement of Significance" for downtown.

Council will need to consider if such a program is appropriate for Grand Forks at this time. Council members need to be prepared to establish Council's objectives and what the program needs to accomplish. Staff resources will be required to draft the program and the enabling bylaw. Once this is done, Council will have to establish some sort of public education program to communicate the program to downtown property owners. After these steps have been undertaken, there is no further requirement of Staff resources until an actual application is made.

The tax exemption is for the property owners, not necessarily the business owners. The legislation is drafted in such a way that the revitalization tax exemption will not have the effect of reducing property taxes for those specific property owners, but will, for a period of 5 years, preclude taxes from increasing due to the increased assessed value resulting from the property upgrades.

STAFF RECOMMENDATION:

Option 1: That the Chief Administrative Officer's Report, dated June 5, 2012, regarding the action, requiring "Staff to evaluate tax incentive bylaws in other municipalities for fit for the City and report back to Council by the end of June, 2012", as outlined in the Corporate Strategic Plan 2012-2014, be received, and referred to the Economic Development Advisory Committee for further review and discussion with downtown property owners, and report back to Council later this year.

OPTIONS AND ALTERNATIVES:

Option 1: That the Chief Administrative Officer's Report, dated June 5, 2012, regarding the action, requiring "Staff to evaluate tax incentive bylaws in other municipalities for fit for the City and report back to Council by the end of June, 2012", as outlined in the Corporate Strategic Plan 2012-2014, be received, and referred to the Economic Development Advisory Committee for further review and discussion with downtown property owners, and report back to Council later this year: This option recognizes that Staff has reported out on the actions requested of them, and outlined in the Corporate Strategic Plan 2012-2014, and suggests that Council may want to further explore this initiative.

Option 2: *Council receives the report for information.* This option suggests that Council has received the report, as outlined in the 2012-2014 Corporate Strategic Plan, but has chosen not to pursue the initiative further at this time.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The benefit of this option is that the report, outlining the responses to Council's requests outlined in the Corporate Strategic Plan, is provided, and further investigation is anticipated. **Option 2:** The benefit to this option is that Council has received the report as outlined in the Corporate Strategic Plan.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

There is no direct cost in receiving this report.

STRATEGIC PLAN IMPACT:

This report outlines Staff's investigation and reporting requirements outlined as an Action under the "Economic Development" Goal in the Corporate Strategic Plan 2012-2014, adopted by Council on February 20, 2012.

The next Action under the Economic Development Goal is also due by June 30, 2012, which is for the Manager of Technical Services to determine the usability of City lands through an inventory. This report will be presented to Council by the end of June, 2012.

The next Action under Regional Services Integration is for the City to Develop a Strategy for Regional Service Integration by June 30, 2012. Council will need to determine how they plan to achieve this goal.

A further Action under the Economic Development Goal is due by July 31, 2012, which is for the CAO to refer the sub-regional economic development strategy to the Economic Development Advisory Committee for review and recommendations back to Council.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Most municipal Councils meet at the beginning of their terms to outline their goals and objectives in a Strategic Planning session. This exercise is crucial as Council must, in accordance with the Community Charter outline their goals and objectives, and the measures that will be used to determine progress respecting those objectives, for the current and next year, in the Annual Municipal Report.

unch Department Head or CAO

Reviewed by Chief Administrative Officer

Appendix

SBC Chap. 26

COMMUNITY CHARTER

- (i) is riparian land,
- (ii) is subject to a covenant under section 219 of the Land Title Act that
 - (A) relates to the protection of the property as riparian property, and
 - (B) has the municipality granting the exemption under this section as a covenantee in whose favour the covenant is made, and
- (iii) meets any other requirements prescribed by regulation;

(d) eligible cemetery property, being land held for cemetery, mausoleum or columbarium purposes;

(e) eligible golf course property, being land maintained as a golf course.

(3) A council may, by bylaw, exempt eligible property from taxation under section 197 (1) (a)

[municipal property taxes] to the extent provided in the bylaw and subject to the conditions established by exemption agreement.

(4) The authority under subsection (3) is not subject to section 25 (1) [prohibition against assistance to business].

(5) For the purposes of this section, the council may enter into an agreement with the owner of property that is exempt or is to be exempt under this section, respecting the extent of the exemption and the conditions on which it is made.

- (6) Without limiting subsection (5), an exemption agreement may do one or more of the following:
 - (a) require the eligible property to be subject to a covenant under section 219 of the Land Title Act in favour of the municipality;
 - (b) provide that the exemption is subject to specified conditions;
 - (c) provide that, if
 - (i) a condition is not met,
 - (ii) a required covenant under section 219 of the Land Title Act is discharged, or
 - (iii) any other circumstances specified in the agreement occur,

the property owner must pay to the municipality an amount determined in accordance with the agreement.

- (7) A bylaw under this section
 - (a) must establish the term of the exemption,
 - (b) may only be adopted after notice of the proposed bylaw has been given in accordance with section 227 [notice of permissive tax exemptions],
 - (c) may only be adopted by an affirmative vote of at least 2/3 of all council members, and
 - (d) does not apply to taxation in a calendar year unless it comes into force on or before October 31 in the preceding year.

(8) An exemption under this section ceases to apply to property, the use or ownership of which no longer conforms to the conditions necessary to qualify for exemption and, after this, the property is liable to taxation.

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(5ub) May 31/07 Revitalization tax exemptions

226. (1) In this section:

"exemption agreement" means an agreement under subsection (7);

"exemption certificate" means a revitalization tax exemption certificate issued under subsection (8); "revitalization program bylaw" means a bylaw under subsection (4).

(2) A council may, for the purpose of encouraging revitalization in the municipality, provide tax exemptions for land or improvements, or both, in accordance with this section.

(3) For a revitalization tax exemption under this section to apply to a particular property,

- (a) the exemption must be in accordance with a revitalization program bylaw under subsection (4),
- (b) an exemption agreement under subsection (7) must apply to the property, and
- (c) an exemption certificate for the property must have been issued under subsection (8).

(Sub) Jul 04/04

- (4) A revitalization tax exemption program must be established by a bylaw that includes the following:
 - (a) a description of the reasons for and the objectives of the program;
 - (b) a description of how the program is intended to accomplish the objectives;
 - (c) a description of the kinds of property, or related activities or circumstances, that will be eligible for tax exemptions under the program;
 - (d) the extent of the tax exemptions available;
 - (e) the amounts of tax exemptions that may be provided under the bylaw, by specifying amounts or by establishing formulas by which the amounts are to be determined, or both;
 - (f) the maximum term of a tax exemption that may be provided under the bylaw, which may not be longer than 10 years.
- (5) A revitalization program bylaw
 - (a) may include other provisions the council considers advisable respecting the program including, without limiting this,
 - (i) the requirements that must be met before an exemption certificate may be issued,
 - (ii) conditions that must be included in an exemption certificate, and
 - (iii)provision for a recapture amount that must be paid by the owner of the property to the municipality if the conditions specified in the exemption certificate are not met, and
 - (b) may be different for
 - (i) different areas of the municipality,
 - (ii) different property classes under the Assessment Act,
 - (iii)different classes of land or improvements, or both, as established by the bylaw,
 - (iv)different activities and circumstances related to a property or its uses, as established by the bylaw, and
 - (v) different uses as established by zoning bylaw.
- (6) A revitalization program bylaw may be adopted only after
 - (a) notice of the proposed bylaw has been given in accordance with section 227 [notice of permissive tax exemptions], and
 - (b) the council has considered the bylaw in conjunction with the objectives and policies set out under section 165 (3.1) (c) [use of permissive tax exemptions] in its financial plan.
- (7) The council may enter into an agreement with the owner of a property respecting
 - (a) the provision of a revitalization tax exemption under this section,
 - (b) any requirements that must be met before an exemption certificate is issued, and
 - (c) any conditions on which the tax exemption is to be provided.
- (8) Once
 - (a) all requirements established in the revitalization program bylaw, and
 - (b) any additional requirements established in the exemption agreement

have been met, a revitalization tax exemption certificate must be issued for the property in accordance with the exemption agreement.

(9) An exemption certificate must specify the following in accordance with the revitalization program bylaw and the exemption agreement:

- (a) the extent of the tax exemption;
- (b) the amount of the tax exemption or the formula for determining the exemption;
- (c) the term of the tax exemption;
- (d) if applicable, the conditions on which the tax exemption is provided;
- (e) if applicable, that a recapture amount is payable if the exemption certificate is cancelled, and how that amount is to be determined.

(10) So long as an exemption certificate has not been cancelled, the land or improvements, or both, subject to the exemption certificate are exempt from taxation under section 197 (1) (a) [municipal property taxes] as provided in the exemption certificate.

- (11) An exemption certificate may be cancelled by the council
 - (a) on the request of the property owner, or
 - (b) if any of the conditions specified in the exemption certificate are not met.

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(12) An exemption certificate or cancellation does not apply to taxation in a calendar year unless the exemption certificate is issued or cancelled, as applicable, on or before October 31 in the preceding year.

- (13) The designated municipal officer must
 - (a) provide a copy of an exemption certificate to the relevant assessor as soon as practicable after it is issued, and
 - (b) if applicable, notify that assessor as soon as practicable after an exemption certificate is cancelled.

(14) The authority to provide a tax exemption under this section is not subject to section 25 (1) [prohibition against assistance to business].

2007-24-4.

Notice of permissive tax exemptions

- 227. (1) A council must give notice of a proposed bylaw under this Division in accordance with section 94 [public notice].
 - (2) Subject to subsection (3), the notice under subsection (1) must
 - (a) identify the property that would be subject to the bylaw,
 - (b) describe the proposed exemption,
 - (c) state the number of years that the exemption may be provided, and
 - (d) provide an estimate of the amount of taxes that would be imposed on the property if it were not exempt, for the year in which the proposed bylaw is to take effect and the following 2 years.

(3) In the case of a bylaw under section 226 (4) [revitalization program bylaw], the notice under subsection (1) of this section must include a general description of each of the following:

- (a) the reasons for and the objectives of the program;
- (b) how the proposed program is intended to accomplish the objectives;
- (c) the kinds of property, or related activities or circumstances, that will be eligible for a tax exemption under the program;
- (d) the extent, amounts and maximum terms of the tax exemptions that may be provided under the program.

2003-26-227; 2007-24-5. Division 8 - Tax Liability of Occupiers

Taxation of Crown land used by others

228. (1) Subject to this section, land and its improvements are liable to taxation if the land is

- (a) owned in fee simple by the Crown or some person or organization on behalf of the Crown, and
- (b) held or occupied other than by or on behalf of the Crown.

(2) This section does not make the following liable to taxation:

- (a) land or improvements otherwise exempt under section 220 (1) (b) to (m) [general statutory exemptions];
- (b) land and improvements that are exempt under Division 7 [Permissive Exemptions] of this Part;
- (c) a highway occupied by
 - (i) a gas, electric light, telephone, telegraph, power, pipeline, water, motor bus, electric trolley bus, radio or television broadcasting or closed circuit television company, or
 - (ii) a company that, in addition to any other function, provides a service similar in nature to a service referred to in subparagraph (i).

(3) Except as provided under the Veterans' Land Act (Canada) and subsection (4), the taxes imposed on land and improvements referred to in subsection (1)

- (a) are a liability only of the holder or occupier, recoverable in the manner set out in this Act, and
- (b) are not a lien or charge on the land and improvements that are not liable to tax sale.

(4) In the case of land disposed of by the Provincial government for which the Crown grant has not been registered,

- (a) the land, together with its improvements, is liable to tax sale,
- (b) the taxes imposed are a lien and charge on the land and its improvements, and

"Appendix 11"

THE CORPORATION OF THE CITY OF ROSSLAND BYLAW #2488

A BYLAW TO PROVIDE FOR A REVITALIZATION TAX EXEMPTION FOR PROPERTY CLASS 4(industrial), 5(light industrial), 6(business and other) AND 8(recreation and non-profit) WITHIN THE CITY OF ROSSLAND

WHEREAS the Council may by bylaw prior to October 31 in any year, under Section 226 of the *Community Charter and any amendments thereto*, provide for a revitalization tax exemption program within the City;

AND WHEREAS Council wishes to establish a revitalization tax exemption program in accordance with Section 226(2) of the *Community Charter and any amendments thereto*;

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

NOW THEREFORE the Council of the City of Rossland, in an open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as "City of Rossland Revitalization Tax Exemption Bylaw No. 2488, 2010".

2. Purpose and Objectives

(1) The purpose of this Bylaw is to provide:

(a) the establishment of a program to encourage the revitalization of commercial, industrial and recreation properties within the designated area of the **City**.

(b) to provide the framework within which the **Owners** may make application to receive the **Tax** exemption.

(2) The objectives of the Revitalization Tax Exemption are:

(a) to encourage and generate overall economic activity in the commercial, industrial and recreational zones;

(b) to encourage **Owners** to utilize modern day technologies to improve the overall efficiencies within building and structure, improve energy and conserve water;

(c) to encourage **Owners** to improve the general aesthetics and surrounding environment of the **Land and Improvements**;

(d) to encourage and sustain investment and employment to retain and create jobs and services; and

(e) to provide **Tax** exemption when the objectives listed in (a) to (d) have a direct or an indirect impact on the **Assessed Value** of the **Parcel**.

3. Interpretation

In this bylaw and in the attached Schedules:

"Application" means the **Application** set out as Schedule "B" (as may be amended from time to time without a requirement to amend this bylaw) attached to this bylaw.

"Assessed Value" means as per Schedule "C" of this Bylaw.

"Assessment" means as defined in the Assessment Act and amendments thereto;

"Base Amount" means an amount of Municipal Property Tax payable with respect to a Parcel located in the Revitalization Area during the Base Year;

"Base Year" means the **Calendar Year** prior to the first **Calendar Year** in respect of which an Agreement set out in Schedule "C" (as may be amended from time to time without a requirement to amend this bylaw) applies to a Parcel in the **Revitalization Area**;

"Calendar Year" and "Year" means all months inclusive from January to December;

"Certificate" means a Revitalization Tax Exemption Certificate as set out in Schedule "D" (as may be amended from time to time without a requirement to amend this bylaw);

"City" means the City of Rossland

"Council" means the governing body of the City

"Corporate Officer" means the officer position established under Bylaw #2472 of the City.

"Full Assessment" means **"Assessment"** utilized to calculate the amount of **Municipal Property Tax** that would be payable in respect of a **Parcel** in the **Revitalization Area** during the tenth (10^{th}) **Calendar Year** after the **Calendar Year** during which an Agreement set out in Schedule "C" is made, as if the **Agreement** had never been made;

"Improvements" means as defined in the Assessment Act and amendments thereto;

"Land" means any interest in land, including any right, title or estate in it of any tenure with all buildings and houses, unless there are words to exclude buildings and houses or to restrict the meaning. Land also means as defined in the Assessment Act and amendments thereto and excludes quarries, sand, gravel, golf course lands, forestry and mining activities.

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"Municipal Property Tax" means Tax

"Owner" means as defined in the Assessment Act and amendments thereto;

"Parcel" means a lot, block or other area in which Land and Improvements are held or into which Land and Improvement is subdivided.

"Property Class" means as defined in the *Assessment Act and amendments thereto* and falls under the classification as 4(industrial), 5(light industrial), 6(business & other) and 8 (recreation and non-profit) ;

"Revitalization Area" means all areas within the **City** boundary designated and shown on Schedule "A" and includes all **Land and Improvements** of **Property Classes** 4(industrial), 5(light industrial), 6(business & other) and 8 (recreation and non-profit)

"Revitalization Tax Exemption" means Tax exemption granted under this Bylaw

"Tax" means municipal property value tax imposed under sections 197(1)(a) and 197(2) of the *Community Charter and amendments thereto*.

"Title" means indefeasible title under the Land Titles Act and amendments thereto.

- 4. There is established a **Revitalization Tax Exemption** program which includes the following:
 - (1) **Tax** exemption prescribed by this bylaw with respect to:

(a) a new construction of Land and Improvements with an Assessed Value or the Building Permit Value whichever is lesser of the two is in excess of \$10,000.00; or

(b) an alteration or improvement of an existing **Land and Improvements** where the **Assessed Value** or **the Building Permit Value** whichever is the lesser of the two is in excess of \$10,000.00.

(2) With respect to **Parcels** located within the **Revitalization Area** shown on Schedule "A".

(3) The maximum **Tax** exemption under this bylaw must not exceed the increase in the **Assessed Value** of **Land** and **Improvements** on the **Parcel** between:

(a) the **Calendar Year** before the construction or alteration of **Land** and **Improvements** began, and

(b) the **Calendar Year** in which the **Tax** exemption **Certificate** under this bylaw is issued.

5. The maximum initial term of a **Revitalization Tax Exemption** is:

(a) 5 Years, plus

(b) At the discretion of Council the **Revitalization Tax Exemption** may be granted for an additional 5 **Years**, subject to this bylaw and the **Agreement** set out in Schedule "C" under the terms set out in section 4(1).

6. (1) The **Tax** exemptions provided under this bylaw are such that the **Tax** payable is:

(a) in respect of the Revitalization Area shown in Schedule "A":

(i) Years 1 – 5: Base Amount

(b) in respect of an additional term of 5 Years

(i) Year 6: Base Amount plus 20% of the difference between Base Amount and Full Assessment;

(ii) Year 7: Base Amount plus 40% of the difference between Base Amount and Full Assessment;

(iii) Year 8: Base Amount plus 60% of the difference between Base Amount and Full Assessment;

(iv) Year 9: Base Amount plus 80% of the difference between Base Amount and Full Assessment;

(v) Year 10: Full Assessment.

7. This bylaw does not apply to a Parcel unless:

(a) the **Parcel** is located in the **Revitalization Area** shown on Schedule "A"; and

(b) the **Owner** of the **Parcel** has entered into an **Agreement** with the **City** substantially in the form of and with the content of the **Agreement** attached as Schedule "C".

(c) a **Parcel** has **Land** or **Improvements** or both of one or more of the **Property Class**.

- Once the Conditions established in Schedule "D" and the Agreement set out in Schedule "C" have been met, a Revitalization Tax Exemption Certificate must be issued for the Parcel in accordance with the Agreement;
- 9. The **Revitalization Tax Exemption Certificate** must, in accordance with the **Conditions** established in Schedule "D" and the **Agreement** set out in Schedule "C", specify the following:

(a) the amount of the **Tax** exemption or the formula for determining the **Tax** exemption;

(b) the Term of the Tax exemption;

(c) the conditions on which the **Tax** exemption is provided; and

(d) that a recapture **Tax** is payable if the **Certificate** is cancelled and the determination of the recapture **Tax**.

10. (1) If an **Owner** requests a **Tax** exemption under the bylaw for the following **Year**, the **Owner** must apply to the **Corporate Officer** in writing before August 31 or 14 days prior to the second regularly scheduled meeting of the current year in the month of September of the **City Council** whichever is later of the **Year** in which the **Land** and **Improvements** occurred and must submit the following with the **Application**:

(a) a completed written Application as set out in Schedule "B";

(b) description of the new **Land** and **Improvements** or the alteration of the existing **Land** and **Improvement** that would be eligible under the bylaw for a **Municipal Property Tax** exemption;

(c) an administration and examination fee as determined from time to time by a resolution of **Council**; and

(d) a copy of the Agreement duly executed by and on behalf of the Owner.

(2) Should the **Land and Improvements** occur after August 1 of any **Calendar Year**, an **Application** for the **Tax** exemption may be made before August 31st of the following **Calendar Year**.

READ A FIRST TIME this 13th. day of September, 2010

READ A SECOND TIME this 13th. day of September, 2010

READ A THIRD TIME this 4th. day of October, 2010

ADOPTED this 27th day of October, 2010

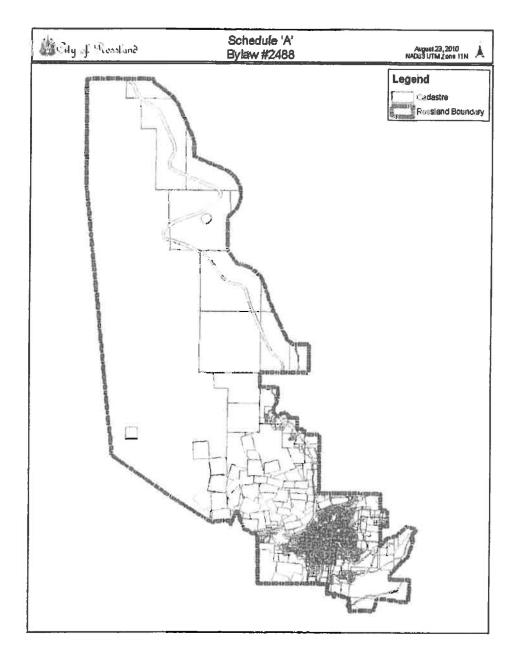
5.

Mayor

Corporate Officer

Schedule "A" OF Bylaw 2488 MAP

Within the Boundaries of the City of Rossland for all **Parcel Assessment** with **Property Class:** 4, 5, 6 and 8



Schedule "B" of Bylaw 2488

Application for Revitalization Tax Exemption Pursuant to "City of Rossland Tax Revitalization Bylaw No. 2488, 2010"

List all applicable **Parcel** civic addresses **and Municipal Property Tax** paid and **Assessment** for the **Year** on a separate sheet of paper using the following format: If **Parcel(s)** have been consolidated, list addresses prior to consolidation

Parcel Civic address	Assessment	Municipal Property Tax
1.	\$	\$
2.	\$	\$

Attach copies of the Assessment and Property Tax Notices for each Parcel.

Owner's name & address as it appears of the Assessment Notice:

Applicant's name & address if different from the Assessment Notice:

Owner (applicant's signature)² Date:³

Revitalization Objectives:

Check off the objectives that the **Owner** expects to achieve:

- Economic- Investment and local employment
- Conservation of Heritage Property in **Property Class 4**,5, 6 and 8
- □ Installation of "green" building technology
- Conservation of water used in the Land and Improvements
- Conservation of Energy
- Building Renovations to improve general aesthetics, amenities and the surrounding environment including any landscaping, planting of trees and reduction in GHG gases
- List any other objectives the **Owner** expects to achieve:

¹"Base Amount" means an Assessed Value of Land and Improvements used to calculate Municipal Property Tax payable on a Parcel located in the Revitalization Area during the Base Year

² If other than **Owner** is signing, a dated letter of authorization (to sign on behalf of the Owner) is required.

³ Note that the **Application** must be received prior to August 31st or 14 days before the second regular meeting of the **City Council** in the month of September of the **Calendar Year** whichever is later on the current **Year** prior to the **Year** the **Tax** exemption is being requested for. The **Municipal Property Tax Exemption** Bylaw must be adopted by **Council** each **Calendar Year** during the **Term** of the **Revitalization Tax Exemption** on or before October 31st of the current **Year** to be effective for **Tax** exemption for the following **Year**

SCHEDULE "C" of Bylaw 2488 AGREEMENT

THIS AGREEMENT dated on the	day of	20
BETWEEN:		
with any manufacture wave to be dealed at the second second second		
	(the "Owner	")
AND		
The City of Rossland		

1899 Columbia Ave PO Box 1179 Rossland, BC VOG 1YO

(the "City")

Collectively known as the "Parties"

GIVEN THAT

- A. A Revitalization Tax Exemption program under Bylaw No. 2488 has been established for the purpose of encouraging revitalization of Property Classes, 4 (industrial), 5(light industrial), 6(business and other) and 8(recreation & non-profit) within the City;
- **B.** A **Revitalization Tax Exemption** program encourages **Owners** to achieve two or more objectives outlined in Bylaw No. 2488;
- **C.** The **Land** and **Improvements** that are the subject of this **Agreement** are located within Schedule "B" to Bylaw 2488 known as the **Revitalization Area**;
- **D.** This **Agreement** contains the terms and conditions respecting the provision of a **Municipal Property Tax** exemption under the Bylaw No. 2488;
- E. The **Parties** wish to enter into this Agreement and register when it is applicable against the **Title** to the **Land** and **Improvements** as a covenant under Section 219 of the Land Title Act;

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

1. Definitions

The "Definitions" in this **Agreement** applies to the Bylaw No.2488 and to Schedule "D" and the "**Interpretation**" section of Bylaw No. 2488 applies to this **Agreement and** Schedule "D".

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

"Assessed Value" means " Assessment" of Land and Improvements as determined by the Assessment Authority in the assessment region of the Province of BC in which the Land and Improvements are located; if Assessed Value is not available then the Assessed Value means the declared Building Permit Value;

"Building Permit Value" means the estimated value of construction upon which the building permit fee was payable.

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

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

"Land Title Office" means as defined in the Assessment Act and amendments thereto;

2. Term

The **Owner** covenants and agrees with the **City** that the term of this **Agreement** is:

(1) 5 Years commencing on January 1 of the first **Calendar Year** after the **Calendar Year** referred to in the reference date of this **Agreement** was made;

(2) a renewal term of an additional 5 years on **Application by** the **Owner** and at the discretion of **Council.**

3. Land And Improvements

The Tax exemption provided for under the Bylaw 2488 applies in respect of:

(1) a new construction of **Land** and **Improvement**, the **Assessed Value** or the **Building Permit Value** whichever is the lesser of the two is in excess of \$10,000;

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(2) the alteration and improvement of an existing **Land** and **Improvement**, where the **Assessed Value** or the **Building Permit Value** whichever is the lesser of the two is in excess of \$10,000.00

4. Revitalization Tax Exemption Certificate

(1) **Council** must issue a **Revitalization Tax Exemption Certificate** to the **Owner** if the **Land** and **Improvements** are in compliance with Section 4 of Bylaw 2488 and this **Agreement** for the applicable **Tax Year**.

5. Tax Exemption

(1) So long as a **Revitalization Tax Exemption Certificate** in respect of the **Land** and **Improvements** has not been cancelled, the **Land** and **Improvements** are exempt from **Tax**, to the extent, for the **Term** and subject to the conditions provided in the **Certificate**, from **Municipal Property Taxation**.

6. Cancellation

(1) The **Revitalization Tax Exemption Certificate** may be cancelled by the **Council** of the City:

(i) on the request of the **Owner**,

or

(ii) if any of the conditions in the **Certificate** are not met.

7. Owner's Obligations

(1) The **Owner** must pay to the **City's** the cost of all works and services associated with the new **Land** and **Improvements** or alteration to new **Land** and **Improvements**, to existing storm and sanitary sewers, water connections, water mains, water meters, and other municipal services where applicable;

(2) The **Owner** must comply where applicable relating to Section 4 of Bylaw 2488 with:

(i) all enactments, laws, statutes, regulations and orders of any authority having jurisdiction, including bylaws of the **City:** and

(ii) all federal, provincial, municipal and environmental licences, permits and approvals required under applicable enactments.

8. Obligations Of The City

(1) The **City** must issue a **Revitalization Tax Exemption Certificate** to the **Owner** in respect of the new or alterations or improvements to **Land** and **Improvements**, so long as the **Owner** and the **Land** and **Improvements** are in compliance with the Bylaw 2488 and this **Agreement**.

9. City's Rights And Powers

(1) Other than the right and power to levy and collect property taxes nothing contained or implied in this **Agreement** prejudices or affects the rights and powers of the **City** in the exercise of its functions or its rights and powers under any public and private statutes, bylaws, orders, or regulations to the extent the same are applicable to the **Land** and **Improvements**, all of which may be fully and effectively exercised in relation to the **Land** and **Improvements** as if this Agreement had not been executed and delivered by the **Owner**.

10. General Provisions

(1) It is mutually understood, agreed, and declared by and between the **Parties** that the **City** has made no representations, covenants, warranties, guarantees, promises, or agreements (oral or otherwise), express or implied, with the **Owner** other than those expressly contained in this Agreement

(2) The **Owner** covenants and agrees to use best efforts to do or cause to be done, at the expense of the **Owner**, all acts reasonably necessary to grant priority where required by the **City** to this **Agreement** as a covenant where a covenant registration is applicable over all charges and encumbrances except those of a financing nature specifically relating to this **Agreement** which may have been registered against the **Title** to the **Land** and **Improvements** in the Land Title Office, save and except those specifically approved in writing by the **City** or in favour of the **City**. It is understood between the **Parties** that Sections 250 to 259 of the *Community Charter* is not waived relating to the recovery of taxes including the priority of the charge against the **Parcel**

(3) The covenant if and when it is applicable between the **Parties** set forth in this **Agreement** shall charge the **Land** and **Improvements** pursuant to Section 219 of the *Land Title Act* and shall be covenants the burden of which shall run during the **Term** of this **Agreement** with the **Land** and **Improvements** and bind the **Land** and **Improvements** to the extent of the **Assessed Value** of the new or altered or improved **Land** and **Improvements** under this **Agreement** whether by subdivision plan, strata plan, or otherwise.

(4) Any notices or other communication required or contemplated to be given or made by any provision of this **Agreement** shall be given or made in writing and either delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the tenth business day following such mailing except that, in the event of interruption of mail services notice shall be deemed to be delivered only when actually received by the **Party** to whom it is addressed), so long as the notice is addressed as follows:

City of Rossland, PO Box 1179, 1899 Columbia Ave, Rossland, BC VOG 1Y0

(5) No amendment or waiver of any portion of this **Agreement** shall be valid unless in writing and executed by the **Parties** to this **Agreement**. Waiver of any default by a **Party** shall not be deemed to be a waiver of any subsequent default by that **Party**.

(6) This **Agreement** is not intended to create a partnership, joint venture, or agency between the **Parties**

(7) A reference in this **Agreement** to the **City** or the **Owner** includes their permitted assigns, heirs, successors, officers, employees, and agents

(8) Unless otherwise expressly provided in this **Agreement**, the expense of performing the obligations and covenants of the **Owner** contained in this **Agreement**, and of all matters incidental to them, is solely that of the **Owner**

(9) The **Owner** represents and warrants to the **City** that:

(a) all necessary corporate actions and proceedings have been taken by the **Owner** to authorize its entry into and performance of this **Agreement**

(b) upon execution and delivery on behalf of the **Owner**, this **Agreement** constitutes a valid and binding contractual obligation of the **Owner**

(c) neither the execution and delivery, nor the performance, of this **Agreement** shall breach any other **Agreement** or obligation, or cause the **Owner** to be in default of any other **Agreement** or obligation, respecting the **Land** and **Improvements**; and (d) the **Owner** has the corporate capacity and authority to enter into and perform this **Agreement**

(10) The **Parties** agree that in the event this **Agreement** is invalidated by a Court of competent jurisdiction there is no financial liability imposed on the **City** and the **Agreement** terminates forthwith without any obligation whatsoever on the **City**.

(11) This **Agreement** shall enure to the benefit of and Is binding on the **Parties** and their respective heirs, executors, administrators, successors and assigns during the Term

(12) Time is of the essence in this **Agreement** when a date is specified for an act to be performed by either **Party**.

(13) This **Agreement** is effective from and after the reference date in this **Agreement** but only if this **Agreement** has been executed and delivered by the **Owner** and executed by the **City**

(14) This **Agreement** shall be construed according to the laws of the Province of British Columbia

City Officer

Corporate Officer Or Designate

Owner

Witness

SCHEDULE "D" of Bylaw 2488

REVITALIZATION TAX EXEMPTION CERTIFICATE

Definitions:

The "Definitions" of the **Agreement** and the "Interpretation" of Bylaw 2488 applies to this **Certificate.**

Parcel Identification And Initial Term Of Exemption

In accordance with the **Revitalization Tax Exemption** Bylaw 2488, and In accordance with a **Revitalization Tax Exemption Agreement-Schedule** "C" of Bylaw 2488 dated for reference the _____ day of _____, 20____ (the "**Agreement**") entered into between the City of Rossland (the"**City**") and (the "**Owner**"), the registered **Owner**(s) of the **Parcel** described in the attachment to Schedule "D", this **Certificate** certifies that the **Parcels** (as defined in the attachment) is subject to a **Revitalization Tax Exemption** on the **Parcel** (as per the attachment to Schedule "B") for the years ______ through ______ subject to the inclusion of the **Parcel** in the annual Property Tax Exemption Bylaw adopted by Council on or before October 31st annually.

Additional 5- Year Option Application

A further **Tax** exemption **Certificate** may be issued for the next 4 assessment **Years** commencing with the **Year** ______ upon **Application** by the **Owner** and subject to the approval of **Council**. The **Application** must be made before August 31 or 14 days before the second regularly scheduled meeting of Council in the month of September whichever occurs later in the **Calendar Year** prior to the **Year** in which the **Tax** exemption is requested.

Conditions

The **Revitalization Tax Exemption** is provided on the following conditions:

(1) the **Owner** does not breach any covenant or condition in the **Agreement** and performs all obligations to be performed by the **Owner** set out in the **Agreement**;

(2) the **Parcel** is not put to any use that is not permitted by the City's Zoning Bylaw and any amendments thereto.

(3) the **Owner** has provided a copy of the building permit indicating the declared value upon which the building permit fees were assessed;

(4) the **Owner** has obtained a written letter from the jurisdiction of authority that there are no violation of any Building Code, Electrical Code, Plumbing Code, Fire Code, Development Permit, Development Variance Permit and Zoning Bylaw relating to Section 4 of Bylaw 2488.

Cancellation

If any of the foregoing **Conditions** are not met or the **Owner** has requested cancellation then the **Council** may cancel this **Revitalization Tax Exemption Certificate**.

Amount Of Tax Exemption

The Revitalization Tax Exemption shall be determined using the following formula:

(1) In the first property taxable **Year**, the **Revitalization Tax Exemption** shall be equal to the percentage of completion of the **Land** and **Improvements** as determined by the building inspector or designated person of the **City** estimated as at October 31st of the current **Year**;

(2) The percentage of completion as determined in (1) above shall be applied to the **Building Permit Value** which shall be the deemed amount of **Assessed Value** for the first property taxable Year;

(3) In the second and subsequent **Years**, the **Revitalization Tax Exemption** shall be equal to the full **Building Permit Value or the Assessed Value** whichever is lesser of the two of the new or altered or improved **Land** and **Improvements**.

Recapture Amount Of Tax On Cancellation

If the **Owner violates** any **Conditions** and the **Council** cancels this Certificate, the recapture of Tax shall be calculated effective the date of cancellation based on the following formula:

• Municipal value **Tax** rate times the **Building Permit Value** or the **Assessed Value** whichever is the lesser of the two for which the **Revitalization Tax Exemption** was based upon.

This Certificate is issued under the under the Revitalization Tax Exemption Bylaw

Chief Financial Officer or Designate

Date



Published on City of Rossland (http://www.rossland.ca)

Property Tax

Property Taxes

Each July BC Assessment, a provincial agency, assesses the value of each piece of property in the province based on market values. Your property tax is based on this assessment. Tax notices are sent in May and due by July 2. Any outstanding taxes after the July deadline are subject to a 10% penalty. Home owner grants must also be claimed by the July in order to avoid the 10% penalty.

The 2011 PROPERTY TAX NOTICES have been mailed out and any property owner who has not received their notice should contact the City Office by phone at 250-362-7396, by fax at 250-362-5451 or by e-mail at <u>cityhall@rossland.ca [1]</u>. Please be advised that NEW OWNERS are responsible for unpaid taxes.

The DUE DATE for paying the 2011 taxes is 4:00 p.m., Friday, July 4, 2011. After that date, a 10% penalty will be added to all unpaid taxes INCLUDING unclaimed Homeowner Grants. Postmarks are not accepted as date of payment. If you are unable to pay your 2010 taxes prior to the due date, you may still apply for the Homeowner Grant to avoid penalty on that portion of the taxes.

Property owners can claim their Homeowner Grant online, by clicking here. [2]

Property Owners with mortgages are responsible to see that they claim their Homeowner Grant before the tax due date, even though their mortgage company pays their taxes. Tax Prepayment Plan participants are also reminded to claim their Homeowner Grant before the tax due date.

Cheques post-dated to July 4, 2011 will be accepted now and held until the tax due date. The City accepts interac cards, but are <u>NOT</u> able to process major credit cards. You may also pay your property taxes on-line with internet banking or through telephone banking, but please be sure to allow sufficient time for your payment to be processed so that the City receives your payment by the due date. Please contact your financial institution for more information.

Click here [3] for more information on Municipal Tax Rates for 2011.

Claim Your Homeowner Grant Online

Electronic Home Owner Grant will be available at the City of Rossland website to provide residents the ability to submit their home owner grants online.

You will need your **Roll Number** and **Access Code** (both numbers are located on the front of your Tax Statement) to access your account and submit your home owner grant online.

Click here to claim your Homeowner Grant online [2]

Note: This service is only available from late May to December 31st each year. However, grants claimed after the July due date are subject to a 10% penalty.

Tax Exemption

The City of Rossland is accepting applications for 2012 Permissive Tax Exemption and the 2012 Revitalization Tax Exemption program.

In order to qualify for permissive tax exempt status, all of the following criteria must be met:

- · Must be a registered charity or non-profit society
- Is the registered owner of the property or a tenant under a lease requiring taxes be paid directly to the City of Rossland

• Must qualify for an exemption under the provisions of the Community Charter (Part 7, Division 7, Section 224)

The **revitalization tax exemption program (Bylaw #2488)** is meant to encourage investment and revitalization of certain properties in order to stimulate the Rossland economic climate. In order to qualify for revitalization tax exemption, the following criteria must be met:

- Applies to Class 4 (industrial), Class 5 (light industrial), Class 6 (business) and Class 8 (recreation & non-profit)
 properties only
- Minimum increase in taxable assessed value due to investment in revitalization of \$10,000.

Further information and the application forms are available below or at City Hall, 1899 Columbia Avenue, Rossland. The deadline for application submissions for both programs is July 29th, 2011.

financial services tax exemption (2488 Revitalization Tax Exemption Bylaw) 2010-10-26 [4] financial services tax exemption (Revitalisation Tax Exemption Application) 2011-06-15 [5] financial services tax exemption (Permissive Tax Exemption Application) 2010-07-02 [6] city hall bylaws (2465 Permissive Tax Exemption Bylaw 2010) 2010-06-02 [7] financial services tax exemption (Permissive Tax Exemption Policy) 2010-07-02 [8]

Source URL: http://www.rossland.ca/property-tax

Links:

- [1] mailto:cityhall@rossland.ca
- [2] https://templeehog.templesuite.com/eHOG/Connect?client=rossland
- [3] http://www.rossland.ca/sites/default/files/city-services_financial-services_2011-tax-rates_2011-05-25.pdf
- [4] http://www.rossland.ca/node/1301
- [5] http://www.rossland.ca/node/1595
- [6] http://www.rossland.ca/node/1132
- [7] http://www.rossland.ca/node/1055
- [8] http://www.rossland.ca/node/1133

"Appendix 111"

CITY OF SALMON ARM

<u>BYLAW NO. 3741</u>

A bylaw to provide for a revitalization tax exemption

WHEREAS the Council may, by bylaw, provide for a revitalization tax exemption program in accordance with Section 226 of the Community Charter;

AND WHEREAS Council wishes to establish a revitalization tax exemption program to encourage property investment and revitalization in the Revitalization Area;

AND WHEREAS Council's objective is to stimulate and reinforce development initiatives in the Revitalization Area by promoting property investment within the C-2, Town Centre Commercial zone and to reinforce the City's investment in infrastructure upgrades and beautification projects;

AND WHEREAS Council has designated the Revitalization Tax Exemption Area pursuant to the City of Salmon Arm's Official Community Plan;

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

NOW THEREFORE, the Council of the City of Salmon Arm, in open meeting assembled, enacts as follows:

INTERPRETATION

1. In this bylaw:

"Agreement" means a revitalization tax exemption agreement, as set out in Schedule "B" attached hereto and forming part of this Bylaw, between the owner of a property located in the Revitalization Area as set out on Schedule "A" attached hereto and forming part of this Bylaw'

"Assessed Value" will have the same meaning as set out in the Assessment Act;

"Base Amount" means an assessed value of land and improvements used to calculate municipal property tax payable (excluding specified area levies) on a Property located in the Revitalization Area during the Base Amount Year;

"Base Amount Year" means the calendar year prior to the first calendar year in respect of which an Agreement applies to a property in the Revitalization Area and/or the calendar year in which the Revitalization Tax Exemption Certificate is issued;

"City" means the City of Salmon Arm;

"Corporate Officer" means the Corporate Officer of the City of Salmon Arm;

"Council" means the Council of the City of Salmon Arm;

"Owner" means the legal registered owner and any subsequent owner of the Property or any parts into which the Property is subdivided, and includes any person who is a registered owner in fee simple of the Property from time to time;

"Property" means the legally described land and improvements to which a Revitalization Tax Exemption is applied for and as legally described in the Agreement;

"Revitalization Area" means an area designated and set out on Schedule "A" attached hereto and forming part of this Bylaw;

"Revitalization Tax Exemption means a revitalization tax exemption pursuant to a Revitalization Tax Exemption Certificate;

"Revitalization Tax Exemption Certificate" means a revitalization tax exemption pursuant to this Bylaw.

- 2. There is established a revitalization tax exemption program which includes the following:
 - a) Revitalization Tax Exemptions authorized under this Bylaw applies to:
 - i) the construction of a new improvement where the construction has a value in excess of \$75,000.00;
 - ii) the alteration of an existing improvement where the alteration has a value in excess of \$75,000.00, and

wherein the property is located within the Revitalization Area as set out on Schedule "A" attached hereto and forming part of this Bylaw.

- b) Any construction of a new improvement or alteration of an existing improvement as outlined in Section 2 a) of this Bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration.
- c) The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the increase in the assessed value of the improvements on the Property between:
 - i) the calendar year before the construction or alteration began, as outlined under Section 2 a) of this Bylaw; and

- ii) the calendar year in which the construction or alteration as outlined under Section 2 a) of this Bylaw is completed.
- d) The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as outlined in Section 2 a) of this Bylaw, as a result of the Revitalization Tax Exemption.
- e) The maximum term of a Revitalization Tax Exemption is contingent on when the Revitalization Tax Exemption Certificate for the Property is issued by the City pursuant to this Bylaw and the Agreement:
 - i) if the construction or alterations as outlined in Section 2 a) of this Bylaw have commenced on or before October 31 and will be assessed on the subsequent year's assessment roll, then the Revitalization Tax Exemption Certificate will be issued one (1) year and a subsequent Revitalization Tax Exemption Certificate will be issued for the next four (4) years plus a single renewal for a term of an additional five (5) years;
 - ii) if the construction or alterations as outlined in Section 2 a) of this Bylaw have commenced and been completed on or before October 31 and will be assessed on the subsequent year's assessment roll, then the Revitalization Tax Exemption Certificate will be issued five (5) years plus a single renewal for a term of an additional five (5) years;
- f) The amount of Revitalization Tax Exemptions authorized under this Bylaw to calculate the general municipal property tax payable (excluding specified area levies) is equal to any increase in the assessed value of improvements on the Property attributed to construction or alterations as outlined in Section 2 a) of this Bylaw (hereinafter referred to as the Total Amount) and is as follows:

T-1-1 A

V---1 E

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1)	Year I - 5	Total Amount
ii)	Year 6	Total Amount less 20%
iii)	Year 7	Total Amount less 40%
iv)	Year 8	Total Amount less 60%
v)	Year 9	Total Amount less 80%
vi)	Year 10	Total Amount less 100% - No Revitalization Tax Exemption, the Property is fully taxable.

- 3. The kinds of property revitalization that will be eligible for a Revitalization Tax Exemption under this Bylaw will be limited to property zoned C-2, Town Centre Commercial.
- 4. This Bylaw does not apply to a property unless:
 - a) the property is located in the Revitalization Area shown on Schedule "A" attached hereto and forming part of this Bylaw; and
 - b) the Owner of the property has entered into an Agreement with the City as set out in Schedule "B" attached hereto and forming part of this Bylaw.
- 5. Where a property is partially within the Revitalization Area, this Bylaw shall apply where at least 50% of the property lies within the Revitalization Area.
- 6. Once the conditions established under this Bylaw and the Agreement as set out in Schedule "B" attached hereto and forming part of this Bylaw, have been met, a Revitalization Tax Exemption Certificate must be issued for the Property.
- 7. The Revitalization Tax Exemption Certificate must, in accordance with the conditions established in this Bylaw and the Agreement set out in Schedule "B" attached hereto and forming part of this Bylaw, specify the following:
 - a) the amount of the Revitalization Tax Exemption or the formula for determining the Revitalization Tax Exemption;
 - b) the term of the Revitalization Tax Exemption;
 - c) the conditions on which the Revitalization Tax Exemption is provided; and
 - d) that a recapture amount is payable if the Revitalization Tax Exemption Certificate is cancelled and how that amount is to be determined.
- 8. If an Owner wants to apply for a Revitalization Tax Exemption under the Bylaw, the Owner must apply to the Corporate Officer in writing and must submit the following with the application:
 - a) a certificate that all taxes assessed and rates, charges, and fees imposed on the Property have been paid and where taxes, rates or assessments are payable by installments, that all installments owing at the date of the certificate have been paid; the provision for Development Cost Charge installments shall be pursuant to Section 933 of the Local Government Act and Regulation 166/84.
 - b) a completed written application as per Schedule "C" attached hereto and forming part of this Bylaw available in the Office of the Corporate Officer;

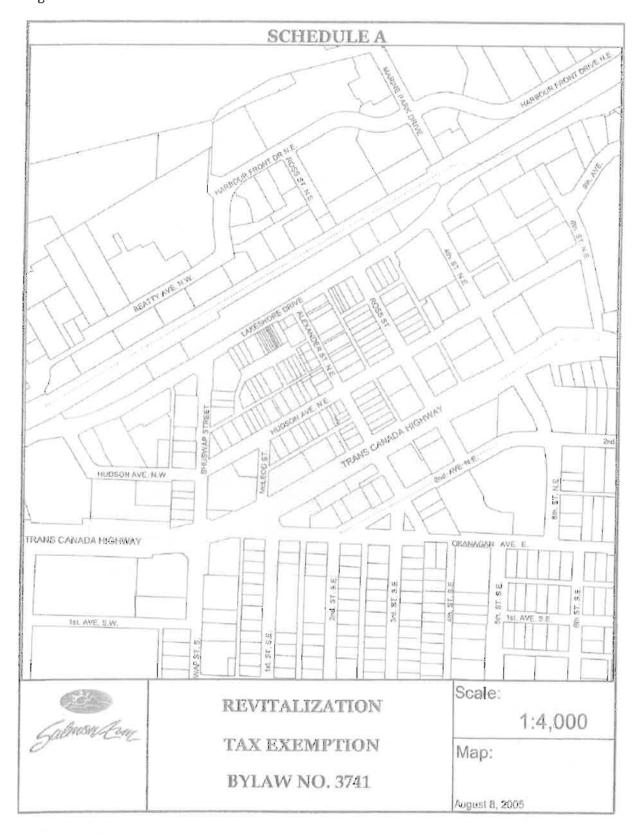
- c) description of the construction or alteration as outlined in Section 2 a) of this Bylaw, that would be eligible under the Bylaw for a Revitalization Tax Exemption;
- d) an examination fee in the amount of \$100.00; and
- e) a copy of the Agreement as set out in Schedule "B" attached hereto and forming part of this Bylaw, duly executed by and on behalf of the Owner.
- 9. In the event that the conditions under which a Revitalization Tax Exemption Certificate was issued are no longer met by the Owner, as set out in Section 10 of this Bylaw, the Owner must pay to the City a recapture amount of the foregone property taxes of the following applicable percentage of the total Revitalization Tax Exemptions obtained under this Bylaw:
 - a) Years 1 to 10 50%
- 10. A Revitalization Tax Exemption Certificate will be cancelled if:
 - a) the C2, Town Centre Commercial zoning is changed;
 - b) the Owner breaches any covenant or condition of this Bylaw or the Agreement set out in Schedule "B" attached hereto and forming part of this Bylaw;
 - c) the Owner has allowed the property taxes to go into arrears or to become delinquent; or
 - d) the property is put to a use that is not permitted in the C2, Town Centre Commercial zone.
- 11. The Corporate Officer is hereby authorized to execute the documentation necessary to give effect to the provisions of this Bylaw, including the Agreement set out in Schedule "B" attached hereto and forming part of this Bylaw.
- 12. If any section or phrase of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, it shall be severed and the invalidity of the remaining provisions of this Bylaw shall not be affected.
- 13. Any enactments referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- 14. This Bylaw shall come into full force and effect upon adoption of same.

- 15. The City of Salmon Arm Revitalization Tax Exemption Bylaw No. 3478 and amendments thereto is hereby repealed.
- 16. This Bylaw may be cited as "City of Salmon Arm Revitalization Tax Exemption Bylaw No. 3741".

READ A FIRST TIME THIS	29th	DAY OF	September	2008
READ A SECOND TIME THIS	29th	DAY OF	September	2008
READ A THIRD TIME THIS	29th	DAY OF	September	2008
ADOPTED BY COUNCIL THIS	14th	DAY OF	October	2008

<u>"M. BOOTSMA"</u> MAYOR

<u>"C. BANNISTER"</u> CORPORATE OFFICER



October 28, 2008

BYLAW NO. 3741

SCHEDULE "B"

Revitalization Tax Exemption Agreement

This Agreement dated for reference the

day of

BETWEEN

Name and Address of Owner

(hereinafter called the Owner)

(hereinafter called the City)

OF THE FIRST PART

AND

City of Salmon Arm 500 – 2 Avenue NE Box 40 Salmon Arm BC V1E 1V8

OF THE SECOND PART

WHEREAS the City has under the Bylaw defined in this Agreement established a revitalization tax exemption program for the purpose of encouraging revitalization of an area of the municipality;

AND WHEREAS Council's objective is to stimulate and reinforce development initiatives in the Revitalization Area by promoting property investment within the C-2, Town Centre Commercial zone and to reinforce the City's investment in infrastructure upgrades and beautification projects;

AND WHEREAS the Property that is the subject of this Agreement is located in an area designated by the City Council as a Revitalization Area legally described as _____

(hereinafter referred to as the Property);

AND WHEREAS the Owner is a registered Owner in fee simple of the Property defined in this Agreement;

AND WHEREAS this Agreement contains the terms and conditions respecting the provision of a Revitalization Tax Exemption under the Bylaw defined in this Agreement;

AND WHEREAS the Property that is subject of this Agreement is zoned C2, Town Centre Commercial and shall remain zoned C2, Town Centre Commercial for the duration of this Agreement;

AND WHEREAS the Owner and the City wish to enter into this Agreement.

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

DEFINITIONS

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

"Agreement" means this Agreement, including the standard charge terms contained in this Agreement;

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

"Bylaw" means "City of Salmon Arm Revitalization Tax Exemption Bylaw No. 3741", in force from time to time;

"Council" means the Council of the City of Salmon Arm;

"Owner" means the legal registered owner and any subsequent owner of the Property or any parts into which the Property is subdivided, and includes any person who is a registered owner in fee simple of the Property from time to time;

"Property" means the legally described land and improvements to which a Revitalization Tax Exemption is applied for and as legally described in the Agreement;

TERM

- 2. The Owner covenants and agrees with the City that the term of this Agreement is:
 - a) 5 years commencing on January 1 of the first calendar year after the calendar year that the Revitalization Tax Exemption Certificate is issued; and
 - b) a renewal term of an additional 5 years at the election of the Owner.

RENEWAL

3. The Owner must make application to the City for a renewal by October 31 in the year prior to the year in which the Revitalization Tax Exemption is requested to qualify for a renewal for the additional 5 years.

APPLICATION IMPROVEMENTS

- 4. The Revitalization Tax Exemption authorized under the Bylaw applies to:
 - a) construction of a new improvement where the value of the construction referred to in the building permit is in excess of \$75,000.00; or
 - b) alteration of an existing improvement, where the value of the alteration referred to in the building permit is in excess of \$75,000.00;

Any construction of a new improvement or alteration of an existing improvement as outlined in this section that is undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration.

REVITALIZATION TAX EXEMPTION CERTIFICATE

- 5. a) Once the Owner has completed the construction of the new improvement or alteration of an existing improvement referred to in Section 4 of this Agreement and the City has issued an Occupancy Permit under the City's Building Regulation Bylaw, in force from time to time, in respect of the new improvement or alteration of an existing improvement, the City must issue a Revitalization Tax Exemption Certificate to the Owner of the Property if the Owner and the Property are otherwise in compliance with this Agreement.
 - b) A Revitalization Tax Exemption Certificate must, in accordance with the conditions established under the Bylaw and this Agreement, specify the following:
 - i) the amount of the Revitalization Tax Exemption or the formula for determining the Revitalization Tax Exemption;
 - ii) the term of the Revitalization Tax Exemption;
 - iii) the conditions on which the Revitalization Tax Exemption is provided; and
 - iv) that a recapture amount is payable if the Revitalization Tax Exemption Certificate is cancelled and how that amount is to be determined.

REVITALIZATION TAX EXEMPTION

6. So long as a Revitalization Tax Exemption Certificate in respect of the Property has not been cancelled, the Property is exempt, to the extent, for the period and subject to the conditions provided in the Revitalization Tax Exemption Certificate, from municipal property taxation (excluding specified area levies).

- 7. The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the increase in the assessed value of the improvements on the Property between:
 - a) the calendar year before the construction or alteration began, as outlined in Section 4 of this Agreement; and
 - b) the calendar year in which the construction or alteration as outlined in Section 4 of this Agreement is completed.
- 8. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to new construction of an improvement or an alteration of an existing improvement, as outlined in Section 4 of this Agreement, as a result of the Revitalization Tax Exemption
- 9. The Revitalization Tax Exemption shall be an amount equal to any increase in assessed value of improvements on the Property attributed to the building permit issued as a result of the new construction of an improvement or the alteration of an existing improvement, as outlined in Section 4 of this Agreement.
- 10. The maximum term of a Revitalization Tax Exemption is contingent on when the Revitalization Tax Exemption Certificate for the Property is issued by the City pursuant to the Bylaw and the Agreement:
 - a) if the construction or alterations as outlined in Section 4 of this Agreement have commenced on or before October 31 and will be assessed on the subsequent year's assessment roll, then the Revitalization Tax Exemption Certificate will be issued one (1) year and a subsequent Revitalization Tax Exemption Certificate will be issued for the next four (4) years plus a single renewal for a term of an additional five (5) years;
 - b) if the construction or alterations as outlined in Section 4 of this Agreement have commenced and been completed on or before October 31 and will be assessed on the subsequent year's assessment roll, then the Revitalization Tax Exemption Certificate will be issued five (5) years plus a single renewal for a term of an additional five (5) years;
- 11. The amount of Revitalization Tax Exemptions authorized under this Bylaw to calculate the general municipal property tax payable (excluding specified area levies) is equal to any increase in the assessed value of improvements on the Property attributed to construction or alterations as outlined in Section 4 of this Agreement (hereinafter referred to as the Total Amount) and is as follows:
 - a) Year 1 5 Total Amount
 - b) Year 6 Total Amount less 20%
 - c) Year 7 Total Amount less 40%

d)	Year 8	Total Amount less 60%
e)	Year 9	Total Amount less 80%
f)	Year 10	Total Amount less 100% - No Revitalization Tax Exemption, the Property is fully taxable.

- 12. The Revitalization Tax Exemption Certificate may be cancelled by the City:
 - a) on the request of the Owner;
 - b) if the C2, Town Centre Commercial zoning is changed;
 - c) the Owner breaches any covenant or condition of the Bylaw or this Agreement;
 - d) Owner has allowed the property taxes to go into arrears or to become delinquent; or
 - e) the Property is put to a use that is not permitted in the C2, Town Centre Commercial zone.
- 13. To maintain a Revitalization Tax Exemption, the Occupancy Permit must be issued within twenty-four (24 months) of the revitalization tax exemption application being approved.

RECAPTURE

- 14. In the event that the conditions under which a Revitalization Tax Exemption Certificate was issued are no longer met by the Owner, as set out in Section 7 of this Agreement, the Owner must pay to the City a recapture amount of the foregone property taxes of the following applicable percentage of the total Revitalization Tax Exemptions obtained under the Bylaw:
 - a) Years 1 to 10 50%

OWNERS OBLIGATIONS

- 15. The Owner must pay to the City the cost of all tie-ins of works and services associated with the new improvements or alteration to improvements, to existing storm and sanitary sewers, water mains, water meters, driveways, and other municipal services prior to the issuance of a Revitalization Tax Exemption Certificate.
- 16. The Owner must comply with:
 - a) all enactments, laws, statutes, regulations and Orders of any authority having jurisdiction, including bylaws of the City; and
 - b) all federal, provincial, municipal and environmental licences, permits and approvals required under applicable enactments.

OBLIGATIONS OF CITY

17. The City must issue a Revitalization Tax Exemption Certificate to the Owner in respect of the Property once the Owner has applied for and obtained an Occupancy Permit from the City under the City's Building Regulation Bylaw, in force from time to time, in relation to the new improvements or alterations to an existing improvement, so long as the Owner and the Property are otherwise in compliance with the Bylaw and this Agreement.

CITY'S RIGHTS AND POWERS

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

GENERAL PROVISIONS

- 19. The City of Salmon Arm Revitalization Tax Exemption Bylaw No. 3741 and amendments thereto form an integral part of this Agreement.
- 20. It is mutually understood, agreed and declared by and between the parties that Salmon Arm has made no representations, covenants, warranties, guarantees, promises, or agreements (oral or otherwise), expressed or implied, with the Owner other those expressly contained in this Agreement.
- 21. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the City and this Agreement may only be modified by agreement of the City with the Owner.
- 22. This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.
- 23. The Owner shall, on the request of the City, execute and deliver or cause to be executed and delivered, all such further transfers, agreements, documents, instruments, easements, statutory rights of way, deeds and assurances, and do and perform or cause to be done and performed, all such acts and things as may be, in the opinion of the City, necessary to give full effect to the intent of this Agreement.
- 24. Time is of essence of this Agreement.
- 25. This Agreement constitutes the entire agreement between the Owner and the City with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written of the City with the Owner.

26. Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and either delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

to the Owner at:

Name Address

and

to the City at:

City of Salmon Arm 500 – 2 Avenue NE Box 40 Salmon Arm BC V1E 4N2

Attention: Corporate Officer

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

- 27. a) No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement; and
 - b) Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
- 28. This Agreement is not intended to create a partnership, joint venture, or agency between the Owner and the City.
- 29. This Agreement shall be construed according to the laws of the Province of British Columbia.
- 30. A reference in this Agreement to the City or the Owner includes their permitted assigns, heirs, successors, officers, employees, and agents.
- 31. This Agreement is effective from and after the reference date in this Agreement, but only if this Agreement has been executed and delivered by the Owner executed by the City.

- 32. Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and covenants of the Owner contained in this Agreement, and of all matters incidental to them, is solely that of the Owner.
- 33. The Owner represents and warrants to the City that:
 - a) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;
 - b) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;
 - c) neither the execution and delivery, nor the performance, of this Agreement shall breach any other Agreement or obligation, or cause the Owner to be in default of any other Agreement or obligation, respecting the Lands; and
 - d) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

IN WITNESS WHEREOF the parties have affixed their hands and seals and where a party is a corporate entity, the corporate seal of that company has been affixed in the presence of its duly authorized officers effective the day and year first recited above.

SIGNED, SEALED AND DELIVERED BY THE ______ CITY OF SALMON ARM in the presence of: V

Witness

Mayor

Corporate Officer

SIGNED BY THE OWNER OF THE ABOVE NOTED PROPERTY in the presence of:

Witness

BYLAW NO. 3741

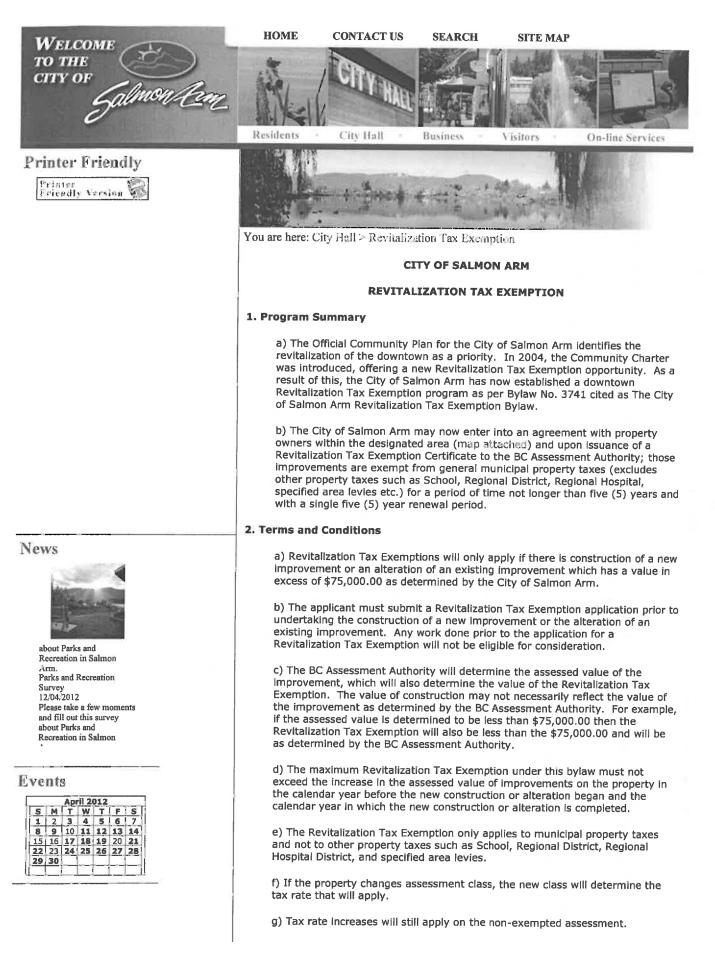
SCHEDULE "C"

	Receipt No Application No
Mailing Address	
Telephone No	Cell No
Subject Property	
Roll No	Civic Address
Legal Description	
Zoning Designation	
Current Assessed Value	Business Licence No
	vitalization
Value of Construction	Building Permit No
Note: Additional backup int	formation may be required.

Application for Revitalization Tax Exemption

I certify that the above information is to my knowledge accurate and that I have received and read the Revitalization Tax Exemption Bylaw and applicable schedules.

Office Use:		
Property Tax Account	Utility Account	
Other Fees, Rates or Charges Outstanding_		
Notes To File		



h) The property assessment will not be reduced below the amount of property assessment in the calendar year prior to construction or alteration as a result of the Revitalization Tax Exemption. i) To receive a Revitalization Tax Exemption an applicant must complete an application (attached) and meet all requirements before October 31st in the year prior to the year in which the Revitalization Tax Exemption is requested. To apply for a Revitalization Tax Exemption the following must be submitted: i. a certificate confirming that all taxes assessed and rates, charges and fees imposed on the property have been paid in full; ii. a completed written application; iii. a description of the new improvements or the alteration of the existing improvement that would be eligible under the Bylaw for a Revitalization Tax Exemption: iv. an examination fee in the amount of \$100.00; and v. a copy of the Agreement duly executed by and on behalf of the Owner. j) Revitalization Tax Exemption Certificates will be issued for either the initial five year period or a one year interim period during the year of construction or alteration with a further four year period. k) A single renewal option is available for a term not longer than five years. During the renewal period the Revitalization Tax Exemption will be phased out bringing the property to a fully taxable position. I) The Revitalization Tax Exemption program continues to apply if ownership changes within the term of the agreement. m) A Revitalization Tax Exemption will be cancelled if: i. the C2, Town Centre Commercial zoning is changed; ii. the Owner breaches any covenant or condition of the Bylaw or the Aareement: iii. the Owner has allowed the property to go into arrears or to become delinguent; or iv. the property is put to a use that is not permitted in the C2, Town Centre Commercial zone. 3. Tax Savings a) The annual estimated general municipal property tax associated with a \$75,000.00 increase in assessed value attributed to the construction of a new improvement or alteration of an existing improvement is as follows (based on 2008 tax rates): i. Class 1 - Residential \$293.00 ii. Class 6 – Business \$889.21 4. Other

a) This summary is only provided for informational purposes. For complete details refer to Bylaw No. 3741 cited as The City of Salmon Arm Revitalization Tax Exemption Bylaw.

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"Appendix IV"

CITY OF TERRACE

BYLAW NO. 1946 - 2009

"A BYLAW OF THE CITY OF TERRACE TO ESTABLISH A DOWNTOWN REVITALIZATION TAX EXEMPTION PROGRAM."

WHEREAS under the provisions of Section 226 of the <u>Community Charter</u>, the Municipal Council of the City of Terrace may, by bylaw, establish a revitalization tax exemption program;

AND WHEREAS Council wishes to establish a revitalization tax exemption program in the downtown commercial and residential areas, shown in bold outline on Schedule 'A', attached to, and forming part of, this bylaw;

AND WHEREAS Council's objectives for the revitalization tax exemption program in the downtown commercial core area is to support the ongoing redevelopment and revitalization of the downtown to secure the future economic and social health of the city;

AND WHEREAS Council has determined that a rejuvenated and vibrant downtown commercial core is vital to the success of the local economy and the enhancement of business, social and cultural, government and residential activities;

AND WHEREAS Council is of the opinion that the revitalization tax exemption program will stimulate the rejuvenation of the downtown commercial and residential districts and thus achieve Council's objectives.

AND WHEREAS Section 165 of the <u>Community Charter</u> requires a municipality to set out in its Financial Plan the objectives and policies in relation to the use of permissive tax exemptions and such provisions have been set out in Financial Plan Bylaw No. 1944 – 2009 and are consistent with this bylaw.

AND WHEREAS Section 227 of the <u>Community Charter</u> requires that notice be given of a revitalization tax exemption and notice of this bylaw has been given accordingly;

NOW THEREFORE, the Municipal Council of the City of Terrace, in open meeting assembled, hereby enacts as follows:

1.0 In this bylaw:

"Agreement" means a revitalization tax exemption agreement between the owner of a parcel and the City, substantially in the form attached to, and forming part of, this bylaw as Schedule 'B'; "City" means the City of Terrace;

"Council" means the Council of the City of Terrace;

"Parcel" has the same meaning as in the Schedule to the Community Charter and, for the purposes of this bylaw, means a parcel situated within the Revitalization Area;

-2-

"Project" means the construction of a new improvement or alteration of an existing improvement on a Parcel;

"Revitalization Area" means the area within the bold outline on the drawing, which is attached as Schedule 'A' to this bylaw, and the area includes the core downtown commercial and residential districts within the City of Terrace;

"Schedule" means a schedule attached to this bylaw;

"Tax Exemption" means a revitalization tax exemption for which a Tax Exemption Certificate has been issued;

"Tax Exemption Certificate" or "Certificate" means a revitalization tax exemption certificate issued by the City of Terrace pursuant to this bylaw and pursuant to the provisions of Section 226 of the <u>Community Charter</u>, substantially in the form attached to, and forming part of, this Bylaw as Schedule 'C'.

- 2.0 There is hereby established a revitalization tax exemption program under Section 226 of the <u>Community Charter</u> for the granting of Tax Exemptions and the issuance of Tax Exemption Certificates for Parcels in accordance with the terms and conditions prescribed in this bylaw.
- 3.0 The terms and conditions upon which a Tax Exemption Certificate may be issued are prescribed in sections 6.0 and 7.0 of this Bylaw, and the specific terms and conditions applicable to a specific Parcel must be included in the Agreement and in the Tax Exemption Certificate for that Parcel.
- 4.0 The amount of the annual Tax Exemption over the period for which the Tax Exemption Certificate is issued shall be equal to the tax on the increase in the assessed value of improvements on the Parcel between:
 - a) the year before the commencement of construction of the Project; and
 - b) the year in which the Tax Exemption Certificate under this bylaw is issued.

- 5.0 In order for a Project to be considered by Council for an Agreement the following terms and conditions must be met:
 - (a) all conditions of a valid Development Permit and/or Building Permit for the Project must have been completed;
 - (b) the Project must have a construction value of at least \$50,000.00;

-3-

- (c) the land use for which the Project is intended must be one of the uses permitted in the C1 - Core Commercial, C1-A - Mixed Use Downtown, C2 - Shopping Centre Commercial, C7 - Downtown Tourism, P2 – Park and Recreation, R4 – Medium Density Multi-Family Residential and R5 – High Density Multi-Family Residential Zones as defined in City of Terrace Zoning Bylaw No. 1431-1995, and amendments thereto and applicable to the Parcel on which the Project will be developed; and
- d) the Project shall comply with all eligibility criteria specified within the Revitalization Tax Exemption Agreement Schedule 'B' attached to, and forming part of, this bylaw.
- 6.0 The maximum term of a Tax Exemption is dependent upon when the Tax Exemption Certificate for the Parcel is issued by the Director of Finance pursuant to the Bylaw and applicable Agreement according to the following requirements and, in any case must not exceed 10 years:
 - a) if the Certificate is issued by the City and entered on the assessment roll on or before October 31, 2009, then the Tax Exemption will be available for the 2010 calendar year and for the 4 subsequent calendar years;
 - b) if the Certificate is issued by the City and entered on the assessment roll on or before October 31, 2010, then the Tax Exemption will be available for the 2011 calendar year and for the 4 subsequent calendar years;
 - c) if the Certificate is issued by the City and entered on the assessment roll on or before October 31, 2011, then the Tax Exemption will be available for the 2012 calendar year and for the 4 subsequent calendar years;
 - d) if the Certificate is issued by the City and entered on the assessment roll on or before October 31, 2012, then the Tax Exemption will be available for the 2013 calendar year and for the 4 subsequent calendar years; and
 - e) if the Certificate is issued by the City and entered on the assessment roll on or before October 31, 2013, then the Tax Exemption will be available for the 2014 calendar year and for the 4 subsequent calendar years.

- 7.0 Application for a Tax Exemption and confirmation of Project completion must be submitted in a form acceptable to the Director of Development Services no later than July 31 of the years 2009, 2010, 2011, 2012 or 2013 in order for the Certificate to be entered on the assessment roll for the period of time indicated in Section 7.0.
- 8.0 If an owner of a Parcel wishes Council to consider entering into an Agreement with the owner, the owner must apply to the City in writing and must submit the following:
 - a) a completed application form as provided by the City and available at the Development Services Department;
 - b) a certificate that all taxes assessed and rates, charges and fees imposed on the Parcel have been paid, and, where taxes, rates or assessments are payable by instalments, that all instalments owing at the date of application have been paid;
 - c) a description of the Project and confirmation that all conditions of a Development Permit and/or Building Permit have been completed;
 - d) a certificate from the owner's design professional in a form satisfactory to the City's Director of Development Services certifying that the construction value of the Project exceeds \$50,000.00; and
 - e) a fee in the amount of \$500.00.
- 9.0 If, pursuant to the terms and conditions specified in the Agreement or the Tax Exemption Certificate, the Certificate is cancelled, the owner of the property for which the Certificate was issued will remit to the City, no later than 30 days after the date of the cancellation of the Certificate, an amount equal to the amount of the Tax Exemption received after the date of the cancellation of the Certificate.
- 10.0 The Director of Finance for the City of Terrace, or the Director's designate, is the designated municipal officer for the purpose of Section 226 of the <u>Community Charter</u>.
- 11.0 The Schedules to this bylaw form a part of and are enforceable in the same manner as this bylaw.
- 12.0 This Bylaw may be cited, for all purposes, as "City of Terrace Downtown Revitalization Tax Exemption Bylaw No. 1946 – 2009".

Downtown Revitalization Tax Exemption -5-**READ a first time** this 10th day of November, 2008.

READ a second time this 10th day of November, 2008.

READ a third time this 11th day of May, 2009.

ADOPTED this 8th day of June, 2009.

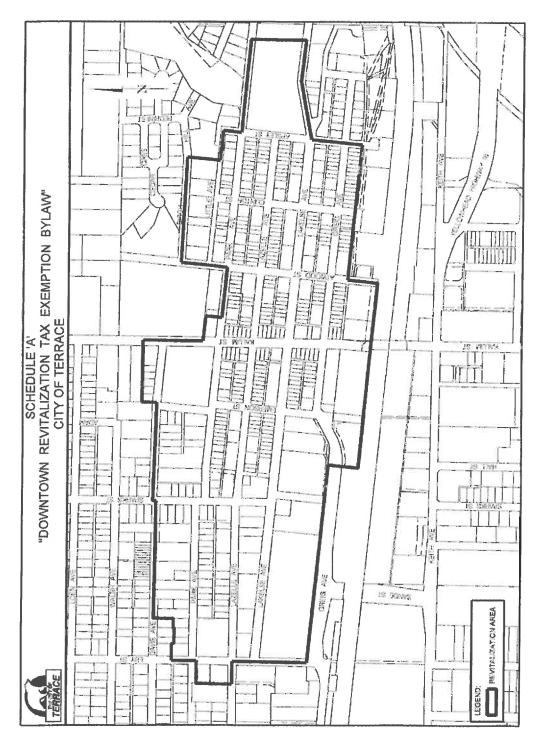
Mayor

Deputy Clerk

SCHEDULE 'A'

-6-

REVITALIZATION AREA



SCHEDULE 'B'

REVITALIZATION TAX EXEMPTION AGREEMENT

-7-

This Agreement dated for reference the ___ day of _____, 20__ is

BETWEEN:

(the "Owner")

AND:

CORPORATION OF THE CITY OF TERRACE, 3215 Eby Street Terrace, British Columbia V8G 2X8

(the "City")

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Terrace at [civic address] legally described as [legal description] (the "Parcel");
- B. Council has established a revitalization tax exemption program in a part of the downtown commercial area consisting of the parcels shown within the revitalization area delineated on Schedule 'A' of Downtown Revitalization Tax Exemption Bylaw No. 1946 – 2009 (the "Bylaw");
- C. Council's objectives in designating the parcels within the revitalization area are to foster the rejuvenation of the downtown commercial district of the City of Terrace for business, cultural, government and residential activity; and
- D. The Owner proposes to construct new improvements, or alter existing improvements, on the Parcel and has applied to the City to partake in the revitalization tax exemption program in respect of this Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the following commitments, the Owner and the City covenant and hereby agree that:

- 1. <u>Eligibility</u> A revitalization tax exemption will only be granted for a Parcel if:
 - a) the Owner has been issued a Development Permit for the Project on or after March 1, 2008;
 - b) a solely residential development Project creates ten (10) or more new residential dwelling units.

2. <u>The Project</u> – The Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program as set out in the Bylaw.

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- 3. <u>Operation and Maintenance of Project</u> Throughout the term of the Tax Exemption the Owner must operate, repair and maintain the Project and keep the Project in a state of good repair as a prudent owner would do.
- 4. <u>Revitalization Tax Exemption</u> Subject to fulfillment of the conditions set out in this Agreement and in the Bylaw, the City will issue a revitalization tax exemption certificate (the "Certificate") to the Owner and provide the relevant assessor of BC Assessment with a copy of the Certificate entitling the Owner to a property tax exemption in respect of the Parcel (the "Tax Exemption") for the calendar years set out in this Agreement. The Certificate will be in the form attached to the Bylaw as Schedule 'C'.
- 5. <u>Conditions</u> The following conditions must be met before the City will issue a Certificate to the Owner:
 - a) The Owner must obtain a Development Permit from the City on or after March 1, 2008 for the Project prior to commencing the Project.
 - b) The Owner must obtain a Building Permit, if applicable, from the City on or after March 1, 2008 for the Project prior to commencing the Project.
 - c) If a Development Permit is not required for the Project, only those improvements strictly related to providing accessibility to an existing improvement on the Parcel (as long as a Building Permit is obtained for those improvements, if required) are eligible for a Tax Exemption.
 - d) If the Project consists solely of a residential multi-family development the number of new dwelling units constructed must total ten (10) or more dwelling units.
 - e) The Owner must complete, or cause to be completed, construction of the Project in conformance with the conditions of all Development Permit(s) and/or Building Permit(s) issued for the Parcel and in compliance with all laws, statutes, regulations and Orders of any authority having jurisdiction, including bylaws of the City.
 - f) The Owner must provide the City with documentation from the Owner's design professional, or copies of valid paid invoices for work completed for the Project, in a form and content satisfactory to the

City's Director of Development Services, which certifies that the actual costs to construct the Project exceeds \$50,000.00.

- 6. <u>Calculation of Revitalization Tax Exemption</u> The amount of the annual Tax Exemption shall be equal to the tax on the increase in the assessed value of improvements on the Parcel between:
 - a) The year before the commencement of construction of the Project, and
 - b) The year in which the Tax Exemption Certificate is issued.
- 7. <u>Term of Revitalization Tax Exemption</u> The maximum term of the Tax Exemption under this Agreement depends on when the Tax Exemption Certificate for the Parcel is issued by the City's Financial Officer pursuant to the Bylaw and applicable Agreement:
 - a) if the Certificate is issued by the City and entered on the assessment role on or before October 31, 2009, then the Tax Exemption will be available for the 2010 calendar year and for the 4 subsequent calendar years;
 - b) if the Certificate is issued by the City and entered on the assessment role on or before October 31, 2010, then the Tax Exemption will be available for the 2011 calendar year and for the 4 subsequent calendar years;
 - c) if the Certificate is issued by the City and entered on the assessment role on or before October 31, 2011, then the Tax Exemption will be available for the 2012 calendar year and for the 4 subsequent calendar years;
 - d) if the Certificate is issued by the City and entered on the assessment role on or before October 31, 2012, then the Tax Exemption will be available for the 2013 calendar year and for the 4 subsequent calendar years;
 - e) if the Certificate is issued by the City and entered on the assessment role on or before October 31, 2013, then the Tax Exemption will be available for the 2014 calendar year and for the 4 subsequent calendar years.

8. <u>Cancellation</u>

- a) The City may cancel the Certificate if the Owner requests cancellation in writing or fails to meet any of the conditions specified in the Certificate as conditions on which the Tax Exemption was provided.
- b) If a Certificate is cancelled on or before October 31 in any year, it will apply to taxation in the following calendar year; otherwise it will apply to taxation in the year after the following calendar year.
- 9. <u>Recapture</u> If, pursuant to the terms and conditions specified in this Agreement or the Tax Exemption Certificate, the Certificate is cancelled, the Owner will remit to the City, no later than 30 days after receiving notice from the City of the cancellation and the amount owing, an amount equal to the value of the tax exemption received after the date of the cancellation of the Certificate.
- 10. <u>No Refund</u> For greater certainty, under no circumstances will the Owner be entitled, under this Agreement, the Bylaw, the Certificate or the City's revitalization tax exemption program, to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.
- 11. <u>Enurement</u> This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.
- 12. <u>Notices</u> Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and delivered personally (and if so shall be deemed received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so shall be deemed delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

To the Owner at: [mailing address]

And to the City at: **City of Terrace 3215 Eby Street Terrace, B.C. V8G 2X8 Attention: Director of Development Services**

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

13. <u>No Assignment</u> – The Owner may not assign its interest in this Agreement except to a subsequent owner in fee simple of the Parcel.

- 14. <u>Severance</u> If any portion of this Agreement is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.
- 15. <u>Interpretation</u> Wherever the singular or masculine is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
- 16. <u>Further Assurances</u> The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.
- 17. <u>References</u> A reference in this Agreement to the City or the Owner includes their permitted assigns, heirs, successors, officers, employees and agents.
- 18. <u>Date of Effect</u> This Agreement shall be effective from and after the reference date in this Agreement, but only if this Agreement has been duly executed and delivered by the Owner to the City and duly executed by the City.
- 19. <u>Expense</u> Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and commitments of the Owner contained in this Agreement, and of all matters incidental to those obligations and commitments, is solely at the expense of the Owner.
- 20. <u>Owners Representation</u> The Owner represents and warrants to the City that:
 - a) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;
 - b) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and legally binding contractual obligation of the Owner;
 - c) neither the execution and delivery, nor the performance, of this Agreement shall breach any other agreement or obligation respecting the Lands; and
 - d) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

Mayor

Corporate Officer

Owner

Witness

SCHEDULE 'C'

-13-

REVITALIZATION TAX EXEMPTION CERTIFICATE

SECTION 226 OF THE COMMUNITY CHARTER

In accordance with the City of Terrace Downtown Revitalization Tax Exemption Bylaw No. 1946 – 2009, and in accordance with the Revitalization Tax Exemption Agreement dated for reference the _____ day of _____, 20__ (the "Agreement") entered into between the City of Terrace (the "City") and ______ (the "Owner"), the registered owner(s) of the parcel described below:

This **Certificate** certifies that the Parcel is subject to a revitalization tax exemption in an amount equal to the tax on the increase in the assessed value of improvements on the Parcel between the year before the commencement of construction of the Project, and the year in which the Tax Exemption Certificate is issued.

The Parcel to which the tax exemption applies is located in the City of Terrace and is described as follows:

Civic Address: PID: Legal Description:

The Tax Exemption is for the calendar years commencing with the year _____ and ending with the year _____.

The Tax Exemption is provided on the following conditions:

- 1. The Owner does not breach any covenant or condition in the Agreement and performs all obligations to be performed by the Owner as set out in the Agreement.
- 2. The Owner has not sold all or any portion of his or her equitable or legal fee simple interest in the Parcel without the transferee taking an assignment of the Agreement, and agreeing to be bound by it.
- 3. The Owner, or a successor in title to the Owner, has not allowed the property taxes for the Parcel to go into arrears or to become delinquent.
- 4. The Owner, or a successor in title to the Owner, does not apply to amend the City of Terrace Zoning Bylaw No. 1431- 1995, as amended, consolidated or replaced from time to time, to rezone the parcel from the zoning in effect at the time the Certificate was issued.
- 5. The Parcel is not put to a use other than those uses permitted in any of the C1 -Core Commercial, C1-A - Mixed Use Downtown, C2 - Shopping Centre Commercial, C7 - Downtown Tourism, P2 – Park and Recreation, R4 – Medium Density Multi-Family Residential and R5 – High Density Multi-Family Residential Zones as defined in City of Terrace Zoning Bylaw No. 1431-1995, and amendments thereto.
- 6. The Exempt use (as defined in the Agreement) of the Project is not discontinued.

If any of these conditions are not met then the Council of the City of Terrace may cancel this Revitalization Tax Exemption Certificate. If such cancellation occurs, the owner of the property for which the Certificate was issued will remit to the City an amount equal to the value of the exemption received after the date of the cancellation of the certificate.

Director of Finance

Date

APPLICATION FOR

REVITALIZATION TAX EXEMPTION CERTIFICATE

Application Fee: \$500.0	0	Application No.		
Owner Info:				
Owner(s) Name:				
Owner(s) Address:				
Contact: Home	Fax	Cell No	Email	
Parcel Info:				
Civic Address:				
PID:				
Legal Description:				
	ing Designation: OCP Land Use:			
Current Use:				
Description of revitalization	on improveme	ents (attach separate p	age if necessary):	
Calendar Year Developm	ent Commen	ced:		
Cost to Construct Improv	ements:			
Development Permit No.		Building Permi	_Building Permit No.	
Note: Additional inform	ation may be	e required.		
I hereby certify that the above the City of Terrace <i>Downtown</i> schedules.			nd that I have received a copy of 946 - 2009, and all applicable	
Signature of Parcel Owne	ər(s)	· · · · · · · · · · · · · · · · · · ·	Date	

Personal information contained on this form is collected under the <u>Freedom of Information and Protection of</u> <u>Privacy Act</u>, and will be used only for the purpose for which it was collected. If you have any questions about the collection and use of this information, contact the City's Freedom of Information Co-ordinator at (250) 638-4722.

SUMMARY



Downtown Revitalization Tax Exemption Program

1. Revitalization Tax Exemptions

Under the provisions of section 226 of the <u>Community Charter</u> a revitalization tax exemption program may be established by bylaw for an area designated as a revitalization area in the Official Community Plan or the Financial Plan.

Council may enter into an agreement with property owners within the designated area and upon the issuance of an exemption certificate to BC Assessment; those improvements subject to the certificate are exempt from municipal property value taxes for a period of time not longer than five years.

2. Downtown Revitalization Tax Exemption Program Summary

The area shown in bold outline on the attached drawing defines those properties within the downtown core commercial district that are eligible for a revitalization tax exemption. All properties within the designated area and zoned C1 - Core Commercial, C1-A - Mixed Use Downtown, C2 - Shopping Centre Commercial and C7 - Downtown Tourism Zones as defined in City of Terrace Zoning Bylaw No. 1431-1995 are eligible to enter into a tax exemption agreement.

The exemption will be in accordance with the downtown tax exemption program bylaw. The amount of the exemption will be subject to the conditions of a tax exemption certificate, which will also provide for the recapture of taxes if conditions of the certificate are not met.

The exemption certificate will be in effect for a period of five years.

3. Downtown Revitalization Tax Exemption Program Details

3.1. Reasons for and Objectives of Designation

Council has established objectives in the Financial Plan and Revitalization Tax Exemption Program to support the ongoing redevelopment and revitalization of the downtown to secure the future economic and social health of the city and has determined that a rejuvenated and vibrant downtown commercial core is vital to the success of the local economy and the enhancement of business, social and cultural, government and residential activities. Council supports the ongoing redevelopment of the downtown as the primary area of business, cultural and government activity. Increased density in the downtown, in commercial, institutional and residential uses is vital in achieving these goals. Revitalization of the downtown is one of the key issues and concerns of residents of Terrace. A rejuvenated downtown is a key component in developing the City as the northwest B.C.'s commercial and service center.

The downtown has significance in terms of the future economic health of the City. This program is intended to stimulate development initiatives in the downtown and reinforces the municipality's "open for business" approach and desire to attract high quality development to the downtown area.

3.2. Terms and Conditions of Exemptions

The amount of the annual Tax Exemption shall be equal to the tax on the increase in the assessed value of improvements.

BC Assessment will determine the value of the improvement, which will also determine the value of the exemption.

An exemption is subject to the maximum of the increase in assessed value between the year before the construction began and the year in which the tax exemption certificate is issued. An exemption of 100% of the tax on the increased assessed value will be granted.

The exemption will apply to those uses listed as permitted in the C1 – Core Commercial, C1-A Mixed Use Downtown, C2 – Shopping Centre Commercial and C7 – Downtown Tourism Zoning Districts of the Zoning Bylaw (Bylaw No. 1431-1995).

The <u>tax exemption will apply to municipal taxes only</u> and not to school district and other taxes.

A tax exemption may be cancelled by Council:

- Upon violation of the conditions established in the Tax Exemption Certificate.
- Upon the written request of the property owner.

3.3. Tax Exemption Agreement

Council will enter into an agreement with the owner of property within the revitalization area. The agreement will describe the proposed development and indicate how this development supports the revitalization

of the downtown. The agreement will stipulate the completion date of the development.

The development must have a construction value of \$50,000 in order to be considered for the agreement.

The tax exemption agreement is subject to the terms and conditions of the tax exemption program bylaw.

3.4. Tax Exemption Certificate

The revitalization tax exemption certificate will specify that assessed value will be the determining factor or formula used for determining the tax exemption.

A revitalization tax exemption certificate must be issued for a property that has met the terms and conditions established in the bylaw and the tax exemption agreement.

The term of the exemption is in accordance with the tax exemption program bylaw.

The tax exemption certificate must be issued or cancelled prior to October 31st *in the year prior to being effective.*

The designated municipal officer, Director of Finance, will provide a copy of the tax exemption certificate to BC Assessment. The Director of Finance is also responsible for notifying BC Assessment of a cancelled tax exemption certificate.

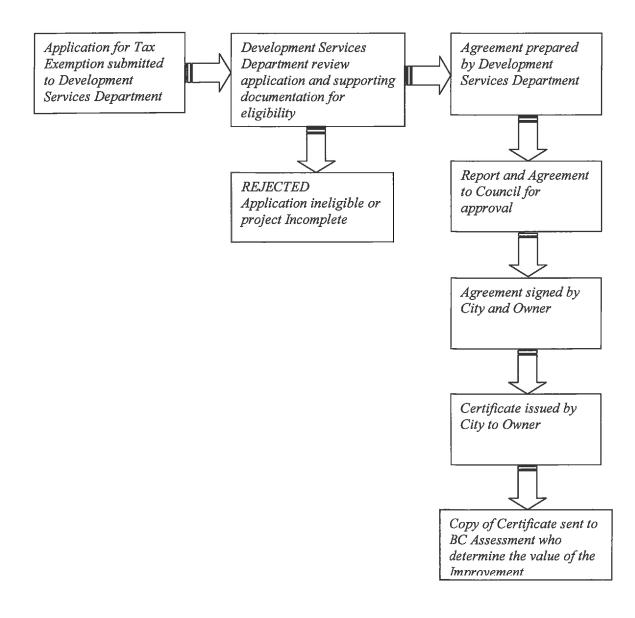
If the terms and conditions of the tax exemption program bylaw are not met, and the tax exemption certificate is cancelled for the immediate subsequent year, a recapture of foregone tax revenue will be assigned to the property for each year in which the exemption was received after cancellation.

For further information on the Downtown Tax Exemption Program please contact:

David Block, City Planner 250-615-4028 dblock@terrace.ca



DOWNTOWN REVITALIZATION TAX EXEMPTION PROGRAM FLOW DIAGRAM



"Appendix V"

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1780

A Bylaw to Amend the Five Year Financial Plan For the Years 2005 - 2009

WHEREAS the Community Charter provides that Council may amend a Five Year Financial Plan by bylaw at any time;

AND WHEREAS Council may, by bylaw, pursuant to the Community Charter provide for a revitalization tax exemption program;

AND WHEREAS Council wishes to establish a major industry revitalization tax exemption program for all property of Class 4, "Major Industry" as defined in Section 4 of the Prescribed Class of Property Regulation B.C. Reg. 438/81 as amended.

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

NOW THEREFORE Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS**, as follows:

- 1. This Bylaw may be cited for all purposes as the "Year 2005 2009 Financial Plan Amendment Bylaw No. 1780".
- 2. That Bylaw No. 1768, "Year 2005 2009 Financial Plan Bylaw", be amended by attaching "Appendix B" attached hereto and identified as "Schedule A" and declared to be the "Major Industrial Revitalization Tax Exemption Area and Program".
- 3. In this bylaw:

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

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

"Revitalization Area" means the properties shown on Schedule "A".

- 4. There is established a revitalization tax exemption program which includes the following:
 - (1) Property tax exemptions prescribed by this bylaw in respect of
 - (a) construction of a new improvement, in excess of 10% of the existing assessment for improvements

in respect of parcels located within the Revitalization Area shown on Schedule "A";

- (2) the maximum exemption under this bylaw must not exceed the increase in the assessed value of improvements on the parcel between
 - (a) the year before the construction or alteration began, and
 - (b) the year in which the tax exemption certificate under this bylaw is issued;
- (3) the maximum term of a revitalization tax exemption is
 - (a) 5 years, plus
 - (b) a single renewal, subject to this bylaw and the Agreement set out in Schedule "B", for a term of an additional 5 years, subject to Council approval;
- (4) In respect of the Revitalization Area shown in Schedule "A":

The amounts of exemptions provided under this bylaw are such that the municipal property tax payable is the municipal tax rate for Class 4 multiplied by:

Years 1-5: "base amount"

- (i) Year 6: base amount plus 20% of difference between base amount and full assessment;
- (ii) Year 7: base amount plus 40% of difference between base amount and full assessment;

- (iii) Year 8: base amount plus 60% of difference between amount and full assessment;
- (iv) Year 9: base amount plus 80% of difference between base amount and full assessment;
- (v) Year 10: full assessment,
- 5. The bylaw does not apply to a parcel unless:
 - (1) The parcel is located in one of the areas shown on Schedule "A",
 - (2) The Parcel is Class 4; and
 - (3) The owner of the parcel has entered into an agreement with the City substantially in the form of and with the content of the Agreement attached as Schedule "B".
- 6. Once the conditions established under Section 3 and the Agreement set out in Schedule "B" have been met, a revitalization tax exemption certificate must be issued for the parcel in accordance with the Agreement;
- 7. The revitalization tax exemption certificate must, in accordance with the conditions established in Section 3 and the Agreement set out in Schedule "B", specify the following:
 - (1) the amount of the tax exemption or the formula for determining the exemption;
 - (2) the term of the tax exemption;
 - (3) the conditions on which the tax exemption is provided;
- 8. If an Owner requests a tax exemption under the bylaw, the Owner must apply to the City Clerk in writing and must submit the following with the application:
 - (1) A certificate that all taxes assessed and rates, charges, and fees imposed on the Land have been paid, and where taxes, rates, or assessments are payable by installments, that all installments owing at the date of the certificate have been paid,
 - (2) A completed written application in a form prescribed by Council and available in the Office of the City Clerk,

- (3) Description of the new improvements or the alteration of the existing improvement that would be eligible under the bylaw for a municipal tax exemption,
- (4) An examination fee in the amount of \$100,
- (5) A copy of the Agreement duly executed by and on behalf of the Owner.

Read a FIRST time this 2nd day of May, 2005.

Read a **SECOND** time this 2nd day of May, 2005.

Read a THIRD time this 2nd day of May, 2005.

PUBLIC NOTICE posted at City Hall and published in the Grand Forks Gazette on May 4th, 2005 and on May 11th, 2005, in accordance with the requirements of Section 227 of the Community Charter.

FINALLY ADOPTED this 16th day of May, 2005.

Original signed by Mayor

Original signed by City Clerk

2

Mayor Jake Raven

City Clerk Lynne Burch

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1780, as passed by the Municipal Council of the City of Grand Forks on the 16th day of May, 2005.

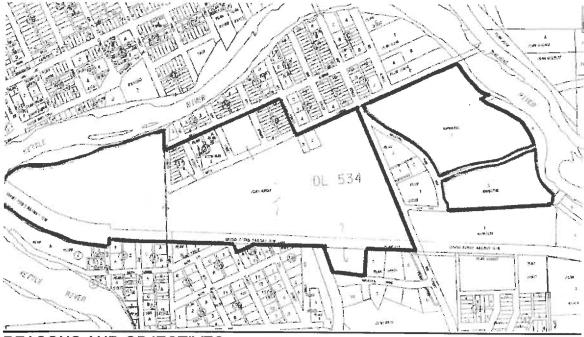
Clerk of the Municipal Council of the City of Grand Forks

Schedule A

Appendix "B"

Major Industrial Revitalization Tax Exemption Area & Program

- Lot A, D.L. 382, S.D.Y.D., Plan 32378
- Lot 1-20, Block 19, D.L. 534, S.D.Y.D., Plan 36
- Lot 1, D.L. 382 & 534, S.D.Y.D., Plan 43597 570-68th Avenue
- Lot 1, D.L. 534, S.D.Y.D., Plan KAP67835
- Parcel A, Block 27, D.L. 534, S.D.Y.D., Plan 36
- Lot A, Block 27, D.L. 534, S.D.Y.D., Plan 37967
- Parcel A, Block 31, D.L. 534, S.D.Y.D., Plan 36
- Lot 7-10, Block 31, D.L. 534, S.D.Y.D., Plan 36
- Lot 5, Block 34, D.L. 534, S.D.Y.D., Plan 108
- Parcel 1, D.L. 534, S.D.Y.D., Plan KAP66796 6641 Industrial Park Way
- Lot 2, D.L. 534, S.D.Y.D., Plan KAP67972 6526 Industrial Park Way



REASONS AND OBJECTIVES:

The *Major Industrial Revitalization Tax Exemption Area* is created in an effort to encourage major industry to expand and upgrade their production facilities, stabilizing the local economy and maintaining employment levels.

Objectives of the tax exemption area include:

- Keeping these production facilities updated with modern technology, with minimal impact on the environment.
- > Encouraging spin-off employment opportunities for other local suppliers
- > Expanding the municipal assessment base
- > Maintaining or increasing jobs

Schedule B

Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the day of

, 2005.

BETWEEN

Address GRAND FORKS, B. C. V0H 1H0

("Owner")

AND

CITY OF GRAND FORKS 420 Market Avenue P.O. BOX 220 GRAND FORKS, BC V0H 1H0

("City")

GIVEN THAT

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

THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements contained in this Agreement and the payment by the Owner to the City of consideration in the amount of \$10,00 (Ten) Dollars, the receipt and sufficiency of which are acknowledged by the City, the City and Owner covenant and agree with each other as follows:

DEFINITIONS

- 1. In this Agreement the following words have the following meanings:
 - "Agreement" means this Agreement, including the standard charge terms contained in this Agreement, together with the General Instrument defined in this Agreement;
 - **"Bylaw"** means "Year 2005-2009 Financial Plan Amendment Bylaw No. 1780" which designated the Major Industry Revitalization Tax Exemption Area and outlined the Program and is in force from time to time;
 - "Dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release or agree to do any of those things;
 - "General Instrument" means the Form C under the Land Title (Transfer Forms) Regulation as amended, and all schedules and addends to the Form C charging the Lands and citing the terms and conditions of this Agreement as the "standard charge terms" for the purposes of the Form C;
 - "Lands" means the lands legally described in Item 2 of the General Instrument and any part into which the Lands are subdivided;
 - "Land Title Office" means the Kamloops Land Title Office or its successor;
 - "Owner" means the transferor described in the General Instrument and any subsequent owner of the Lands or any parts into which the Lands are subdivided, and includes any person who is a registered owner in fee simple of the Lands from time to time;

TERM

- 2. The Owner covenants and agrees with the City that the term of this Agreement is
 - (1) 5 years commencing on January 1 of the first calendar year after the calendar year referred to in the reference date of this Agreement was made,

(2) a renewal term of an additional 5 years, subject to Council approval.

APPLICABLE IMPROVEMENTS

- 3. The tax exemption provided for under the bylaw applies in respect of
 - (1) a construction of a new improvement, or

REVITALIZATION TAX EXEMPTION CERTIFICATE

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

TAX EXEMPTION

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

CONDITIONS

7. [For the purposes of Section 6(2) of this Agreement, describe any conditions whereby the certificate will be cancelled. These could include such matters as maintenance of employment levels or other performance baselines that the City requires to be met in order for this to proceed.]

OWNERS OBLIGATIONS

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

OBLIGATIONS OF CITY

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

CITY'S RIGHTS AND POWERS

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

GENERAL PROVISIONS

12. It is mutually understood, agreed, and declared by and between the parties that the City has made no representations, covenants, warranties, guarantees, promises, or agreements (oral otherwise), express or implied, with the Owner other than those expressly contained in this Agreement.

- 13. The Owner covenants and agrees to use best efforts to do or cause to be done, at the expense of the Owner, all acts reasonably necessary to grant priority to this Agreement as a covenant over all charges and encumbrances which may have been registered against the title to the Lands in the Land Title Office, save and except those specifically approved in writing by the City or in favour of the City.
- 14. The covenants set forth in this Agreement shall charge the Lands pursuant to Section 219 of the *Land Title Act* and shall be covenants the burden of which shall run with the Lands and bind the Lands and every part or parts thereof, and every part to which the Lands may be divided or subdivided, whether by subdivision plan, strata plan, or otherwise.
- 15. The covenants set forth in this Agreement shall not terminate if and when a purchaser becomes an owner in fee simple of the Lands or any portion thereof, but shall charge the whole of the interest of such purchaser and shall continue to run with the Lands and bind the Lands and all future owners for the time being of the Lands or any portion thereof, except the Owner will be entitled to a partial discharge of this Agreement with respect to any subdivided parcel of the Lands on acceptance of the works and on compliance by the Owner with all requirements under this Agreement with respect to the subdivided portion of the Lands.
- 16. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the City and this Agreement may only be modified by agreement of the City with the Owner, or discharged by the City pursuant to the provisions of Section 219 of the *Land Title Act* and this Agreement. All of the costs of the preparation, execution, and registration of any amendments or discharges shall be borne by the Owner.
- 17. This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors, and assigns.
- 18. The Owner shall, on the request of the City, execute and deliver or cause to be executed and delivered, all such further transfers, agreements, documents, instruments, easements, statutory rights of way, deeds and assurances, and do and perform or cause to be done and performed, all such acts and things as may be, in the opinion of the City necessary to give full effect to the intent of this Agreement.
- 19. Time is of the essence of this Agreement.

- 20. This Agreement constitutes the entire agreement between the Owner and the City with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written of the City with the Owner.
- 21. Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and whether delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

to the Owner at:

Address Grand Forks, B. C. V0H 1H0 Attention: [insert contact]

and: to the City at:

City of Grand Forks 7217 4th Street P.O.BOX 220 Grand Forks, BC V0H 1H0 <u>Attention: City Clerk</u>

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

- 22. (a) No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement.
 - (b) Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
- 23. This Agreement is not intended to create a partnership, joint venture, or agency between the Owner and the City.
- 24. This Agreement shall be construed according to the laws of the Province of British Columbia.
- 25. A reference in this Agreement to the City or the Owner includes their permitted assigns, heirs, successors, officers, employees, and agents.

- 26. This Agreement is effective from and after the reference date in this Agreement, but only if this Agreement has been executed and delivered by the Owner and executed by the City.
- 27. The parties intend, by their execution and delivery of this Agreement, to create a covenant granted to the City under Section 219 of the *Land Title Act*, and a contract executed and delivered to the City under seal.
- 28. Unless otherwise expressly provided in this Agreement, whenever the City is permitted to make or give any decision, direction, determination, or consent, the City may act in its sole discretion, but will act reasonably.
- 29. Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and covenants of the Owner contained in this Agreement, and of all matters incidental to them, is solely that of the Owner.
- 30. The Owner represents and warrants to the City that
 - all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into performance of this Agreement;
 - (2) upon execution and deliver on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;
 - (3) neither the execution and delivery, not the performance, of this Agreement shall breach any other Agreement or obligation, or cause the Owner to be in default of any other Agreement or obligation, respecting the Lands, and
 - (4) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the 17th day of May, 2005.

BETWEEN

POPE & TALBOT LTD. 570 68th Avenue P. O. BOX 39 GRAND FORKS, B. C. V0H 1H0

("Owner")

AND

CITY OF GRAND FORKS 7217 4th Street P.O. BOX 220 GRAND FORKS, BC V0H 1H0

("City")

GIVEN THAT

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

THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements contained in this Agreement and the payment by the Owner to the City of consideration in the amount of \$10,00 (Ten) Dollars, the receipt and sufficiency of which are acknowledged by the City, the City and Owner covenant and agree with each other as follows:

DEFINITIONS

- 1. In this Agreement the following words have the following meanings:
 - "Agreement" means this Agreement, including the standard charge terms contained in this Agreement, together with the General Instrument defined in this Agreement;
 - "Bylaw" means "Year 2005 2009 Financial Plan Amendment Bylaw No. 1780"" in force from time to time;
 - "Dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release or agree to do any of those things;
 - "General Instrument" means the Form C under the Land Title (Transfer Forms) Regulation as amended, and all schedules and addends to the Form C charging the Lands and citing the terms and conditions of this Agreement as the "standard charge terms" for the purposes of the Form C;
 - "Lands" means the lands legally described in Item 2 of the General Instrument and any part into which the Lands are subdivided;
 - "Land Title Office" means the Kamloops Land Title Office or its successor;
 - "Owner" means the transferor described in the General Instrument and any subsequent owner of the Lands or any parts into which the Lands are subdivided, and includes any person who is a registered owner in fee simple of the Lands from time to time;

TERM

- 2. The Owner covenants and agrees with the City that the term of this Agreement is
 - (1) 5 years commencing on January 1 of the first calendar year after the calendar year referred to in the reference date of this Agreement was made,
 - (2) a renewal term of an additional 5 years, subject to Council approval.

APPLICABLE IMPROVEMENTS

- 3. The tax exemption provided for under the bylaw applies in respect of
 - (1) a construction of a new improvement, or

REVITALIZATION TAX EXEMPTION CERTIFICATE

4. (1) Once the Owner has completed the construction of the new improvement referred to in Section 3, and the City has issued an occupancy permit under the City's Building Regulation Bylaw, in force from time to time, in respect of the new

improvement, the City's Council must issue a revitalization tax exemption certificate to the Owner for the Lands of the Owner and the Lands are otherwise in compliance with this Agreement.

- (2) A revitalization tax exemption certificate must, in accordance with the Bylaw and this Agreement, specify the following:
 - (a) the amount of the tax exemption or the formula for determining the exemption;
 - (b) the term of the tax exemption;
 - (c) the conditions on which the tax exemption is provided;
 - (d) that a recapture amount is payable if the certificate is cancelled and how that amount is to be determined.

TAX EXEMPTION

5. So long as a revitalization tax exemption certificate in respect of the Lands has not been cancelled, the Lands are exempt, to the extent, for the period and subject to the conditions provided in the certificate, from municipal property taxation.

6. The revitalization tax exemption certificate may be cancelled by the Council of the City

- (1) On the request of the Owner, or
- (2) If any of the conditions in the certificate are not met.

CONDITIONS

7. The Owner agrees to invest significant capital into the manufacturing facilities on the owner's property in the tax exemption area. The improvements will consist of upgraded lumber manufacturing equipment, installation of lumber drying kilns to maximize the drying capacity, construction of an approximate 37,000 square foot addition to the planer mill, and upgrading shipping facilities. These kilns and additional improvements to the planer mill must remain in an operational state on property occupied by Pope & Talbot Ltd., in the municipality of Grand Forks. However, it is recognized that technology advances very quickly and these improvements may be subject to changes, modifications or enhancements in the future. In the event that the improvements are dismantled or removed and not replaced with other equipment, buildings or technology that further enhances the original goals of the project, the revitalization tax exemption certificate will be cancelled.

OWNERS OBLIGATIONS

8. The Owner must pay to the City the cost of all tie-ins of works and services associated with the new improvements or alteration to improvements, to existing storm and sanitary sewers, water mains, water meters, driveways, and other municipal services.

- 9. The Owner must comply with
 - (1) all enactments, laws, statutes, regulations and Order of any authority having jurisdiction, including bylaws of the City, and
 - (2) all federal, provincial, municipal and environmental licenses, permits and approvals required under applicable enactments relating to the Lands and Improvements

OBLIGATIONS OF CITY

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

CITY'S RIGHTS AND POWERS

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

GENERAL PROVISIONS

- 12. It is mutually understood, agreed, and declared by and between the parties that the City has made no representations, covenants, warranties, guarantees, promises, or agreements (oral otherwise), express or implied, with the Owner other than those expressly contained in this Agreement.
- 13. The Owner covenants and agrees to use best efforts to do or cause to be done, at the expense of the Owner, all acts reasonably necessary to grant priority to this Agreement as a covenant over all charges and encumbrances which may have been registered against the title to the Lands in the Land Title Office, save and except those specifically approved in writing by the City or in favour of the City.
- 14. The covenants set forth in this Agreement shall charge the Lands pursuant to Section 219 of the *Land Title Act* and shall be covenants the burden of which shall run with the Lands and bind the Lands and every part or parts thereof, and every part to which the Lands may be divided or subdivided, whether by subdivision plan, strata plan, or otherwise.
- 15. The covenants set forth in this Agreement shall not terminate if and when a purchaser becomes an owner in fee simple of the Lands or any portion thereof, but shall charge the whole of the interest of such purchaser and shall continue to run with the Lands and bind the Lands and all future owners for the time being of the Lands or any portion thereof, except the Owner will be entitled to a partial discharge of this Agreement with respect to any subdivided parcel of the Lands on acceptance of the works and on compliance by the

Owner with all requirements under this Agreement with respect to the subdivided portion of the Lands.

- 16. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the City and this Agreement may only be modified by agreement of the City with the Owner, or discharged by the City pursuant to the provisions of Section 219 of the *Land Title Act* and this Agreement. All of the costs of the preparation, execution, and registration of any amendments or discharges shall be borne by the Owner.
- 17. This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors, and assigns.
- 18. The Owner shall, on the request of the City, execute and deliver or cause to ve executed and delivered, all such further transfers, agreements, documents, instruments, easements, statutory rights of way, deeds and assurances, and do and perform or cause to be done and performed, all such acts and things as may be, in the opinion of the City necessary to give full effect to the intent of this Agreement.
- 19. Time is of the essence of this Agreement.
- 20. This Agreement constitutes the entire agreement between the Owner and the City with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written of the City with the Owner.
- 21. Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and whether delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

to the Owner at:

Pope & Talbot Ltd. 570 68th Avenue P. O. Box 39 Grand Forks, B. C. V0H 1H0 Attention: Administration Manager

and: to the City at: City of Grand Forks 7217 4th Street P.O.BOX 220 Grand Forks, BC

V0H 1H0 Attention: City Clerk

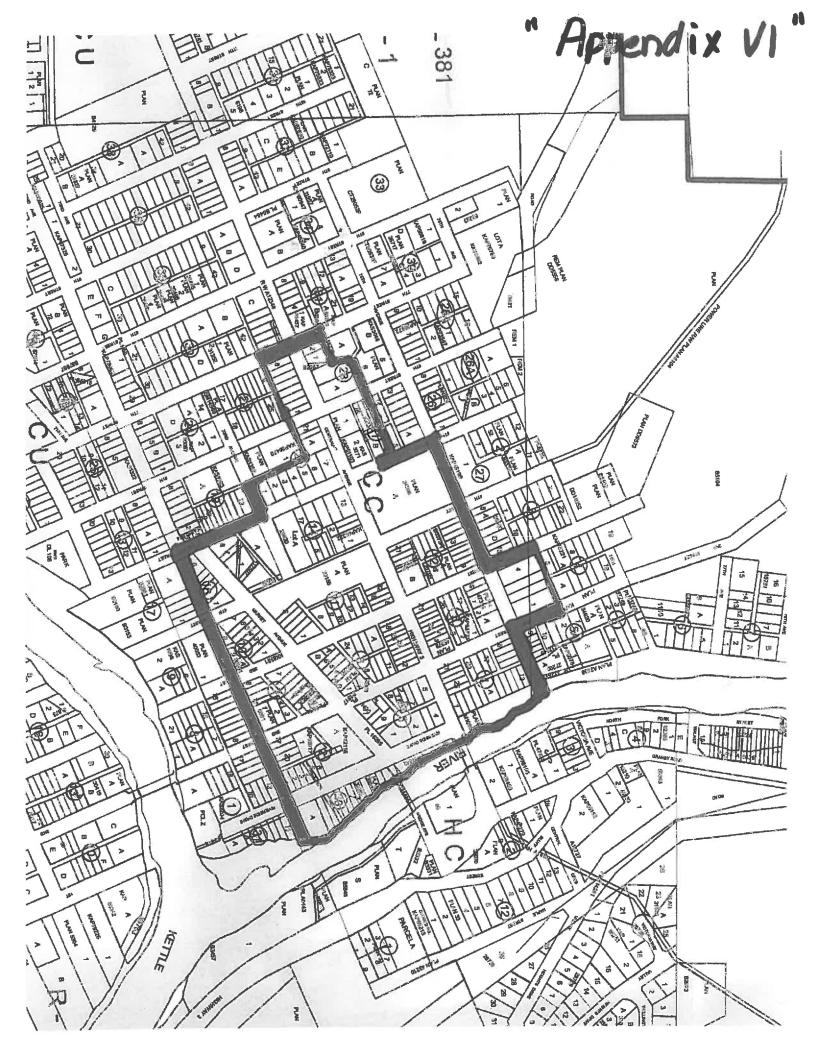
or to such other address to which a party hereto from time to time notifies the other parties in writing.

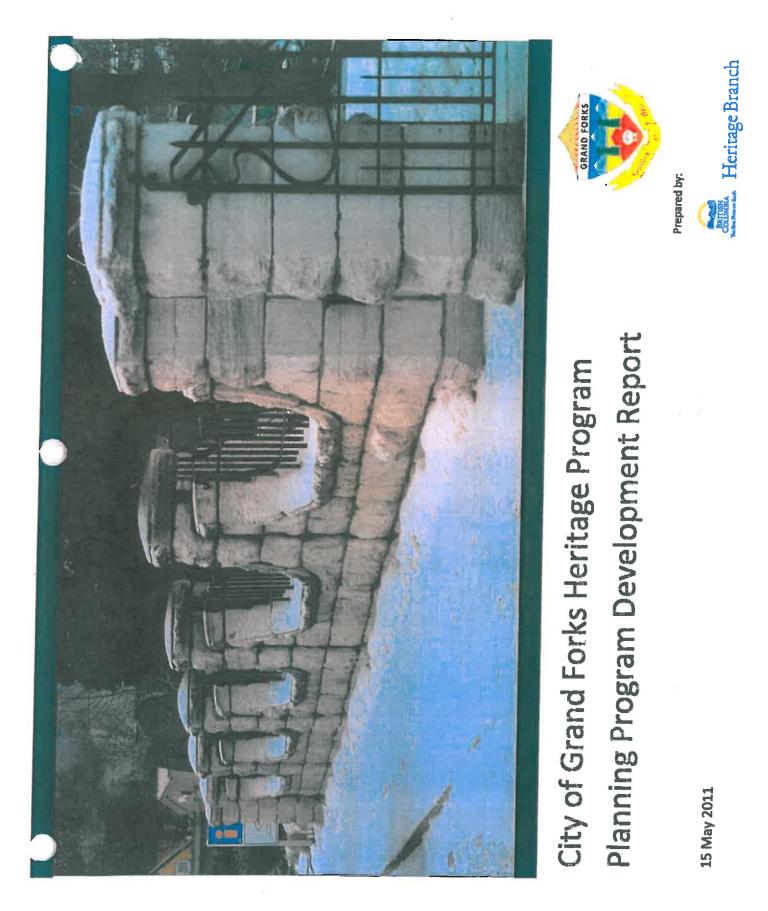
- 22. (a) No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement.
 - (b) Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
- 23. This Agreement is not intended to create a partnership, joint venture, or agency between the Owner and the City.
- 24. This Agreement shall be construed according to the laws of the Province of British Columbia.
- 25. A reference in this Agreement to the City or the Owner includes their permitted assigns, heirs, successors, officers, employees, and agents.
- 26. This Agreement is effective from and after the reference date in this Agreement, but only if this Agreement has been executed and delivered by the Owner and executed by the City.
- 27. The parties intend, by their execution and delivery of this Agreement, to create a covenant granted to the City under Section 219 of the *Land Title Act*, and a contract executed and delivered to the City under seal.
- 28. Unless otherwise expressly provided in this Agreement, whenever the City is permitted to make or give any decision, direction, determination, or consent, the City may act in its sole discretion, but will act reasonably.
- 29. Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and covenants of the Owner contained in this Agreement, and of all matters incidental to them, is solely that of the Owner.
- 30. The Owner represents and warrants to the City that
 - (1) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into performance of this Agreement;
 - (2) upon execution and deliver on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;
 - (3) neither the execution and delivery, not the performance, of this Agreement shall breach any other Agreement or obligation, or cause the Owner to be in default of any other Agreement or obligation, respecting the Lands, and

(4) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

END OF DOCUMENT





"Appendix VII

Executive Summary

This report presents a strategy for developing a values-based heritage conservation planning program for the City of Grand Forks (i.e. "the City"). It is designed specifically to meet the conservation objectives and goals outlined in the City's Official Community Plan.

The City of Grand Forks has identified specific objectives for heritage conservation in its planning documents, and understands that the conservation of historic places is an important means to achieving community revitalization and enhancement. The City currently has a limited capacity for implementing conservation tools available in Part 27 of the *Local Government Act*, so this plan is tailor-made to allow that capacity to grow in manageable and incremental steps. Following best-practices for the development of a forwardlooking heritage conservation program, this report outlines the multiple benefits of conserving historic places, and provides an understanding of what values-based management of historic places is. It includes

- A heritage context statement for the community, which clearly articulates heritage values'identified by community stakeholders.
 - A set of planning tools responding to those values.
 - An itemized 10-year planning chart that clearly identifies how the community can best build its

heritage planning program and increase its capacity for heritage conservation planning.

This report also provides a framework for establishing the planning foundation necessary to effectively integrate tools like design guidelines into existing development permit areas, and increasing investment in historic places in both the public and private realms.

Introduction

This document was developed as a response to a request for design guidelines for the historic downtown core in Grand Forks. The City of Grand Forks has identified a need to stimulate investment and business in the downtown, and believes that encouraging the revitalization of the historic built environment is a positive means for achieving that goal. The BC Heritage Branch works to encourage and facilitate the protection and conservation of heritage property in British Columbia. Provincial legislation affords local governments with a comprehensive toolkit for recognizing, protecting, and conserving their historic places, and the Heritage Branch strives to build capacity for heritage conservation planning at the local government level. For that reason, this cohesive strategy for developing a heritage conservation planning design guidelines that have been developed to compliment the downtown.

to support and enable these heritage conservation objectives: This report proposes a manageable plan by which the City can 15.4.5 Integrate heritage resource management into the of life currently enjoyed by the residents of Grand Forks.² contribute to the social, economic, and environmental health In addition, council established some key policies in the OCP natural environment nor detract from the quality achieve its heritage conservation objectives throughout the 15.4.1 Council will support efforts to protect, preserve viability of heritage buildings, revitalize historic development and review of all neighbourhood stimulate the revitalization of the historic downtown, and and promote heritage resources in the City of areas and which do not negatively impact the What are the benefits of heritage conservation? development which maintain or enhance the 15.4.6 Consider innovative approaches to economic of the community. Heritage conservation planning is not Local governments that engage in heritage planning sector and concept development plans. Grand Forks. community. without effective planning support from the local government. manner which will preserve the historic quality and heritage conservation planning program that will support the The City of Grand Forks has identified a number of objectives heritage conservation, as listed in the following OCP sections, revitalization with other community improvement revitalization through heritage conservation, cannot happen implementation of design guidelines for the downtown, and 15.3.3 Balance and integrate heritage conservation and recommended plan for the development of a values-based structures or landscapes to maintain them in a 15.3.1 To encourage those owning heritage buildings, Physical conservation of historic places, and downtown This report is presented to the City of Grand Forks as a characteristics of the buildings, structures or Community Plan. In particular, some key objectives for conserved for this generation of citizens and the next. ensure that the heritage values of the community are and policies for heritage conservation in its Official and development interests.1 landscapes. **Planning Context** are:

¹ The Corporation of City of Grand Forks. *Official Community Plan Bylaw* No. 1541, 1998. Section 15.0 (Heritage).

² The Corporation of City of Grand Forks. *Official Community Plan Bylaw* No. 1541, 1998. Section 15.0 (Heritage).

about preventing change from occurring. It is intended to guide *how* change happens over time, to ensure that the heritage values and character of a community are respected as the community evolves and grows. Communities that look and feel like anyplace ultimately seem like no place, and heritage planning ensures that sense of place and community identity are the foundation for the development of the community.

Social Benefits

The proactive conservation of historic places has positive social impacts on a community. By conserving and celebrating the authenticity and character of districts or neighbourhoods, the local government can enhance the public's appreciation of community identity and pride. Even the mere presence of historic places in a neighbourhood or downtown contributes to the social benefits of the community, as their existence allows for a common understanding of the community's roots and sense of cultural continuity.³

Economic Benefits

The rehabilitation (adaptive reuse) of historic buildings has been proven to benefit local economies. For example, local government planning programs that encourage the rehabilitation of vacant or underutilized commercial or industrial buildings see significant increases in their tax

revenues:⁴ Furthermore, a US study by the New Jersey Historic Trust shows that every dollar invested in the rehabilitation of existing heritage buildings generates more jobs, income, and GDP revenue than new construction.⁵ And, formally designated historic places generally tend to have higher property values than non-heritage properties.

Environmental Senefits

The impetus to encourage "green" development and environmentally-friendly communities is at the forefront of local government planning Initiatives in British Columbia and Canada. The positive environmental impact of reusing and revitalizing historic places is becoming more prevalent in landuse planning decision making. The rehabilitation of buildings keeps waste out of landfills, and avoids the energy consumption required to create and transport materials and construct new buildings. Historic downtowns also often possess the qualities sought in new "green" communities – walkability, close proximity to residential neighbourhoods, and cohesiveness and "human" scale streetscapes.

While the removal and replacement of old buildings with new ones may seem like an easy solution to community development, the cultural impact of historic buildings cannot be replaced or replicated. Historic places are a non-renewable

³ Throsby, D. 1995. Culture, Economics, and Sustainability. Journal of Cultural Economics. 19(3): 199-206.

⁴ Heath, T (University of Nottingham). 2001. Adaptive Re-Use of Offices for Residential Use. Cities. 18(3): 173-184. ⁵ Listokin D and M 1 Jobs 2007. 5004

⁵ Listokin, D. and M.L. Lahr. 1997. *Economic Impacts of Historic Preservation. New Jersey: New Jersey Historic Trust*. Found at <u>http://www.state.nj.us/dep/njht/download/ec_imp.pdf</u>

resource – the destruction of them is not a sustainable act. The unique characteristics and sense of place of Grand Forks are assets that can increase economic development and investment in the community. By identifying the values and character that set the community apart from all others, and by implementing planning processes that recognized and celebrate that community identity, the City of Grand Forks can realize economic development potential in its downtown.



Image 1 Grand Forks, at the confluence of the Granby and Nettle Rivers. BCARS C-01841.

The workshop process outlined above was also used to develop a plan for the economic development for the historic downtown in Grand Forks – a key goal for heritage conservation in the city. The workshop allowed community members to identify the boundaries, articulate the heritage values, and to list the character-defining elements (physical attributes which embody heritage values) of the historic downtown. Through this public consultation process, the following "Statement of Significance" was developed for downtown:

Description of Historic Place

The historic downtown of Grand Forks is an urban commercial area comprising approximately four square city blocks. This historic place includes buildings and green spaces on both sides of the four key streets that define the downtown – Highway 3 to the north, Riverside Drive to the east, 72^{nd} Avenue to the South, and 5^{th} Street to the west. The historic downtown also includes Market Street, the "main street" of Grand Forks, which runs diagonally from southwest to northeast through the core, and the streetscapes on 2^{nd} , 3^{rd} , and 4^{th} Streets between Highway 3 and 72^{nd} Avenue. The historic downtown includes tree-lined streetscapes with buildings of various styles and eras ranging from one to three storeys, narrow walkways between many buildings such as city hall and the museum are also included in this area.

Heritage Values of Historic Place

The downtown area of Grand Forks is valued by the community as a symbol of the prosperity, opportunity and diversity of the economic innovation that gave the city its earliest beginnings. Situated at a geographic location that allowed Grand Forks to be a transportation hub for road and rail, the scale and stature of the downtown reflect the importance of the confluence of the Granby and Kettle Rivers in supporting industries such as mining, logging, and agriculture in the area.

Forks' affluence and optimism made a positive contribution to decades. The presence of substantial landmarks, interspersed The nature of the buildings in the downtown reflects a sense this region was considered an ideal settlement location – the the future of the Boundary region in the late nineteenth and community's heritage. In particular, the presence of locallyproduced brick and indigenous stone reinforce the fact that permanent habitation, or contained the ideal conditions for cleanliness, and credibility, reinforcing the idea that Grand buildings in the downtown are important reflections of the with other buildings of varying ages, profiles, statures and of permanence and demonstrates the importance of the early twentieth centuries. Many physical qualities of the community within the region in its formative years and creating products needed for a prosperous community. buildings downtown represent a desire for orderliness, downtown as an economic and social hub. The historic area either naturally produced materials necessary for uses illustrates the ongoing and evolving role of the

Appendix VIII

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as an economic "boom" town, it is also valued for its enduring historic buildings that speak to the city's earliest development important, as it shows the intention of residents being able to While the downtown is valued for its substantial collection of activities such as the farmers' market and outdoor recreation role as the social core of the community. The relationship of downtown is an important aspect of its heritage, as it allows current residents to experience and access the commercial core in the convenient manner it was originally intended. . social activities such as dances, theatre, community meals, Historically, the downtown was used as a vibrant place for convenient manner. The pedestrian-friendly nature of the the downtown to surrounding residential communities is and parades - the continued use of the downtown for access the businesses and services they needed in a maintains this aspect of its heritage.

Character-Defining Elements

- Location of downtown at the confluence of the Granby and Kettle Rivers
 - Relationship between industrial heritage sites such as mills, old smelter site and slag heap, railways, and rail yards.
 - Views panoramas of Observation Mountain etc.
 - Market Avenue's diagonal axis
 - Back alleys
- Mid-block walkways between buildings
- Landmark buildings such as City Hall (Old Post Office), Museum (Old Courthouse)

- Building height ranging from one to three storeys
- Eclectic Streetscape made up of a variety of buildings of different eras and architectural styles
 - Historic storefronts and shop windows at street level
 - Recessed doorways
- Evidence of corner entrances facing intersections
 - Surviving false fronts on some buildings
 - Materials such as red brick and dolomite
 - Awnings on some buildings
- Signs advertising businesses and institutions
- Lighting on individual buildings and in public spaces



THE CORPORATION OF THE CITY OF GRAND FORKS

COUNCIL INFORMATION SUMMARY FOR JUNE 11TH, 2012

June 5th, 2012 June 11th, 2012 Date: Agenda: Proposal: To Receive the Items Summarized for Information Proposal By: Staff

<u>Staff Recommendation:</u> That Information Items numbered 10(a) to 10(l) be received and acted upon as recommended.

	ITEM	SUBJECT MATTER	RECOMMENDATION			
CORRESPONDENCE TO/FROM MAYOR AND COUNCIL						
10(a)	Correspondence from the Boundary Museum	Acknowledging receipt of funding from the City	Receive for information			
10(b)	Correspondence from Sylvia Treptow	Comments with regard to Stop the Violence Campaign	Receive for information			
10(c)	Correspondence from Dr. Evan Wood	Information regarding the Stop the Violence BC	Receive for information			
	COR	RESPONDENCE TO/FROM	M STAFF			
10(d)	Email correspondence from Sue Thomson	Comments with regard to Metal Hanging Baskets	Receive for information			
10(e)	Sarah Unruh of 2012 Boundary Ladies Fastball Tournament	Requesting permission to sell liquor at Angus MacDonald Park for Fastball Tournament June 23 rd to 24 th , 2012	That Council approve the issuing of a special occasion liquor license to the Boundary Ladies Fastball Organization for the two day event from June 23 rd to 24 th , 2012, at the Angus MacDonald Park subject to the Boundary Ladies Fastball Organization obtaining 3 rd party (party alcohol) liability insurance, naming the City of Grand Forks as an additional insured on that policy for the two day event; all liquor providers to hold a serve-it-right license certificate; and ICBC "drinking and driving" warning posters to be displayed.			
10(f)	Grand Forks Flying Association COPA Flight 62 Insurance Coverage for the Grand Forks Flying Association	For the Grand Forks Flying Association "Airport Appreciation Day Fly-In" on August 26 th , 2012	The Council grants permission for the Grand Forks Flying Association to hold an Airport Appreciation Day Fly-In on August 26 th , 2012 at the Grand Forks Municipal Airport			
GENERAL INFORMATION						
10(g)	From BC Ideas	Introduction to an online site intended for the submission of ideas that address health, social and environmental changes	Receive for information			
	FEDERAL AND PROVINCIAL GOVERNMENT					



THE CORPORATION OF THE CITY OF GRAND FORKS

COUNCIL INFORMATION SUMMARY FOR JUNE 11TH, 2012

INFORMATION FROM UBCM/FCM/AKBLG					
10(h)	From UBCM	In The House – Legislative Update	Receive for information		
10(i)	From UBCM	Resolutions Deadline for UBCM	Council to note that the deadline is June 30 th , 2012		
MINUTES FROM OTHER ORGANIZATIONS					
10(j)	May 28 th Task List	List of Completed and In- progress Tasks	File		
10(k)	Economic Development Committee Minutes	Minutes from April 3 rd , 2012	Receive for information		
10(l)	Economic Development Committee Minutes	Minutes from April 24 th , 2012	Receive for information		

BOUNDARY MUSEUM 6145 Reservoir Road, Grand Forks, BC VOH 1H5 Ph/fax: 250-442-3737, boundarymuse@shaw.ca http://www.boundarymuse@msaw.com/

May 30th, 2012

MAY 3 0 2012

THE CORPORATION OF THE CITY OF GRAND FORKS

To Mayor, Councilors & staff of the City of Grand Forks

Greetings.

The Directors and members of the Boundary Museum Society would like to acknowledge the receipt of funding for the operation of the Museum for the current season.

With funding in place, the society has been able to secure the staff required to function and will operate on extended hours during the main tourist season. We continue to seek opportunities to work together with other local groups and businesses to help promote the City and the Boundary Country.

The board would also like to extend an invitation to Council to make use of the facilities of the Museum at Fructova for a Council meeting or other purposes.

Thank you for your support.

Sincerely:

Allan' for:

Bob De Maertelaere Secretary

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The Boundary Museum at the historic Fructova Heritage Site 6145 Reservoir Rd., Grand Forks. BC V0H 1H5 ph. 250-442-3737

The Archives & Museum office at City Hall – downtown Grand Forks 7217 – 4th Street P.O. Box 220 Grand Forks, BC V0H 1H0 ph: 250-442-8266 ext, 60126

The Restoration Workshop - a partnership of the Museum and the Woodworkers Guild www.boundarywoodworkers.com June 1, 2012

JUN / 1 2012

THE CORPORATION OF THE CITY OF GRAND FORKS

TO: Grand Forks City Council

FROM: Sylvia Treptow

RE: Stop the Violence BC Campaign

Council's Primary Committee agenda of May 28, 2012, contained information from eight Mayors of municipalities of BC supporting the Stop the Violence BC campaign. Mayor Taylor brought this topic to Grand Forks' Council for consideration. Council briefly discussed the topic, passed a motion to receive the documentation, and determined to discuss it further and make a decision on the issue at a future Council meeting.

Having watched Council's meeting on Whatsupingrandforks.com, I noticed several individuals from the gallery spoke on this topic at the May 28 Primary Committee meeting, and I feel it is quite within my rights that my voice also be heard on this topic.

I would make the following comments on the documentation received by Council.

- 1. Some Councillors seemed impressed that individuals such as former mayors, former police officers, former Attorney Generals, etc., were in support of the Stop the Violence BC initiative. I would draw your attention to the disclaimer (copy attached) on the Stop the Violence BC web site which states: "NOTE: Coalition members are members of their own personal accord and on their own time. The views of the coalition and its members do not necessarily reflect those of their affiliate organization." In other words, remove reference to the positions those individuals previously held or currently do hold, and basically their personal opinions bear as much weight as ordinary citizens of this country.
- 2. Having read the letter from the 8 Mayors, it is noted the initiative deals only with the marijuana aspect of the gang warfare in the Lower Mainland. Gangs fight about many issues, not just marijuana. Even if marijuana is removed from the gang scene by whatever means, the gangs will continue to play "bang, bang, shoot-em-up". Will those municipalities who signed up for the Stop the Violence BC initiative then use the same argument of legalizing whatever the gangs fight about in order to remove all possible reasons for gang warfare? You might as well toss all the law books of Canada onto a bonfire and we will return to the Wild West mentality. I would suggest that those pushing for the legalization of marijuana are simply taking advantage of the unfortunate circumstances created by gang warfare in the Lower Mainland to fulfil their personal goals of having marijuana decriminalized. If you truly wish to stop the violence, then all aspects of the violence need to be dealt with simultaneously.
- 3. The document seems to be riddled with assumptions. For example, there is an assumption that those individuals who currently thumb their noses at the law of the land will overnight become honest, up-standing citizens who will register their grow-op

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WESTI- TREPTON, Sylvin -STOP THE VIOLENCE BC CAMPDEN businesses and allow those businesses to be taxed to the max. There is also an assumption that theft of electricity to power the grow-ops will no longer occur. And an assumption that, with legalization, marijuana will not find its way into the hands of the youth of this country. Do you seriously believe these assumptions will become fact?

- 4. The potential of new tax income is mentioned in the document as an enticement to support the marijuana initiative. It is interesting to note that the municipality of Grand Forks would only collect a miniscule business licence fee from those individuals who decide to become honest and register their grow-ops within city boundaries. Most of these businesses currently are home base businesses which would not generate additional property taxes or utility taxes and fees under current city by-laws. Grow-ops as home-based businesses within rural areas, like Areas D and C, are not even required to pay RDKB for a business licence. Any taxes collected from those individuals who decide to become honest citizens will be garnered by the federal and provincial governments. Given the current state of the federal and provincial coffers, it is highly unlikely any of that potential tax revenue would find its way to Grand Forks, BC.
- 5. The intent of the document is to put pressure on the BC provincial government, to in turn put pressure on the federal government to legalize marijuana and tax it. I would refer you to my memo to Council dated Aug. 15, 2011, page 2, which quotes the BC government's response (attached to memo) to UBCM's marijuana initiate of Sept. 2010. Following the Nov. 2011 municipal elections, I corresponded with The Honourable Michael de Jong, BC Minister of Health, who had his Executive Director respond on his behalf indicating the BC government's response of March 2011 to UBCM has not changed (letter attached).

Following are my comments on what occurred at the May 28 meeting.

- 1. As noted by Councillor Kendal at the Primary Committee meeting, this topic is a federal issue. Health Canada is currently considering amendments to the medical marijuana regulations. Let's give the federal government an opportunity to do its job.
- 2. Councillor Wyers enquired, and was told by Mayor Taylor that, as of May 28, 13 of 160 municipalities had signed on to this campaign hardly overwhelming support for this initiative.
- 3. Mayor Taylor indulged in scare tactics to encourage Council to support this initiative, claiming gangs with guns and security are leaving the cities and setting up their grow-ops in rural areas and small municipalities. Hey folks, this sort of practice has been with us for years if we believe media reports on police raids of grow-ops within the Kootenays this is not new or news.
- 4. John Leslie openly declared during the Primary Committee meeting that he operates a marijuana dispensary in Christina Lake. I would refer you to my memo to Grand Forks Council dated Aug. 15, 2011, page 2, where Health Canada's Director, Office of Controlled Substances, is quoted: "Please be advised that Health Canada does not license

organizations such as compassion clubs or dispensaries to possess, produce or distribute marihuana for medical purposes." (letter attached to Aug 15 memo). The arguments put forth by Mr. Leslie remind me very much of the butter versus margarine on-going battle, with one side trotting forth scientific studies and claims that their product is best for you and a few months later their opposition does the same, leaving citizens to wonder who or what to believe. The same could be said of the pros and cons factions of the marijuana battle.

5. Les Johnson requested council to represent himself and others of this community by sending letters on this issue. Nigel James expressed disappointment that Councillors did not debate the issue on May 28, and suggested that in addition to Council initiatives, citizens themselves should assume the responsibility of voicing their own points of view, write letters, etc. I would remind current Council and Mayor that the people of this community spoke clearly during the last municipal election of Nov. 2011 when those vying for Councillor positions and directly linked to the marijuana movement had the lowest number of votes cast in their favour, hence did not get elected. Not one of the individuals currently sitting at Grand Forks' Council table, including the Mayor, mentioned supporting the marijuana movement as part of their election campaign in Nov. 2011. This makes me wonder whether Councillors and Mayors of other municipalities who have signed up for the Stop the Violence BC initiative mentioned their intentions regarding marijuana to their electorate in Nov. 2011. The fair way to determine whether or not the people of this country support this initiative is to have a federal referendum on the topic, something for which the federal government appears to have little appetite.

D. Tuptou

Sylvia Treptow

Stop the Violence BC

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Coalition Members

The Stop the Violence Coalition is open to researchers, academics, policy-makers, and professionals in the legal and medical/public health fields. Members help in report generation, media outreach, and other supporting roles.

NOTE: Coalition members are members of their own personal accord and on their own time. The views of the coalition and its members do not necessarily reflect those of their affiliate organization.

Coalition listing

John Anderson, PhD Former Correctional Officer, Nanaimo Chair, Criminology Dept., Vancouver Island University Vice President, Law Enforcement Against Prohibition (Canada)

Terri Betts, BScPharm, ACPR Clinical Coordinator, Pharmacy, Lions Gate Hospital

Neil Boyd, LLM Professor & Associate Director, School of Criminology, SFU

Graeme Bowbrick, Q.C. Attorney General of BC (2000-2001)

David Bratzer Police Officer Board of Directors, Law Enforcement Against Prohibition

Jane Buxton, MBBS, MRCGP, MHSc, FRCPC Associate Professor, School of Population and Public Health, UBC

Vince Cain Retired RCMP Chief Superintendent Former BC Chief Coroner

Larry Campbell Senator, Canadian Senate Former Mayor of Vancouver

John Carsley, MD, MSc, FRCPC Medical Health Officer, Member of Health Officers' Council of BC



December 19, 2011

Sylvia Treptow

Dear Sylvia Treptow,

Thank you for your letter of November 22, 2011 to Minister Michael de Jong, in which you describe your concerns about the proposal of the Grand Forks Compassionate Society to have control of the medical marijuana program transferred from Health Canada to the Provincial Health Ministries, and to create a subsequent pilot program in Grand Forks. I am replying on behalf of the Minister.

As noted in your letter, a similar resolution to the proposal from the Grand Forks Compassionate Society was passed at the Union of BC Municipalities Convention in 2010. Attached for your information is the resolution, and government response.

The current government perspective remains unchanged from this response.

Thank you for bringing your concerns to our attention.

Sincerely,

Tom Gregor **Executive Director**

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B146 MEDICAL CANNABIS

WHEREAS the federal medical cannabis program administered through Health Canada's Marihuana Medical Access Division does not satisfy the constitutional rights of critically and chronically ill patients to access marihuana for medicinal use;

AND WHEREAS the use of cannabis by legitimate cannabis patients is a health issue, and as such should be under the legislative purview of provincial governments:

THEREFORE BE IT RESOLVED that UBCM lobby the provincial government to work with the federal government toward the goal of decentralizing the administration and oversight of legitimate medical cannabis use and production from federal authority to provincial health ministries as part of their public and personal health mandate.

RESPONSE: Ministry of Health Services

Health Canada's *Marihuana Medical Access Regulations* define the circumstances and the manner in which access to marihuana for medical purposes is permitted. The Regulations contain three main components: Authorizations to possess dried marihuana; licences to produce marihuana, which include *Personal-Use Production Licences* and *Designated Person Production Licences*; and access to supply of marihuana seeds or dried marihuana. These regulations ensure individuals residing throughout Canada who suffer from grave and debilitating illnesses have consistent access to marihuana for medical use.

The provincial government has neither the necessary expertise nor the infrastructure to license individuals who apply to possess marihuana or to monitor its production, cultivation guality and distribution.

Unlike synthetic cannabinoids like Marinol and Cesamet, which are available through pharmacies in the province, marihuana for medical purposes has not been reviewed for patient safety and issued a Health Canada Notice of Compliance. Should marihuana be formulated and marketed as a pharmaceutical and receive a Health Canada Notice of Compliance, the province may reconsider its position.

From:

Provincial Response to the Resolutions of the 2010 Union of British Columbia Municipalities Convention

http://www.ubcm.ca/assets/Resolutions~and~Policy/Resolutions/2010%20Provincial%2 0Responses.pdf

Printed by: Info Cit Title:	y of Grand Forks	Monday, June 04, 2012 9:50:45 AM Page 1 of 1		
From:	eapaul@cfenet.ubc. ca	Friday, June 01, 2012 2:02:09 PM 📰 🗐		
Subject: To:	Letter to Council Iburch@grandforks.ca	rks JUN / 4 2012		
Attachments:	STVBC - Grand Forks letter.pdf	THE CORPORATION ON OT OTK		

Hello,

I am emailing you from Stop the Violence BC in hopes that the attached letter can be presented to council.

It is our understanding that council will be debating a motion regarding Stop the Violence BC and cannabis regulation and taxation in BC and it is our hope that this letter can be read to coincide with that debate.

Thank you very much for your time.

Sincerely,

Emily-Anne Paul Project Assistant | Stop the Violence BC | <u>www.stoptheviolencebc.org</u> 604.682.2344 x 66520 | @stvbc | facebook.com/stoptheviolencebc

FILE CODE WE3, PI- PAUL, EMILY-ANNE STOP THE VISIENCE

Stop the Violence BC Stop The Violence BC.org | @stybc

June 1, 2012

City of Grand Forks PO Box 220, 7217 4th St. Grand Forks, BC V0H 1H0

Dear Mayor Brian Taylor and Councillors:

We are writing to you today on behalf of Stop the Violence BC, a coalition of law enforcement officials, legal experts, public health officials, and academic experts concerned about the link between marijuana prohibition and the growth of organized crime and drug-related violence in BC and across Canada.

We'd like to thank you for accepting and considering the letter signed by eight B.C. mayors endorsing the Stop the Violence BC campaign and arguing for the taxation and strict regulation of marijuana.

As the mayors point out in their letter, marijuana prohibition has made our communities less safe. In an unregulated market, organized crime has taken over the production, distribution and marketing of marijuana. As a result, crime targets sales to our youth, and marijuana potency has increased 145% between 1990 and 2007. At the same time, retail price decreased approximately 58%. Most troubling, youth have easier access to marijuana than alcohol or tobacco.

The time has come to embrace a public health framework that calls for marijuana regulation and taxation. By strictly regulating marijuana we can limit access and control its distribution and production, dramatically reducing the illegal marijuana trade that fuels the violent crime impacting our communities and harming our youth.

Your constituents are ready for change. In September 2011, an Angus Reid poll showed that 88% of British Columbians favour changing existing cannabis laws. More recently, national polling conducted by Forum Research found that over 60% of Canadians favour decriminalizing or legalizing cannabis.

We strongly urge you to join the growing list of BC mayors and municipalities endorsing Stop the Violence BC and our campaign to regulate and tax marijuana. Combating gang violence and reducing gang influence are not just federal issues. It is critical that municipal representatives lead the charge on this issue. The negative impacts of prohibition have been placed squarely upon the shoulders of municipalities, which are forced to tackle the social and financial burdens resulting from large-scale grow-ops, increased organized crime, ongoing gang violence, and ever-increasing law enforcement

Stop the Violence BC StopTheViolenceBC.org | @stvbc

costs. All politicians at every level of government must be part of the solution to these pervasive problems.

Should you have any questions Stop the Violence BC or require further information, please contact STVBC's communications coordinator, Emily-Anne Paul, at info@stoptheviolencebc.org.

Thank you for your time. We look forward to working with you on this important matter.

Sincerely,

Dr. Evan Wood Founder Stop the Violence BC

From:	Sue Thomson	Fri, Jun 01, 2012 11:14:42 AM 📰 🗐
Subject:	metal flower baskets	RECEIVED
То:	Diane Heinrich	JUN / 1 2012
With reference to:		THE CORPORATION OF THE CITY OF GRAND FORKS

http://www.city.grandforks.bc.ca/index.php/2012/05/02/rfp-metal-flower-hanging-basket-prototy pe-project/

What a dumb idea.

In a city known for its gardens and with its agricultural roots, phony "flower baskets" are totally ridiculous.

If the concept is to replace the gorgeous real flower baskets we have here in the summer months, its just plain old stupid. Sure, its nice to be "green" and "sustainable" but forcrissakes, there's limits. There's nothing "green" about these phony baskets of phony flowers and far more carbon will be used and emitted in producing them - making them far more harmful to the environment than real, living, breathing, contributing plants.

They're going to look mighty silly covered in snow, too. Hell, just get a bunch of plastic crap and stick them up if that's the most intelligent idea this city can come up with. I'm sure the dump will have phony plastic flowers you can recycle. They'll have about the same appeal to locals and tourists.

If the concept is to have "public art" and showcase local artists' work in this fashion and genre, then do it site specific and give it a signpost saying what it is. Lots of municipalities purchase or accept donations of public art and choose public locations for the enjoyment or usefulness of the artworks. Why not create a "flower garden" made from metal, concrete, recycled materials and other things, make it functional and make it artistic and put it on a site highly visible and accessible to visitors and create a new tourist attraction where visitors can have their pictures taken with it? Make it interactive. Make it a surround thing/open frame structure and install a misting system to give a cooling place for the heat of the summer.

cooling place for the heat of the summer. Rethink this whole thing - phony metal flower hanging baskets are just Mermi Fromer Hower Hower & BASHERS

Shaking my head over this metal flower basket notion ...

Sue Thomson

JUN / 6 2012

THE CORPORATION OF

THE CITY OF GRAND FORKS

May 28, 2012

Sarah Unruh Box 186 Grand Forks, B.C. VOH 1H2 (250)442-4008

Attention: Diane Heinrich, Corporate Officer City of Grand Forks

Dear Diane,

By submission of this letter, we are requesting permission to sell liquor at Angus MacDonald Park for the 2012 Boundary Ladies Fastball Tournament from June 22-24, 2012. As in previous years, the Boundary Ladies Fastball League will obtain liability insurance, naming the City of Grand Forks as an additional insured.

We look forward to your response. If you need any further information please call me at the above number, or by email at <u>s_unruh@hotmail.com</u>.

Thank you for your attention to this matter.

Yours truly,

reak limah

Sarah Unruh Coordinator Boundary Ladies Fastball

Boundary Regional RCMP

Beer Garden and outdoor venue Public Special Occasions Liquor Permits Requirements for approval

Minimum requirements for an Outdoor Public Special Occasions Liquor permit are;

- a) License holders (sponsoring organization) are responsible for ensuring adequate site security is posted for the duration of the licenced hours of operation.
- b) Security personnel are to be identifiable through use of marked hats or similar type distinguishing clothing.
- c) Site Security and License holder are to provide contact phone number(s) that they will answer during hours of licence.
- d) Outdoor licenced area to be fenced to a height of 5 feet with snow fencing, page wire or a similar type of fencing that encloses the area of the licence. Single wire fencing is not acceptable for this purpose.
- e) Entry and exit points must be controlled during hours of operation by a responsible adult (Security) representing the holder of the licence to ensure that alcoholic beverages are not taken out or passed out of or into the licenced area.
- f) Alcoholic beverages are to be served in plastic or paper containers only.
- g) Suitable washroom facilities are to be provided.
- h) It is the licence holders responsibility to ensure that no minors are permitted entry to the licenced area and to check identification of persons of questionable age, denying access if identification is not satisfactory.
 It is also the responsibility of the licensee to ensure that over service of alcoholic beverages does not occur and that persons obviously intoxicated do not remain on the premises (licensed area).
- I) The licenced area is to be closed and vacated by closing time noted on Liquor Permit.
- j) Outdoor entertainment, such as amplified music, loud hailer announcements etc. must be terminated at closing time noted on the Liquor permit.
- k) The property owner, Facility manager or their representative must sign and date this application signifying they are aware of conditions of the agreement and the application for a Liquor Permit.
- 1) The applicant agrees to abide by all requirements of the Liquor Control and Licencing Act as they apply to this Special Occasion Permit and the above noted conditions for Police approval.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND WILL ABIDE BY THE ABOVE CONDITIONS UPON WHICH POLICE APPROVAL IS GRANTED FOR MY APPLICATION FOR A PUBLIC SPECIAL OCCASION LIQUOR PERMIT.

ACKNOWLEDGED:	DATE:
POLICE APPROVAL:	DATE:
PROPERTY OWNERS CONSENT: 🖈	DATE:

From: ALL SPORT INSURANCE

To:12504422699

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LLOYD'S	0	SPORT		507, 1367 West B Vancouver, BC \	
С	ERTIFICATE	OF INSURANCE			
THIS IS TO CERTIFY THAT POLICIES OF INSURANCE AS HER Name of Insured & and Postal Address SARAH UNRUH PO Box 186, 6309 18 St., Grand Forks, C V		EN ISSUED TO THE INSURED N	AMED BELOW AN	ND IN FORCE AT THE I	DATE HEREOF
	Hicy Number * AL1111	Insurers LLOYD'S	per oc respec	Limit of Liability 000,000.00 LIMIT currence and in the aggre at to products & completed DUCTIBLE \$500.0	
*SUBJECT TO 30 DAYS WRITTEN NOTICE OF CA	NCELLATION OR MAT	ERIAL CHANGE	ĩ		
This Certificate is issued at the request of: CITY OF GRAND FORKS		Location & Operations to y ANGUS MCDONALD P			
ABOVE ARE ADDED AS ADDITION INSURED, E RESPECT TO THE LIABILITY WHICH ARISE ACTIVITIES OF THE NAMED INSURED	SUT SOLELY WITH	"SOFTBALL WINDUP 1 TEAMS) "fincluding liquor liability JUNE 23 & 24, 2012	fournamen	IT & BEER GARD	EN" (5
To whom notice will be mailed if such insurance is cance in such a manner as to affect this certific		Premium: 200.00	Fee: 25.00	Total: 225.00	
IDENTIFICATION OF INSURER / ACTION AGAINST I This insurance has been effected in accordance with the definitive numbers and proportions are shown in the Te Underwriters shall be liable hereunder each for his own the said Agreement. In any action to enforce the obligations of the Underwrite binding on the Underwriters as if they had each been in Attorney In Fact in Canada for Lloyd's Underwriters, whe NOTICE: Any notice to the Underwriters may be validly in witness whereof this policy has been signed as auth	authorization granted ble attached to Agreem part and not one for an ters they can be designa dividually named as def lose address for such se y given to the Coverhold	ent No. ESR2012001 (hereir other in proportion to the seven rited or named as "Lloyd's Un endant. Service of such proc prvice is 1155 rue Metcalfe, S er.	nafter referred to eral sums that e derwriters" and eedings may va juite 2220, Mont	o as "the Underwrite each of them has su such designation s light be made upon treal, Quebec, H3B	rs"). The becribed to hall be
THE INSURANCE AFFORDED IS SUBJECT		Pe	er Q.M.	Marian	
	- The LERVIS, CONL	MIONS & EXCLUSIONS OF	109		



Grand Forks Flying Association COPA Flight 62

PO Box 2042 Grand Forks BC V0H1H0

May 31, 2012

mmeopanational org

Canadian Owners and Plots Association Working for your Freedom to Sy since 1952

Wayne Kopan, Airport Manager Corporation of the City of Grand Forks 7217 – 4th Street, PO Box 220 Grand Forks BC

Dear Wayne,

The Grand Forks Flying Association COPA Flight 62 is planning an Airport Appreciation Day Fly-in on August 26th 2012. We plan to have a pancake breakfast and car show, as well as model aircraft flying demonstrations as part of the event.

A member of the COPA board is planning to come to Grand Forks to present the Association with its new Charter recognizing the reinstatement of COPA Flight 62.

As a member of the COPA organization, the Grand Forks Flying Association is able to get insurance coverage for events such as this. We have applied for and received coverage, with the City as a named insured. (See attached Certificate)

It has come to our attention that the City's CUPE contract prevents James Traynor or others from volunteering their time and effort to do maintenance work at the airport as previously planned. There is some work that will be required to make the airport safe and suitable for guest aircraft; the grounds in front of the tie-down area need to be filled levelled to prevent propeller strikes.

Thank you for your consideration of this matter. Best regards,

John Wheeler Secretary, Grand Forks Flying Association – COPA Flight 62

Cc: Lynne Burch, CAO



OAKVILLE • TORONTO • MONTREAL • VANCOUVER

CERTIFICATE OF INSURANCE

This is to certify to:

Certificate #: C443578311-35a

Corporation of the City of Grand Forks

that insurance as herein described is in full force and effect:

DETAILS OF COVERAGE

Named Insured: Canadian Owners and Pilots Association (COPA) and/or Individual COPA Flights, including directors, officers, employees and volunteers thereof.

Address:	71 Bank St, 7th floor	Policy #:	C443578311
	Ottawa, ON, K1P 5N2	Term:	12/31/11 to 12/31/12
			mm/dd/yy mm/dd/yy

COVERAGE AND LIMITS OF LIABILITY:

PART 1 - AVIATION PREMISES LIABILITY:

Bodily Injury and/or Property Damage Liability caused by an Occurrence in or about premises owned by the Insured or used by the Insured for an aviation event.

Limit of Coverage:

\$5,000,000.00	Each occurrence Premises Liability to include any premises incidental to the aviation operations of the Named Insured
\$1,000,000.00	Each occurrence and in the annual aggregate Food, Beverage and Host Liquor

PART 2 - NON OWNED AIRCRAFT LIABILITY:

Liability

Bodily Injury and/or Property Damage caused by an Occurrence and arising out of a non-owned aircraft as detailed in the Policy.

Limit of Coverage:

_ _ _

\$5,000,000.00 Each Occurrence Combined Single Limit Bodily Injury and Property Damage

PART 3 - AIR MEET LIABILITY:

Bodily Injury and/or Property Damage Liability caused by an Occurrence and arising out of the organization of, involvement in or sponsorship of an Air Meet as detailed in the Policy.

Limit of Coverage:

- \$5,000,000.00 Each Occurrence and in the Aggregate each Policy year
- \$1,000,000.00 Each occurrence and in the annual aggregate Food, Beverage and Host Liquor Liability

TERRITORY:

Canada and the United States of America

CONDITIONS: ADDITIONAL INSURED

Canadian Flight Publishing Corporation COPA Flight Safety Foundation COPA Freedom to Fly Fund

Only with respect to the "Airport Appreciation Day and Fly-In Pancake Breakfast" to be held August 25 - 26, 2012 (Rain Date: September 22 – 23, 2012)) at Grand Forks Airport (CZGF):

- Corporation of the City of Grand Forks, Box 220, Grand Forks BC V0H 1H0
- Grand Forks Flying Association COPA Flight 62

The insurance afforded is subject to the terms, conditions and exclusions of the applicable policy. This Certificate is issued as a matter of information only and confers no rights on the holder and imposes no liability on the Insurer. The Insurer will endeavor to mail to the holder of this Certificate ten (10) days written notice of any material change in or cancellation of this policy but assumes no responsibility for failure to do so.

The MAGNES Group Inc.

Maye

Date: May 28, 2012

Belinda Bryce Authorized Representative May 28, 2012

BCideas solutions for stronger communities

Mayor Taylor and Council City of Grand Forks Box 220 7217-4th Ave Grand Forks, BC VOH 1H0

RECEIVED MAY 2 9 2012 THE CORPORATION OF

THE CITY OF GRAND FORKS

Dear Mayor Taylor and Council,

I would like to introduce you to BC Ideas, a province-wide effort to build stronger British Columbia communities. BC Ideas, which launched on May 16, is an online collaborative competition asking British Columbians to submit ideas that address the health, social and environmental challenges facing their communities.

The concept for BC Ideas was announced by Premier Christy Clark in November following the preliminary recommendations from the B.C. Social Innovation Council. The final report from the Council, which is available at socialinnovationbc.ca, recommended BC Ideas as a way to identify, develop and refine community-driven solutions to tackle pressing social challenges.

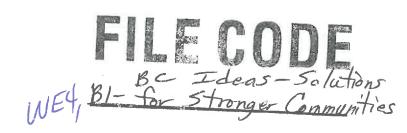
I am writing to you on behalf of more than 15 community-based organizations supporting BC Ideas. We are part of a growing network of organizations in B.C. that value social innovation and community engagement as essential tools for strengthening communities. We have enclosed an overview of BC Ideas, along with activities and tools you can use to directly engage your community members to discover homegrown innovations.

We hope you will join us and demonstrate your support for social innovation in B.C. If you would like further information on BC Ideas, please visit bcideas.ca or contact me directly at 778.327.5161.

Yours sincerely,

Bruce Dewar Chief Executive Officer LIFT Philanthropy Partners (on behalf of the BC Ideas partners)

(Enclosure)





solutions for stronger communities

Engaging your community with BC Ideas

BC ideas provides a unique opportunity to directly engage with your community members, hear about issues that are most important to them, and find innovative solutions to make your community stronger. Included below is a list of activities you can use to promote BC ideas to your community members and engage them in this province-wide effort to support social innovation.

1. Join the BC Ideas online community

Go to beideas.ca and click "join." Create an online profile and join the dialogue. You can provide feedback on entries, suggest ideas for collaboration, and join live online conversations with experts from various fields.

2. Nominate innovations

Go to be be be a notified of a social innovations in your community. Your nominee will receive a message from BC Ideas encouraging them to enter the competition to gain attention, expert feedback and access to a \$100,000-investment pool.

3. Enter innovations

Go to beideas.ca and enter an innovative idea that addresses the health, social or environmental challenges facing your community. Your leadership could encourage your community members to participate.

4. Share BC Ideas with your community

Share information about BC Ideas with organizations, businesses and others in your community and encourage them to participate. You can email your networks, post updates on your website and social media feeds, and include information in presentations. You could also send a news release to your local media outlets.

5. Identify and engage community leaders

Create a list of influential community leaders who span business, education, municipal and regional government, not-for-profit and volunteer sectors. Encourage them to participate in BC Ideas, and promote it to their networks, to demonstrate your community's innovative and entreprenaurial spirit.

6. Host at roundtable discussion

Invite community leaders to a discussion on supporting, developing and encouraging social innovation in your community. Ensure cross-sector representation at your roundtable and create an open dialogue to identify barriers to innovation, develop strategies to address them, and discover new collaborations.



solutions for stronger communities

7. Share innovations with media

Write a letter to the editor of your local newspaper or email a reporter to highlight successful social innovations in your community. Provide information on how this homegrown solution could be expanded to benefit other communities in B.C. You could also consider contributing a blog post to be featured at beideas.ca.

8. Encourage regional or sector-specific investments

BC Ideas is sourcing regional and sector-specific investments to encourage participation throughout British Columbia. If you are aware of organizations interested in supporting social innovation, send them to be be as a for information on joining the BC Ideas community.

9. Connect with us on Twitter

Join the #BCideas conversation on Twitter as the province-wide movement gains momentum. You can also participate in several live Twitter chats throughout the competition. You may also want to follow @changemakers and @liftpartners for ongoing updates.

10. Share successes with your colleagues

Keep your colleagues, networks and community informed about local social innovation activities. You will celebrate local successes, and you could also gain insights into new partnerships or other opportunities to further develop local innovations.

Visit beideas.ca to join the BC Ideas community of action!

Contact information

Contact LIFT Philanthropy Partners for more information on BC Ideas community engagement: Bruce Dewar Chief Executive Officer bdewar@liftpartners.ca 778.327.5161



solutions for stronger communities

BC Ideas community engagement

BC Ideas is supported by a rapidly growing partnership of leading organizations in B.C. that are committed to advancing social innovation. These partners promote and facilitate participation in the competition throughout the province. By engaging this diverse group of organizations, BC Ideas will reach more people and organizations from various sectors and areas of interest across the province.

In addition to the partner promotion, BC Ideas will use online, direct marketing and social media activities to increase participation in the competition. BC Ideas will also build local capacity in 10 B.C. communities by supporting roundtable discussions to encourage and facilitate social innovation with local community and business leaders.

10 targeted communities

BC Ideas selected 10 communities to represent B.C.'s diversity in government representation, geographic region and population size:

- Comox
- Kelowna
- Nelson
- Osoyoos
- Poweli River

- Prince George
- Queen Charlotte
- Quesnel
- Richmond
- Smithers

In each of these communities, BC Ideas will identify and engage a community champion to lead local promotional activities. Each of these communities will receive tangible support and tools to promote and facilitate engagement in the competition. The community champion will host or participate in a roundtable discussion with local businesses, not-for-profit organizations, community leaders and government representatives on supporting social innovation. The community champions will also participate in a cross-community roundtable to share strategies, successes and challenges with the other targeted communities. The intent is to showcase the targeted communities as active leaders in supporting social innovation through several channels, including bcideas.ca, conferences and media promotion.



BC Ideas

BC Ideas is an online collaborative competition that asks British Columbians to submit ideas that address the health, social and environmental challenges facing their communities. The competition is open to all British Columbians and will provide a total of more than \$100,000 to the most innovative solutions.

BC Ideas gives British Columbians a platform to share their ideas for social innovation, and provides an opportunity to discover which issues are most important to them. BC Ideas with identify, develop and refine community-driven solutions, ranging from concepts to established programs, to tackle pressing social challenges. At beideas.ca, participants will gain profile for their entries, receive feedback from experts, and attract funding to turn their ideas into action.

BC Ideas is supported by a growing partnership of leading organizations in B.C. who value social innovation and community engagement as essential tools for building communities. This partnership includes representatives from numerous sectors, including social, not-for-profit, business, education, government and others. BC Ideas offers a unique opportunity to directly engage community members in finding innovative solutions to make communities stronger.

Funding opportunities

BC Ideas will invest more than \$100,000 directly in social innovations. All entries are evaluated against the competition's criteria of innovation, social impact and sustainability. Participants will have access to several funding opportunities including:

- Three Paople's Choice investments of \$15,000 each
 A panel of five judges will select 12 finalists. Three People's Choice winners are selected from these finalists via open voting at beideas.ca. Through this online voting process, British Columbians will identify the three ideas that are most important to them.
- Additional competition investments of \$10-15,000 each
 Additional investments, totaling more than \$55,000, will be awarded to entries that best match individual investor's sector-specific criteria, in addition to the competition criteria of innovation, social impact and sustainability.

Additional information on funding opportunities is available at brideas.ca.

Community-sourced solutions

BC Ideas offers a unique opportunity to directly engage British Columbians in finding innovative solutions to strengthen their communities. BC Ideas aims to advance social innovation in B.C. by identifying promising solutions, establishing new partnerships, and scaling effective innovations throughout B.C. BC Ideas will explore how communities, businesses and governments can work together to solve B.C.'s toughest social challenges.

Join our community of action at beideas.ca and help us build stronger B.C. communities!



he Spring 2012 sitting of the Legislative Assembly has been especially active, with the provincial government introducing more than 30 pieces of legislation. This includes several omnibus bills, each one proposing amendments to a range of statutes.

Three recent editions of In The House, distributed to the UBCM membership in April and May, 2012, have covered the following legislation from the Spring 2012 sitting: Bills 8, 20, 24, 25, 26, 28, 30, 34, 47, 50, 51, and 52.

Complementing the three editions mentioned above, this edition of In The House explores additional provincial legislation from Spring 2012 that may affect or be of interest to local governments.

Bill 37 Animal Health Act, 2012

Introduced: April 30

This Bill repeals and replaces the Animal Disease Control Act, the Fur Farm Act and the Game Farm Act, and replaces the Bee Act.

- harmonizes licence, permit and registration schemes;
- harmonizes enforcement mechanisms and offence and penalty schemes, including administrative penalties;
- requires persons responsible for animals to:
 - prevent the presence, transmission and spread of transmissible disease, environmental toxins and organisms that cause infestations;
 - protect public health in relation to diseases that are or may be transmissible from animals to humans;
- sets out authority for the collection, use and disclosure of information, including personal information;
- provides for establishment of a system to track the transport of animals, animal products and byproducts;
- strengthens powers to prevent, control and eradicate diseases and address other animal health issues; and
- provides powers to act in emergency situations.

Bill 38 Pension Benefits Standards Act, 2012

This Bill repeals and replaces the *Pension Benefits Standards Act*, modernizing pension law and harmonizing BC's pension legislation with that of Alberta.

- provides for immediate vesting of members' pension rights;
- provides for more flexible pension plan structures in addition to defined benefit plans and defined contribution plans;

Introduced: April 30

Legislative Update

- requires that plan administrators ensure that plans have governance policies and, for defined benefit plans or target benefit plans, funding policies;
- enhances disclosure requirements;
- clarifies the roles and responsibilities of administrators, participating employers and fund holders;
- creates uniformity and certainty in relation to the content of plan documents;
- allows members to suspend membership in a plan;
- provides for administrative penalties for non-compliance;
- distinguishes between collectively bargained multi-employer plans and non-collectively bargained multi-employer plans and between actuarial excess and surplus;
- enables former plan members to access locked-in funds in circumstances of financial hardship;
- allows administrators to establish solvency reserve accounts;
- empowers the superintendent to appoint a plan administrator or designate an actuary;
- permits refunds of optional ancillary contributions;
- allows plans with no active members to continue with the superintendent's consent;
- permits plans to force out small accounts;
- allows deferred members and, in prescribed circumstances, retired members to select portability options on plan termination;
- establishes a framework for jointly sponsored pension plans; and
- establishes a new framework for the regulation of multi-jurisdictional pension plans.

Bill 39 Emergency Intervention Disclosure Act, 2012

Introduced: April 30

in THE HOUSE

In specified circumstances, this Bill authorizes individuals who have come into contact with a bodily substance of another individual, to apply to the Provincial Court for a testing order requiring the other individual to be tested for a prescribed communicable disease. The individual may apply to the court for a testing order if contact with a bodily substance of another individual occurred in any of the following circumstances:

- (a) while providing emergency health services;
- (b) while performing duties as a firefighter, emergency medical assistant or peace officer; or
- (c) while being involved in a prescribed circumstance or while carrying out a prescribed activity.

Bill 41 Miscellaneous Statutes Amendment Act (No. 2), 2012

Introduced: May 1

This legislation proposes amendments to several Acts of interest to local government.

Greater Vancouver Sewerage & Drainage District Act

Provides for membership of Tsawwassen First Nation in the Greater Vancouver Sewerage & Drainage District.

Local Government Act

Provides for the incorporation of a new mountain resort municipality whether or not there are residents in the area.

Legislative Update

Liquor Control & Licensing Act

Provides information and requirements pertaining to the sale and serving of liquor at catered events and residential events. Describes how the provisions of the Act apply to catered events:

- requires catering managers and staff to complete a prescribed training program before being allowed to sell or serve liquor at a catered event.
- extends to catered events the general manager's powers to protect public safety;
- impose temporary suspensions and closures; and impose limitations and restrictions on entertainment.
- ensures that officers or agents of caterers are subject to the same liability as are officers or agents of other licensees.
- authorizes the Lieutenant Governor in Council to make regulations respecting caterers, catered events and residential events.
- sets out the circumstances within which liquor may be sold and served at catered events and residential events;
- applies the provisions of the Act and regulations relating to establishments to the sites of catered events except in specified or prescribed situations;
- provides for the application for and provision of catering licences and endorsements; and
- authorizes the general manager to impose terms and conditions on, and cancel, catering authorizations.

Land Title Act

Provides that party wall agreements may be registered against adjoining parcels and that certain provisions of those agreements run with and bind adjoining parcels. A party wall is a shared supporting wall in a building or between two adjoining buildings, situated on the common boundary shared by adjoining parcels. A party wall agreement may establish covenants pertaining to the party wall, including but not limited to alteration, repair and maintenance, decoration, inspection, and insurance.

Wildfire Act

Provides statutory immunity to employees and other specified individuals who exercise powers or perform duties and functions under the Act.

Police Act

Provides clarification of selected policy and operational aspects of the independent investigations office (IIO):

- clarifies eligibility criteria for potential IIO investigators;
- obligates officers to cooperate fully with IIO staff in all IIO investigations;
- specifies that a statement made by an officer during an IIO investigation is inadmissible in any related civil proceeding against the officer;
- authorizes the chief civilian director to provide the public with information about IIO investigations;
- authorizes the director of police services to determine standards for:
 - cooperation between the IIO and other police and law enforcement agencies in relation to IIO investigations;

Legislative Update

- cooperation and coordination among the provincial police force (RCMP), municipal police departments and designated policing units for serious crimes investigations; and
- when the outcome of a complaint or investigation is that the complaint is withdrawn, the investigation is discontinued or no disciplinary or corrective measures are imposed, requires removal of related records from a municipal police officer's service record of discipline.

Bill 43 FNCIDA Implementation Act, 2012

This Bill complements the federal *First Nations Commercial & Industrial Development Act,* 2005 (FNCIDA). Both the federal legislation and the provincial Bill aim to address the regulatory gap that arises around large-scale, complex commercial and industrial development projects on reserve, where the provincial regulatory regime does not apply to reserve land, and there are no equivalent federal regulations.

Through specific agreements with First Nations, Bill 43 will allow provincial laws and regulations to apply to commercial and industrial projects on federal reserve lands. The point is to ensure that an appropriate regulatory environment is in place to guide such economic development.

The First Nations Relations Committee is monitoring the implications of Bill 43 in the local government context.

Bill 53 Family Day Act, 2012

This Bill establishes a new holiday, to be observed as "Family Day" on the day prescribed by the Lieutenant Governor in Council.

Bill 54 Provincial Sales Tax Act, 2012

Effective April 1, 2013, this Bill imposes tax at various rates on the following:

- purchases or leases of tangible personal property;
- tangible personal property brought, sent into, or delivered in BC;
- tangible personal property used in BC; and
- purchases of software, accommodation, legal services, telecommunication services, and services provided in relation to tangible personal property.

The Bill also provides for tax exemptions and refunds, and establishes systems for administration, enforcement and appeals.

Of particular interest to local government is the provision for designated accommodation areas, within which an additional accommodation tax of up to 2% may be levied on the purchase of accommodation. This provision is dealt with in s. 123-125 of the Bill.

in THE HOUSE

Introduced: May 8

Introduced: May 14

Introduced: May 3

From:	radamson@civicnet. bc.ca radamson@ubcm.ca	Monday, June 04, 2012 4:08:52	2 PM 🕸 🕲
Subject:	UBCM Resolutions: Submission & Debate	RECEIVED	
То:	lburch@grandforks.ca	JUN / 5 2012	
Cc:	Info City of Grand Forks	THE CORPORATION OF THE CITY OF GRAND FORKS	
Attachments:	: 2012-06-04 UBCM Resolutions-Submission and Debate.pdf		19K

Dear Lynne Burch,

Please find attached information regarding submission of resolutions to UBCM, and debate of resolutions at the UBCM Convention.

The resolution submission deadline is June 30, 2012.

This information will be of relevance to both elected officials and senior staff.

This advisory is provided through a distribution system that is maintained and monitored by UBCM. To change or update the contact information for your organization, please contact <u>radamson@ubcm.ca</u>.

FILE CODE UZ - UDEM REQUINONS; SUBMISSION & DEBATE





TO: Mayor & Council | Chair & Board | CAO & Senior Staff

FROM: Mayor/Chair Sharon Gaetz Chair, Resolutions Committee

RE: UBCM Resolutions – Submission & Debate

1. Resolutions Deadline: June 30

The UBCM resolutions deadline of June 30, 2012 is fast approaching. This deadline applies to any resolutions that were not considered at Area Association conferences.

In order for the resolution(s) to be considered at the UBCM Convention in September, please submit both a hard copy and electronic copy of your resolution(s) to UBCM prior to the deadline.

Resolutions that were endorsed at Area Association conferences have been forwarded to UBCM and will be included in the 2012 *Resolutions Book*.

Sponsors of resolutions that were considered at Area Association conferences but not endorsed may, if they wish, submit those resolutions directly to UBCM prior to June 30.

2. UBCM Can Help!

Please avoid resolutions that simply re-iterate existing UBCM policy positions. Such resolutions lengthen resolutions debate without achieving progress. If the response to a previous resolution was unsatisfactory, please contact UBCM staff for assistance with expressing this in your resolution.

Submission procedures, writing guidelines, and a sample resolution are available on the UBCM website under Resolutions & Policy > Resolutions > Resolutions Procedures.

UBCM staff are standing by to assist local government elected officials and staff with resolution format, wording, and procedures. Please contact them.

3. Timely Response to Requests for Clarification

Sponsors are encouraged to ensure that all resolutions are clearly written and accompanied by background information. When a resolution is unclear, or background information is needed, UBCM requests clarification from the sponsor.

We ask sponsors to respond to requests for clarification within two weeks of the request being made. If after two weeks there has been no response to the request for clarification, then the resolution in question will not be printed in the *Resolutions Book* and will not be considered at the UBCM Convention.

If a resolution is not included in the *Resolutions Book* for the 2012 UBCM Convention, UBCM staff will work with the sponsor to clarify the wording or background information for the resolution and ensure that the resolution is included for consideration in the 2013 resolutions process.

4. Attendance at Resolutions Sessions

Resolutions are a key part of UBCM policy-making and advocacy. You must be present to introduce and speak to your resolution(s) to ensure that UBCM will be able to represent your concerns effectively.

Check the Convention Program when you arrive at the UBCM Convention in Victoria and note the times of the resolutions sessions. Watch for last-minute schedule adjustments that may affect when your resolution reaches the floor.

Since the progress of debate is unpredictable, you may wish to designate a representative to monitor progress through the resolutions so that your local government is ready to comment on resolutions you have submitted for debate whenever they may arise.

See you at Convention!

UBCM Contact

Reiko Tagami Information & Resolutions Coordinator Email: <u>rtagami@ubcm.ca</u> Tel: 604-270-8226 ext. 115

1270/50/Members/June Reminder Memo 2012

TASK LIST FOR MEETINGS SCHEDULED FOR MAY 28 th , 2012				
ISSUE	ASSIGNED	COMPLETED		
PRIMARY COMMITTEE MEETING				
Correspondence signed by eight Mayors from British Columbia to the Provincial Government, including information regarding Stop the Violence Coalition, in support of a campaign aimed at developing and implementing cannabis-related policies that improve public health while reducing social harms, including violent crime and gang activity. Recommend to receive for discussion.				
a) RESOLVED THAT COUNCIL RECEIVES THE INFORMATION WITH REGARD TO THE CORRESPONDENCE ON "STOP THE VIOLENCE" CAMPAIGN AIMED AT DEVELOPING AND IMPLEMENTING CANNABIS-RELATED POLICIES THAT IMPROVE PUBLIC HEALTH WHILE REDUCING SOCIAL HARMS, INCLUDING CRIME AND GANG ACTIVITY	No further action required			
REGULAR MEETING OF COUNCIL				
Amendments to Past Minutes:				
a) The Mayor advised that the Regular Meeting Minutes of May 7 th , 2012, be amended to include his Mayoral power in accordance with Section 131 of the Community Charter, to bring back the issue of a defeated motion with regard to the re-allocation of entrance sign funding to go towards a branding exercise.	May 7 th Minutes to be amended	Done		
Registered Petitions & Delegations: NONE				
a)				
Unfinished Business:				
a) Corporate Officer's Report – Application for subdivision in the Agriculture Land Reserve				
At the May 7 th , 2012 Regular Meeting, Council deferred this item so that more information regarding the proposed use and intentions of the property could be provided.				
RESOLVED THAT THE STAFF REPORT DATED MAY 22 ND , 2012, REGARDING THE APPLICATION FOR SUBDIVISION IN THE AGRICULTURAL LAND RESERVE, BE RECEIVED, AND THAT COUNCIL DETERMINES TO SUPPORT THIS APPLICATION AND FURTHER DIRECTS STAFF TO ADVISE THE AGRICULTURAL LAND COMMISSION OF COUNCIL'S POSITION IN REGARDS TO THE APPLICATION TO SUBDIVIDE PROPERTY LEGALLY DESCRIBED AS LOT 2, DL 533, SDYD, PLAN KAP90660, LOCATED AT 2150 KETTLE RIVER DRIVE, AS SUBMITTED BY PROPERTY OWNERS, ALEX & SHIRLEY PEREVERZOFF.	Certified Copy of Resolution to be forwarded to ALR. Kathy/Diane	Done		
Reports, Questions & Inquiries from Members of Council:				
1. Councillor Wirischagin:				
 He advised that he has been approached by persons asking with regard to the Economic Development Advisory Committee and of the minutes to these meetings which should be made available to the public. Councillor Smith advised that the minutes could be made available at next Council meeting on June 11th, 2012 	Ec. Dev. Committee to send Minutes to City for June 11 th Agenda	In Progress		
Recommendations From Staff for Decisions:				
a) Chief Administrative Officer's Report – Request for comments on the proposal from the Ministry of Forests, Lands and Natural Resources				
Referral from the Ministry of Forests, Lands and Natural Resources requesting comments on a proposal to construct two snowmobile shelters for public use as outlined in the application as submitted by the Boundary Snowmobile Club				
RESOLVED THAT COUNCIL RECEIVES THE CHIEF ADMINISTRATIVE OFFICER'S REPORT DATED, MAY 22 ND , 2012, REGARDING A REFERRAL NOTICE RECEIVED FROM THE MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCES, WITH REGARD TO A PROPOSAL TO CONSTRUCT TWO SNOWMOBILE SHELTERS FOR PUBLIC USE IN THE GABLE AND UPPER TRAVERSE AREAS IN THE BOUNDARY AREA NORTH OF GRAND FORKS BY THE BOUNDARY SNOWMOBILE CLUB, AND THAT THE MINISTRY BE ADVISED THAT THE CITY'S INTERESTS ARE NOT IMPACTED BY THIS PROPOSAL.	Diane	Done		

	1	1 1
a) Chief Administrative Officer's Report – Green Bin Kitchen Food Waste Collection		
Expansion of the Val Mar Green Bin Kitchen Food Waste Collection Pilot Project to all Residential Garbage Collection customers in the City of Grand Forks		
MOTION:		
RESOLVED THAT COUNCIL DETERMINES TO EXPAND THE KITCHEN WASTE COLLECTION PROGRAM TO ALL OF THE CITY'S GARBAGE COLLECTION SERVICE CUSTOMERS, AND FURTHER DIRECTS STAFF TO REVIEW THE RESIDENTIAL GARBAGE COLLECTION BYLAW TO DETERMINE APPROPRIATE GARBAGE COLLECTION RATES AS WELL AS ANY ADMINISTRATIVE BYLAW CHANGES REQUIRED.	Lynne/Cecile	In Progress
Requests Arising from Correspondence:		
a)		
Summary of Information Items:		
b) Correspondence from Grand Forks International - Requesting permission to sell liquor at James Donaldson Park for the 2012 GFI Baseball Tournament. Recommend that Council approve the issuing of a special occasion liquor license.		
RESOLVED THAT COUNCIL APPROVE THE ISSUING OF A SPECIAL OCCASION LIQUOR LICENSE TO THE GRAND FORKS INTERNATIONAL FOR THE SIX DAY EVENT FROM AUGUST 29 TH TO SEPTEMBER 3, 2012, AT THE JAMES DONALDSON PARK SUBJECT TO THE GFI OBTAINING 3 RD PARTY (PARTY ALCOHOL) LIABILITY INSURANCE, NAMING THE CITY OF GRAND FORKS AS AN ADDITIONAL INSURED ON THAT POLICY FOR THE SIX DAY EVENT; ALL GFI LIQUOR PROVIDERS TO HOLD A SERVE-IT-RIGHT LICENSE CERTIFICATE; AND ICBC "DRINKING AND DRIVING" WARNING POSTERS TO BE DISPLAYED.	Diane	Done
Bylaws:		
None		
Late Items:		
QUESTIONS FROM THE PUBLIC & THE MEDIA:		

Minutes

Grand Forks Economic Development Advisory Committee Minutes

April 3, 2012

Present: Lorraine Dick, Therese Taylor, Mark Grimm, Gary Smith, Bob Kendel, Alan Cooper, Margaret Steel, Hazel Thomson, Peter Matheson, Sarah Winton

Absent: Joan Thomas

Approval of Agenda: Moved: Alan, Sec'd: Bob. Consensus

Terms of reference:

Need to be amended to include the rotating chair – alphabetically, co - representation from city (Bob and Gary).

It was agreed meetings will be moved to the 4th Tuesday of each month, starting in April 24.

Motion to approve terms of reference with amendments: Moved: Lorraine, Sec'd: Therese, Consensus

Action: Send Out terms of reference to Mark and Joan

Consensuses amongst committee to choose a few projects to move forward. The committee has a budget of \$10,000. The \$10,000 needs to be shared with the Heritage committee if necessary. These dollars are to be utilized for meetings, advertising, trade shows, marketing, travel, promotions, etc. If funding for a project is needed it needs to go to council for approval and additional funds.

Priorities for 2012

Priorities that have come from the public and Downtown businesses:

1.Branding of City

• Campground Upgrades (signage to RV sites, provide free camping night for RV-no service but encourages a stay) Perhaps marry these signage things

2. Way finding signs (be aware of consistency and uniqueness of signage) – City has budget for entry and exit signage \$60,000

- RFP out for the Branding of City of Grand Forks.
- Resolution to come forward at next council meeting. Point made by Tree for committee to have input into signs.

3. Peter is suggesting that sustainability came out in the report <u>Grand Forks: Actions for Economic</u> <u>Development</u> report – Economic Development from an Agricultural slant.

- One way is to support groups in the community to get a year round farmers market Plus (see Peter's terms of reference) create a pathway with vendors to lead people downtown
- A coordinator that is paid to get this off the ground (look for project funding)
- Proposing to hire a coordinator
- GFBRAS needs to be included in someway

4. Airport

- Wayne Copan is the new airport manager
- Make a proposal –what does the airport have to offer
- Develop a marketing plan for the airport
- Identify who can manage this kind of project (Wayne)

Haskup Berries are not a city initiative (Bob)

5. Agriculture and Liaise with area D

- Barriers to producing food in area, what are the challenges here
- Land use inventory
- Establishing relationships with Area D and rest of Boundary

6. Land Use Proposal for USCC (Table it for next meeting)

- Exhibition grounds, experimental agriculture, learning centre
- Education piece, partnership opportunities, inclusive
- Area D property
- Gary reviewed the USCC paper, will hear back from USCC in next few weeks. Once they have committed move forward.
- There needs to be a paid person. How to pay for this staff person?

Action: Gary send out USCC paper

7. Opportunity to put together a really strong proposal and submit to City Council for discussion (for staff position) tied into Peters work.

Committee needs to be aware that so far it has identified ag based projects. Business and social needs to be included. Bringing together multi agency projects. For example Peters plan and USCC plan does this.

Motion: \$60,000 be divided; \$30,000 for city branding (and collateral identified like sign design) and \$30,000 for construction/fabrication of sign Moved: Margaret, Sec'd: Lorraine - consensus

Motion: form a subcommittee/stakeholders group to develop and flesh out a more detailed plan for year round market. Moved: Peter, Sec'd: Lorraine – consensus

Action: to be available at next meeting

Motion: to develop a marketing plan for the airport Moved: Bob, Sec'd: Margaret, consensus

Action: present action plan at next meeting

Motion: recommend that city support a Land Use Inventory (in some capacity). Moved: Lorraine, Sec'd: Tree, consensus

Google group – edac

Next chair: Margaret

Next meeting 24th of April

Motion to adjourn: Mark, consensus

Adjourn 8pm

EDAC

Minutes

April 24, 2012

Present: Gary, Bob, Lorraine, Sarah, Mark, Margaret, Peter, Tree, Allen

Absent: Joan, Hazel Additions to agenda:

New business: Lorraine's new ideas, Process for taking EDAC motions to council

Approval of agenda:

Moved: Mark, sec'd: Peter, consensus

Approval of minutes:

Moved: Allen, sec'd; Mark, consensus

Business arising from minutes:

Land Use proposal for USCC: as of right now no formal reply from USCC. JJ Verigan was asked to have a meeting with Bob who would like to clarify USCC thoughts. USCC did not discuss the proposal put forth by the city at their last meeting but the intention is that it will be brought to the next meeting. Bob is unsure of the process that USCC goes through to approve any projects. Suggestion that Bob ask to be added to the agenda to speak at the next USCC meeting.

EDAC would like an idea of the potential for this project to move forward and feels next steps would be to have a feasibility study done. There may be funding through Columbia Basin Trust (CBT) and Selkirk College and their Rural Development Institute (RDI), as there is interest from them in funding agricultural projects.

City Branding/signage: Bob did not vote in support of utilizing 30k for the branding of Grand Forks which the EDAC had passed a motion on. This raises a process question for the EDAC.

What is the process around taking information to council, how is it presented and who makes the decisions. Gary clarified that once decisions are made at the EDAC table council liaisons (Gary and Bob) need to follow through and take the information back to council as moved by the EDAC.

Discussion around branding included the process heard at KBLG and how important the process of branding is.

- It identifies the community to the rest of the world
- you get what you pay for,

- important to do due diligence a when hiring a consultant
- branding isn't a logo or tag line, it is other people's interpretation and/or personality of your community

It is important that there is some community consultation and that BEDC has already done the work, it would be worth taping into. The committee feels it is important that EDAC members attend council when a motion made by the committee is presented to council by Bob or Gary.

Sarah to send out brand book to EDAC committee.

Gary looking into potential funding.

Cost for branding process could be high, may be able to reduce the cost if we utilize current material.

Discussion around members of EADC participating in branding process and then responding to RFP.

Is there enough information for Bob and Gary to recommend council set aside 30k for branding. This needs to be presented to council. Bob and Gary feel they can bring this to council, but would like EDAC members present to answer any questions. Peter and Tree agreed to attend.

For the development if the RFP for branding Tree recommends that in the sake of saving money we build on what is already developed (by the BEDC for regional branding).

The branding initiative will be taken to Council on May 7, 2012 at 7pm.

Farmers Market Plus: Peter took the information available and developed a campaign. The subcommittee agreed that what was being taken to council was (a funded person), but should be presented to the council as a project. The initiative needs to be inclusive of downtown businesses. Peter would like to see the subcommittee meet with first the EDAC committee and then council. To figure out if this is reasonably possible.

Gary feels that if a good enough report is prepared for the EDAC and they would recommend it to council.

The EDAC requested names of the subcommittee members. The idea was to develop a year round market,

Peter would like to see a commitment for this project from council before it moves forward and feels it needs to be determined whether council has the dollars to support this initiative. Discussion around whether there are more focused ways to access money such as requesting funds for next year (this is unclear). In order to get a lump sum of cash we need to either go through budget process or look at legacy projects. What is a legacy project? Bob call Lynn/Brian and ask.

Identify revenue sources including city (slag fund) and other (CBT RDI). Gary will gather information from Terri McDonald at Selkirk around RDI opportunity.

Deferring this conversation until next month.

Marketing the AIRPORT: Bob and Cher have organized a meeting to discuss this project. Gary spoke with James Traynor who has a marketing plan for the airport. They shared a couple of ideas to help market the airport such as a fly in and car show. Approximately 90k per year is spent to operate the airport. Gary will circulate report shortly.

New business:

Lorraine feels the committee has been too narrow in its focus. Would like to see more ideas and potential projects that community groups could pick up and work on. i.e. food charter, summits and events, signage etc.

Process for committee decisions to be brought forward to council: Minutes approved through email then provided to council as a report. Then Gary submits minutes to council and puts forth any motions at the council meeting.

Motion: EDAC Minutes will be approved electronically. Moved: Gary, sec'd: Tree consensus

Peter will need a call letting him know minutes are ready. Sarah can do this.

All decisions financial or otherwise are made by the committee through consensus

Next Chair: Teresa

Date for next meeting: May 22, 2012. 6pm

Motion to adjourn: Bob,



LATE ITEM JUNE 11/12

June 7, 2012

File: 0360-20.A7

Mayor Taylor and Council City of Grand Forks PO Box 220 Grand Forks, BC V0H 1H0

Dear Mayor Taylor and Council,

Re: WestJet Service to West Kootenay

As you may be aware, WestJet has decided to establish regional flight services throughout Canada. They expect to begin their regional service in late 2013. Currently WestJet is evaluating future regional service destinations. WestJet has invited representatives from the West Kootenay Regional Airport to meet with company officials in Calgary June 27 and June 28. Our representatives will be presenting a business case to WestJet for serving the West Kootenay region.

We believe strongly that additional air service to the West Kootenay region by a national airline will increase our region's attractiveness for economic development and greatly benefit all of our residents and businesses. We are therefore asking for your support of a WestJet service to the West Kootenay region.

We hope you will be able to support WestJet coming to the West Kootenay region and look forward to hearing back from you at your earliest convenience.

Sincerely

Lawrence D. Chernoff Chair, West Kootenay Regional Airport Advisory Committee

WEST KOOTERAY REGIONAL AIRPORT

132 Hall Road, Suite 130, Castlegar, B.C. V1N 4M5 Риоле 250.365.5151 Fax 250.365.5949

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