



DEVELOPMENT and PLANNING SERVICES COMMITTEE

Tuesday, April 22, 2014

City of Salmon Arm

Council Chamber

City Hall, 500 - 2 Avenue NE

8:00 a.m.

Page #	Section	Item#	
1 - 2	1.	<u>CALL TO ORDER</u>	
	2.	<u>DECLARATION OF INTEREST</u>	
	3.	<u>PRESENTATIONS</u>	
3 - 10	9:00 a.m.	3.1	Columbia Shuswap Regional District – Policy F-16 “All Electoral Area Community Works Fund – Waste Reduction” Overview – presentation by Ben Van Nostrand, B.Sc., P.Ag., ASCT., Waste Management Co-ordinator, Operations Management
	4.	<u>REPORTS</u>	
11 - 24		4.1	VP-395 – A. & W. Gage, 4051 Lakeshore Road NE – Servicing
25 - 38		4.2	ZON-1004 – K. Chancellor, 860 – 9 Avenue NE – R-1 to R-8
39 - 76		4.3	Industrial Revitalization Tax Exemption Program – Official Community Plan Amendment Bylaw No. 4006, Industrial Revitalization Tax Exemption Bylaw No. 4020 and Financial Plan Amendment Bylaw No. 4036
77 - 88		4.4	Local General Elections – Bylaw Revision – Mail Ballot Voting
	5.	<u>IN CAMERA</u>	
		n/a	
	6.	<u>LATE ITEMS</u>	
		n/a	
	7.	<u>ADJOURNMENT</u>	

<http://www.salmonarm.ca/agendacenter>

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ELECTORAL AREAS

A- GOLDEN-COLUMBIA
B- REVELSTOKE-COLUMBIA
C- SOUTH SHUSWAP
D- FALKLAND-SALMON VALLEY
E- SICAMOUS-MALAKWA
F- NORTH SHUSWAP-SEYMOUR ARM

MUNICIPALITIES

GOLDEN
REVELSTOKE

SALMON ARM
SICAMOUS

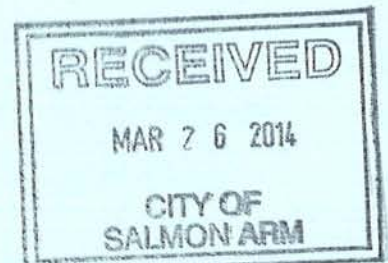


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WEBSITE: www.csrd.bc.ca

March 19, 2014

FILE: 5360 01

Carl Bannister
Chief Administrative Officer
City of Salmon Arm
Box 40, 500 - 2nd Avenue NE
SALMON ARM BC V1E 4N2



RE: Policy F-16 "All Electoral Area Community Works Fund - Waste Reduction" Overview

The purpose of this letter is to provide staff and council at the City of Salmon Arm background information related to the proposed Policy F-16 "All Electoral Area Community Works Fund - Waste Reduction". In an effort to answer anticipated questions that staff/council may have, staff at the Columbia Shuswap Regional District (CSRD) have prepared the following Question & Answers:

1) What is the purpose of Waste Reduction Policy F-16?

The proposed Policy was developed as a result of direction received from the Electoral Area Directors, who requested that staff approach CSRD member municipalities (Golden, Revelstoke, Sicamous and Salmon Arm) for contributions towards projects funded from the CSRD's 10% allocation of the All Electoral Areas Community Works Fund.

2) What is the 10% portion of the All Electoral Areas Community Works Fund?

This is a fund whereby 10% of the CSRD Community Works Fund monies are allocated into a fund for projects that will benefit all of the electoral areas in the region.

3) Why does the CSRD want member municipalities to contribute funds toward projects?

Solid waste and waste reduction projects provide benefit to all the electoral areas as well as the member municipalities. Contributions from the 10% Electoral Area Community Works Fund will reduce the tax burdens and user fees to all contributors to these programs and municipalities are invited to take part in funding these projects.

4) How much is a Municipality responsible for contributing?

The Policy proposes that all four member municipalities contribute a total of 10% of the project cost proportioned by assessment, while the remaining 90% of the cost will be funded from the CSRD's All Electoral Areas Community Works Fund.

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5) What's the benefit of supporting Policy F-16?

Based on assessed value, municipal funding through this proposed strategy is 5x more cost effective to municipalities rather than funding through taxation.

6) Does the Municipality have to use Community Works Fund money to support Policy F-16?

It is understood that municipal governments have oversubscribed projects to be funded through their Community Works Fund allotments. CSRD staff is open to propose a modified Policy for member municipalities to consider other funding methods.

7) How does the Municipality provide input into the selection of a project?

Projects put forward will be the result of priorities set by CSRD staff, in order to meet the Solid Waste Management Plan directives, and will be vetted through the Solid Waste Management Plan Monitoring Advisory Committee (PMAC). The PMAC is made up of representatives from the public, staff from member municipalities and industry leaders.

8) How many projects will be funded annually?

Policy F-16 sets an annual limit of \$200,000. However, if there are no projects scheduled that meet the criteria of the Policy, then no requests will be made. In addition, each project will advance only after receiving Board support through the annual budget process.

9) Can the member municipality opt out?

Yes, should a member municipality choose to opt out then a resolution to dissolve the policy would be brought forward by staff. It should also be noted that Area Directors may choose to eliminate the 10% portion of the All Electoral Areas Community Works Fund.

I will be happy to answer further questions or provide additional information as requested.

Sincerely,



Ben Van Nostrand
Waste Management Coordinator

/gn



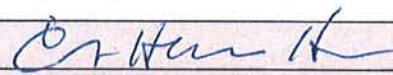
BOARD REPORT

TO: Chair and Directors **File No:** 5360 01

FROM: Gary Holte, Manager
Environment & Engineering Services **Date:** November 20, 2013

SUBJECT: All Electoral Areas Community Works Fund – Waste Reduction

RECOMMENDATION THAT:
the Board approve Policy No. F-16 "All Electoral Area Community Works Fund - Waste Reduction" in principle and forward to the Member Municipalities of Salmon Arm, Sicamous, Revelstoke and Golden for comment.

APPROVED for Board Consideration:	
Meeting Date: December 6, 2013	Charles Hamilton, CAO

SHORT SUMMARY:

The Solid Waste Management function in the CSR is a regional program, supported through a combination of tipping fees (residual management) and taxation (waste reduction). In an effort to reduce taxation, a policy has been drafted for consideration under provisions of the "All Electoral Areas Community Works Fund Portion (10%)" Allocation, in order to fund waste reduction projects that meet the expenditure criteria. The Electoral Area Directors (EAD) would like to see contributions from the Community Works Funds (CWF) of the four Member Municipalities for these types of region wide waste reduction programs. The proposed policy provides a consistent funding approach for the Electoral Areas, as well as the Member Municipalities to contribute to region wide waste reduction projects through the CWF.

VOTING:	Unweighted Corporate <input type="checkbox"/>	Weighted Corporate <input checked="" type="checkbox"/>	Stakeholder <input type="checkbox"/> (Weighted)
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BACKGROUND:

Several waste reduction projects have been previously supported through the CWF. The EAD have also acknowledged that Policy F-16 "All Electoral Areas Community Works Fund - Waste Reduction" does not include contributions from the Member Municipalities. At the November 2013 EAD meeting, as a result of staff requesting an \$80,000 contribution from the CWF to cover costs associated with the review of the Regional Solid Waste Management Plan, the EAD directed staff to contact the Member Municipalities and request financial support through a partnership model in the use of their Community Works Funds.

In an effort to create a consistent approach to fund such regional projects, a policy which ensures that both the EAD and the Member Municipalities have a fair mechanism in place to fund future region-wide waste reduction projects was drafted.

POLICY:

Draft Policy No. F-16 "All Electoral Area Community Works Fund - Waste Reduction" is attached.

FINANCIAL:

For eligible waste reduction projects, the Electoral Areas and the Member Municipalities will contribute the following percentages from their respective CWF:

- Electoral Area: 90%
- Member Municipalities: 10%

The 10% contribution from the Member Municipalities will be shared based on the total assessed value of land and improvements in each municipality.

The following table identifies the financial impacts to the respective CWF compared with taxation, for an eligible project with a total value of \$100,000:

	<u>Salmon Arm</u>	<u>Sicamous</u>	<u>Revelstoke</u>	<u>Golden</u>
Option 1 - CWF	\$4,916	\$1,289	\$2,533	\$1,263
Option 2 - Taxation	\$25,464	\$6,681	\$13,119	\$6,539

IMPLEMENTATION:

It is anticipated that the Member Municipalities would consider the request and provide comments/consent before the January 2014 Board meeting.

LIST NAME OF REPORT(S) / DOCUMENT(S):

1. Policy No. F-16 "All Electoral Areas Community Works Fund - Waste Reduction"	Attached to Agenda Summary: <input checked="" type="checkbox"/>	Available from Staff: <input type="checkbox"/>
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BOARD'S OPTIONS:

1. *Endorse the Recommendation*
2. *Deny the Recommendation*
3. *Defer*
4. *Any other action deemed appropriate by the Board*

COMMUNICATIONS:

Upon approval of the Board, letters will be sent to the Member Municipalities requesting comments.

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Deputy Manager
Environment & Engineering Services	Nov. 22 2013	
Finance & Information Technology Services	Nov 22 / 13	

All Electoral Areas Community Works Fund - Waste Reduction

Preamble

The Solid Waste Management Program of the CSRD is a region-wide program, funded by tipping fees and taxation, which includes four member municipalities and six electoral areas.

In order to reduce the tax burden on property owners for waste reduction initiatives, the Regional District is prepared to utilize its 10% portion of the All Electoral Areas Community Works Fund allocation, for projects or initiatives that meet the criteria for utilization of the Community Works Fund, on the basis that the four member municipalities will also contribute a share of their Community Works Fund.

Policy

In accordance with Policy No. F-3 "Electoral Area Community Works Fund – Expenditure of Monies", the Electoral Area Directors must first approve any expenditure from the All Electoral Areas Community Works Fund 10% allocation, followed by ratification from the CSRD Board of Directors. In the event that a waste reduction project or initiative is to be funded from the All Electoral Areas Community Works Fund 10% allocation, the Regional District and the four Member Municipalities will contribute from their respective Community Works Funds as follows:

- Electoral Area 90%
- Member Municipalities 10%

The 10% contribution from the four Member Municipalities will be shared based on the total assessed value of land and improvements of each municipality.

Upon approval of the waste reduction project or initiative by the CSRD Board of Directors, the Regional District will forward a notice to each member municipality in order to confirm their contribution amount from the member municipality's Community Works Fund. In the event that a member municipality has expended all of its Community Works Funds at that time, the member municipality will forward its share when it receives its next installment.

The maximum total aggregate value of waste reduction projects or initiatives to be funded as per this policy from the Community Works Fund in any calendar year is \$200,000.

JANUARY 2014



BOARD REPORT

TO: Chair and Directors

FROM: Ben Van Nostrand
Waste Management Coordinator

File No: 5360 01

Date: February 6, 2014

SUBJECT: Policy No. F-16 "All Electoral Areas Community Works Fund - Waste Reduction".

RECOMMENDATION: THAT:
Board direction be sought in view of comments received from the Member Municipalities and the content of this report.

APPROVED for Board Consideration:

Meeting Date: February 20, 2014

Charles Hamilton
Charles Hamilton, CAO

SHORT SUMMARY:

At the December 2013 regular Board meeting, the Board approved proposed Policy F-16 "All Electoral Area Community Works Fund - Waste Reduction" in principle, which indicated that waste reduction projects approved for funding from the All Electoral Areas Community Works Fund 10% Allocation would require that the four Member Municipalities also contribute a token amount of funding from their respective Community Works Funds. The proposed Policy was forwarded to the Member Municipalities for comment.

VOTING: Unweighted Corporate ☐ Weighted Corporate ☐ Stakeholder ☐
(Weighted)

BACKGROUND:

Based on feedback and direction received at the November 2013 Electoral Area Directors meeting, staff drafted a policy which proposed a process to ensure that both the EAD and the Member Municipalities would have a fair mechanism in place to fund future region-wide waste reduction projects.

The proposed Policy was approved in principle by the CSRD Board and was distributed to the Member Municipalities of Salmon Arm, Sicamous, Revelstoke and Golden for comment. As of February 6, 2014 staff has received the following comments:

City of Salmon Arm	No	The proposed Policy was considered at the City of Salmon Arm's January 13, 2014 regular Council meeting and a resolution was unanimously passed that the City is not supportive of Policy No. F-16 because it does not wish to contribute a portion of its Community Works Fund for waste reduction projects at this time.
City of Revelstoke	Yes	The proposed Policy was considered by the City of Revelstoke at the January 14, 2014 regular Council Meeting and a resolution was passed to write a letter to the CSRD in support of the proposed Policy No. F-16.

Town of Golden	Yes	The proposed Policy was considered by the Town of Golden at its January 14, 2014 regular Council meeting where Council directed staff to notify the CSRD that Golden will contribute towards eligible region-wide waste reduction projects from its Community Works Fund up to the limits defined by the Policy.
District of Sicamous		At the time of preparing this report, feedback from the District of Sicamous has not yet been received. A verbal update will be provided at the Board meeting.

Staff is seeking direction from the Board on how to proceed with the draft policy considering at least one Member Municipality is not supportive of the Policy.

POLICY:

In an effort to reduce the burden on existing solid waste reserve funds, tipping fees and/or tax requisitions, it was recommended by staff that the All Electoral Area Community Works Fund Portion (10%) Allocation be utilized towards future eligible region-wide waste reduction initiatives. The Electoral Area Directors were supportive of utilizing up to 90% of the 10% allocation to fund region-wide waste initiatives, if the four Member Municipalities agreed to cost share the remaining 10%, given that waste reduction is a region-wide function which benefits the entire Regional District.

FINANCIAL:

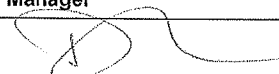
While developing the proposed Policy, a funding mechanism was created in order to fund regional waste reduction projects through minimized impacts to existing solid waste and recycling budgets. This effectively would lower taxes and minimize future user fee increases at landfills and transfer stations.

The following example of a \$100,000 project was used to demonstrate how the proposed Policy would impact municipal budgets:

	Salmon Arm	Sicamous	Revelstoke	Golden
Community Works Fund Portion	\$4,916	\$1,289	\$2,533	\$1,263
Taxation	\$25,464	\$6,681	\$13,119	\$6,539

BOARD'S OPTIONS:

1. *Direct staff to revise the proposed Policy.*
2. *Return the proposed Policy to the next EAD's meeting for further discussion.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

REVIEWED BY:	Date Signed Off (MO/DD/YR)	Approval Signature of Reviewing Manager or Deputy Manager
Operations Management	Feb 7/2014	

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Development Services Department Memorandum

To: Her Worship Mayor Cooper and Members of Council

Date: April 14, 2014

Subject: Development Variance Permit Application No. 395

Legal: Lot B, Section 25, Township 20, Range 10, W6M, KDYD, Plan 16426
Civic: 4051 Lakeshore Road NE
Owner/Applicant: Anita and Warren Gage

Hearing - Apr. 28 / 14

MOTION FOR CONSIDERATION

THAT: Development Variance Permit No. 395 be authorized for issuance for Lot B, Section 25, Township 20, Range 10, W6M, KDYD, Plan 16426 (4051 Lakeshore Road NE) to vary the provisions of Subdivision and Development Servicing Bylaw No. 3596 as follows:

- 1. Section 4.2 – waive the requirement for connection to the municipal sanitary sewer system; and**
- 2. Section 4.5 - waive the requirement for extensions to the municipal sanitary sewer system.**

STAFF RECOMMENDATION

THAT: The motion for consideration be defeated;

AND FURTHER THAT: should Council waive the requirements to extend the City's sanitary sewer main and provide a connection thereto, that the following be required as conditions to be met, by the owner/applicant and to the satisfaction of the City, prior to issuance of Development Variance Permit VP-395:

1. A 50% cash contribution for the estimated construction cost - based on a Class D estimate to be prepared by a professional engineer - of extending the municipal sanitary sewer main along the subject property frontage;
2. A Category C (Landslide Assessment) geotechnical report prepared by a professional engineer that specifically addresses the cumulative effect of ground disposal of treated sewage on the stability of the bank, storm water management, and further confirms the land may be used safely for the use intended both onsite and relative to adjacent properties; and
3. Registration of Section 219 *Land Title Act* covenant(s) registered on title ensuring compliance with the geotechnical assessment, saving the city harmless from any liability or damages that may arise in the future, and prohibiting any subdivision or further development beyond a single family dwelling and detached suite until such time that the City's sanitary sewer system is extend along the entire frontage of the subject property complete with service connections.

PROPOSAL

The subject property is located at 4051 Lakeshore Road NE south of the Raven subdivision (Appendix 1). The owners are intending to redevelop the 0.7 hectare (1.75 acre) site with construction of a new single-family dwelling and a detached suite, subject to rezoning, and have requested a variance to the Subdivision and Development Servicing Bylaw requirements for extension and connection to the municipal sanitary sewer system.

BACKGROUND

The subject property previously contained a single family dwelling and an accessory building (visible in the aerial image in Appendix 1). The previous single family dwelling has since been demolished under permit by the applicant and would have been served by a septic system.

The subject property falls under several policy areas of the Official Community Plan (OCP): it is 1) within the Urban Containment Boundary, specifically as Residential Development Area C; 2) designated Low Density Residential; and 3) designated Potential Hazard Area as the lot has steep slopes exceeding 30%. While the lot is presently zoned R-1 (Single Family Residential), the applicants have applied to rezone to R-8 to permit the use and development of a single-family dwelling and detached suite (file ZON-1003). The applicant is having a septic system design completed to accommodate the proposed two dwellings.

Of the City's three Urban Residential Areas (A, B, and C), Area C is identified in the OCP as the lowest priority area for the City in terms of public expenditures for capital improvements, including road upgrades and the extension/upgrades of municipal utilities. As this area between the Appleyard and Raven subdivisions is not serviced by a municipal sanitary sewer system (Appendix 2) and has topographic limitations, it remains to have limited development potential until the sanitary sewer system is extended at the time of subdivision or development.

Several properties in this area have been granted servicing variances over the past 10 years, including the adjacent lot to the north. Some have covenants restricting subdivision until municipal services are available. The most recent sanitary sewer servicing variances approved have included the requirement of a cash contribution towards the future construction of the sanitary sewer, which is discussed later in this memorandum in more detail.

As described in the attached correspondence (Appendices 4 and 5), the local topography presents various site-specific challenges, and extending the municipal sanitary sewer main from its nearest present terminus 250 m to the north on Lakeshore Road would be costly. The high costs associated with the sanitary sewer main extension is recognized by staff, and there is more discussion on potential costs later in this memorandum.

In reviewing this application, staff referred to relevant OCP policies, the requirements of the Subdivision and Development Servicing (SDS) Bylaw, the way previous variance applications were addressed, and the site circumstances of the subject property.

Relevant OCP Policies

Official Community Plan - Section 5.0 – Environment

OCP Environmental Policy 5.3.9 states that the City will work to reduce the effects of non-point source pollution. While septic systems can be an effective sewage treatment option when designed, installed, and maintained properly, lack of maintenance and system failures can lead to non-point source pollution. Furthermore, the fact that the City has no responsibility to maintain and repair a failed system or to remediate the surrounding environment could be at odds with public perception and expectations. This is why, at least in the Urban Containment Boundary, onsite and community septic systems are not supported by the OCP.

The proposed detached suite represents a minor increase in allowable density. It is the understanding of staff, based on the description in the attached Professional Engineer's Letter, that the owner/applicant is having a septic design completed that will accommodate two dwellings. The onus is on the

owner/applicant and their consultant to ensure that the design of the septic system conforms to the standards of the Interior Health Authority and meets any relevant sewerage regulations, as well as to maintain such a system as long as it is installed.

Official Community Plan - Section 6 - Potential Hazard Areas

The subject property is designated as a Potential Hazard Area (steep slopes) under Section 6 of the OCP, and is in relative close proximity to a known slide area in the Raven subdivision. As noted by the Engineering Department, ground dispersal of storm water and septic effluent may contribute to instability. This is a concern for staff. It is the understanding of staff that the owner/applicant has commissioned a Category C – Landslide Assessment geotechnical report to guide the proposed development, which would be required prior to development regardless of the variance.

Official Community Plan - Section 8 – Urban Residential

OCP Residential Siting Policy 8.3.19 states that low density residential developments within the Urban Containment Boundary should be capable of being serviced with municipal utilities in accordance with City standards and specifications. This statement can be interpreted in a number of ways but the intent is that, prior to a development plan in the urban area, an owner/applicant should be prepared to connect to the City's water, sanitary and storm sewer systems.

Policy 8.3.25 of the OCP provides for the consideration of detached suites in Low Density Residential designated area. Application ZON-1003 details considerations regarding the proposed rezoning of the subject property from R-1 to R-8 to permit a detached suite.

SDS Bylaw Requirements and System Gaps

Unless exempted under limited circumstances, extending City utilities (water, sanitary and storm sewers) to the furthest extent of a property's frontage and connecting to each is required for subdivisions and developments in the Urban Containment Boundary.

The purpose behind these servicing requirements is to ensure that properties under subdivision or development are connected to the municipal systems for all the reasons cited in relevant the OCP policies, and equally, to ensure that each system (water, sanitary and storm sewers) is extended to the boundary of an adjacent property, thus mitigating gaps in the systems. The larger the gap, the more expectation there is that the City should either take on the works and services to facilitate development, or allow for a reduction in standards.

Broadly speaking, the large 920 m gap in the sanitary sewer system existing today north of the Appleyard subdivision (shown in Appendix 2) is a result of the historic approvals of the Raven subdivision during the 1970/80s. Although a well regarded neighbourhood, Raven represents the type of 'leap frog' subdivision and development pattern that is discouraged by today's OCP.

For the subject property and development proposal for two residential units, the 250 m sanitary system extension required by bylaw shown in Appendix 3 is a significant challenge to overcome from an engineering technical perspective due to the terrain and the associated costs of extending. If the sanitary sewer variance was not granted to the adjacent property to the north (4211 Lakeshore Road) in 2005, the outcome could have been any of the following:

- 1) The sanitary sewer system would have been extended along Lakeshore Road to the extent of the northeast corner of the subject property; or
- 2) The owner/applicant of 4211 Lakeshore Road at that time would have provided a 50% cash contribution for a future extension of this main, which did occur, but only for an amount equal to the small frontage of 4251 Lakeshore Road NE; or
- 3) That adjacent subdivision may not have proceeded.

The ideal scenario for the owner/applicant of the subject property (4051 Lakeshore Road) today would have been outcome 1.

COMMENTSInterior Health

No objections to this variance. Comments attached as Appendix 6.

Engineering Department

Comments attached as Appendix 7. Recommend that the variance requested not be approved.

Building Department

Onsite sewage disposal to be designed by registered wastewater practitioner and reviewed by a geotech for steep slope drainage concerns.

Fire Department

No concerns.

Planning Department

Remaining consistent with previous and similar sanitary sewer variance applications in this area (VP-163, VP-243 and VP-323) staff does not recommend approval of this application, with the main reasons being:

- The proposal is contrary to policies of the OCP;
- Approval of this variance, particularly without any cash contribution, may lead to similar expectations by other land owners along Lakeshore Road;
- Located in Residential Development Area C, there are no plans for the City to extend the system in the foreseeable future; and
- The subject property is within an area where there is potential for land slippage. Even if a positive geotechnical report is provided, concerns remain with onsite septic systems in the Urban Containment Boundary.

OPTION

Staff understands that the full cost implications with extending the sanitary sewer main could make development of two units on the subject property financially challenging, if not unfeasible. What is being proposed are two dwelling units utilizing an onsite septic system; not a multi-lot subdivision where servicing costs could be distributed over a number of new properties.

If a safe use and development can be proven by a geotechnical engineer, and if Council wishes to approve a variance, it is recommended that there be consistency with past approvals for the previous applications noted above. With those applications, the three different owners either partially extended the sanitary sewer main, or did not extend the main and instead provided a 50% cash contribution, or the approval was subject to on a combination of a partial extension and a cash contribution.

Ballpark estimates by staff anticipate this 50% cash contribution figure to be in the range of \$20,000 ($\$600 \times 68 \text{ m of frontage} \times 0.5$). An additional \$200 / m is being considered because of the challenging topography and the likely need for blasting. Given the uncertainties there is a need for a consulting civil engineer to complete a more accurate estimate. The previous variance applications noted above were subject to the condition of 50% cash contributions in the amounts of \$17,500, \$25,000, and \$28,200 for servicing improvements.

Should Council approve this variance, it is recommended that the following conditions be applied:

1. A 50% cash contribution for the estimated construction cost (based on a Class D estimate to be prepared by a professional engineer) of extending the municipal sanitary sewer main along the subject property frontage.
2. A Category C (Landslide Assessment) geotechnical report prepared by a professional engineer that specifically addresses the cumulative effect of ground disposal of treated sewage on the stability of the bank, storm water management, and further confirms the land may be used safely for the use intended both onsite and relative to adjacent properties.
3. Registration of Section 219 *Land Title Act* covenant(s) registered on title ensuring compliance with the geotechnical assessment, saving the city harmless from any liability or damages that may arise in the future, and prohibiting any subdivision or further development beyond a single family dwelling and detached suite until such time that the City's sanitary sewer system is extend along the entire frontage of the subject property complete with service connections.



Chris Larson, MCP
Planning and Development Officer



Kevin Pearson, MCIP, RPP
Director of Development Services

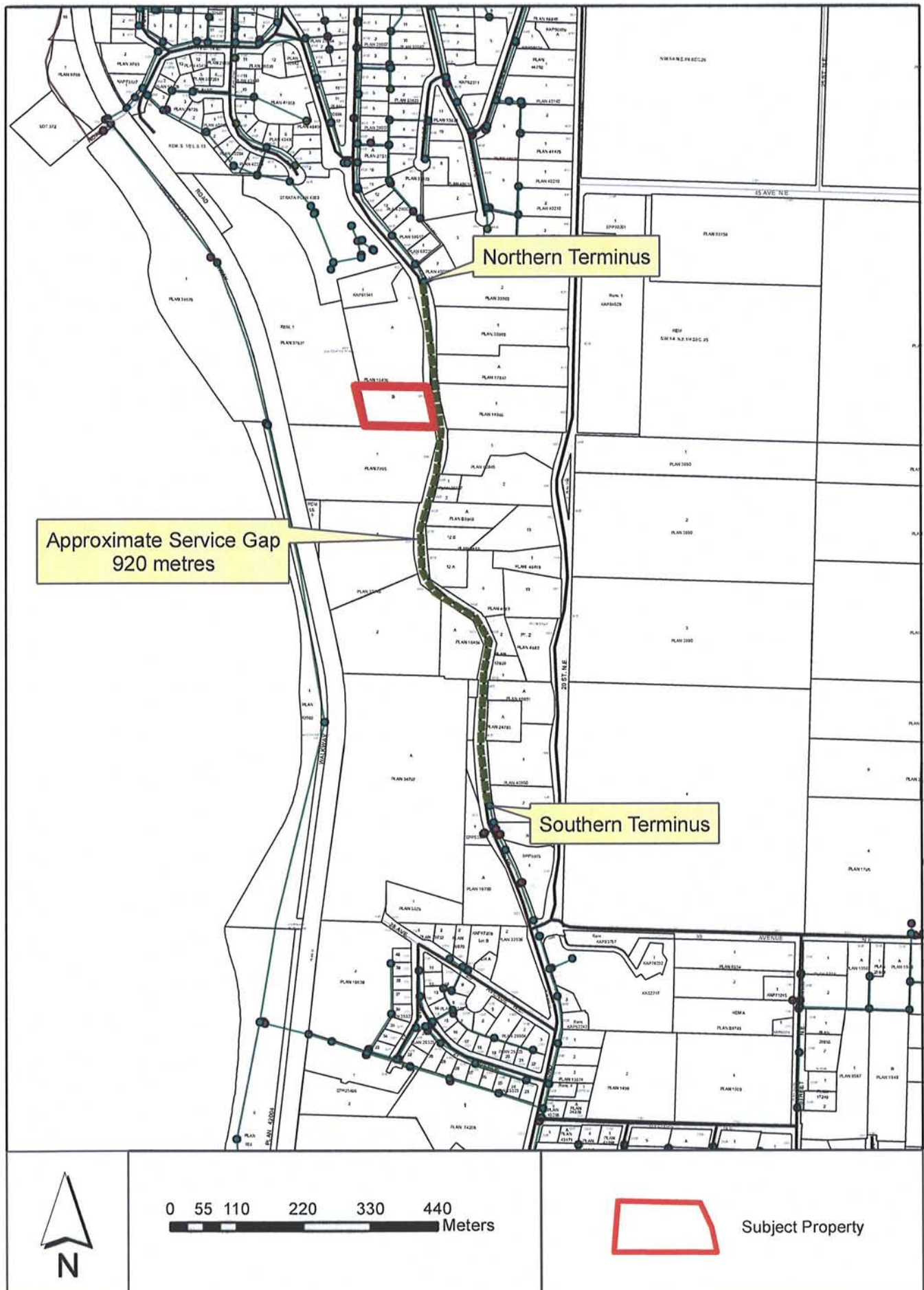


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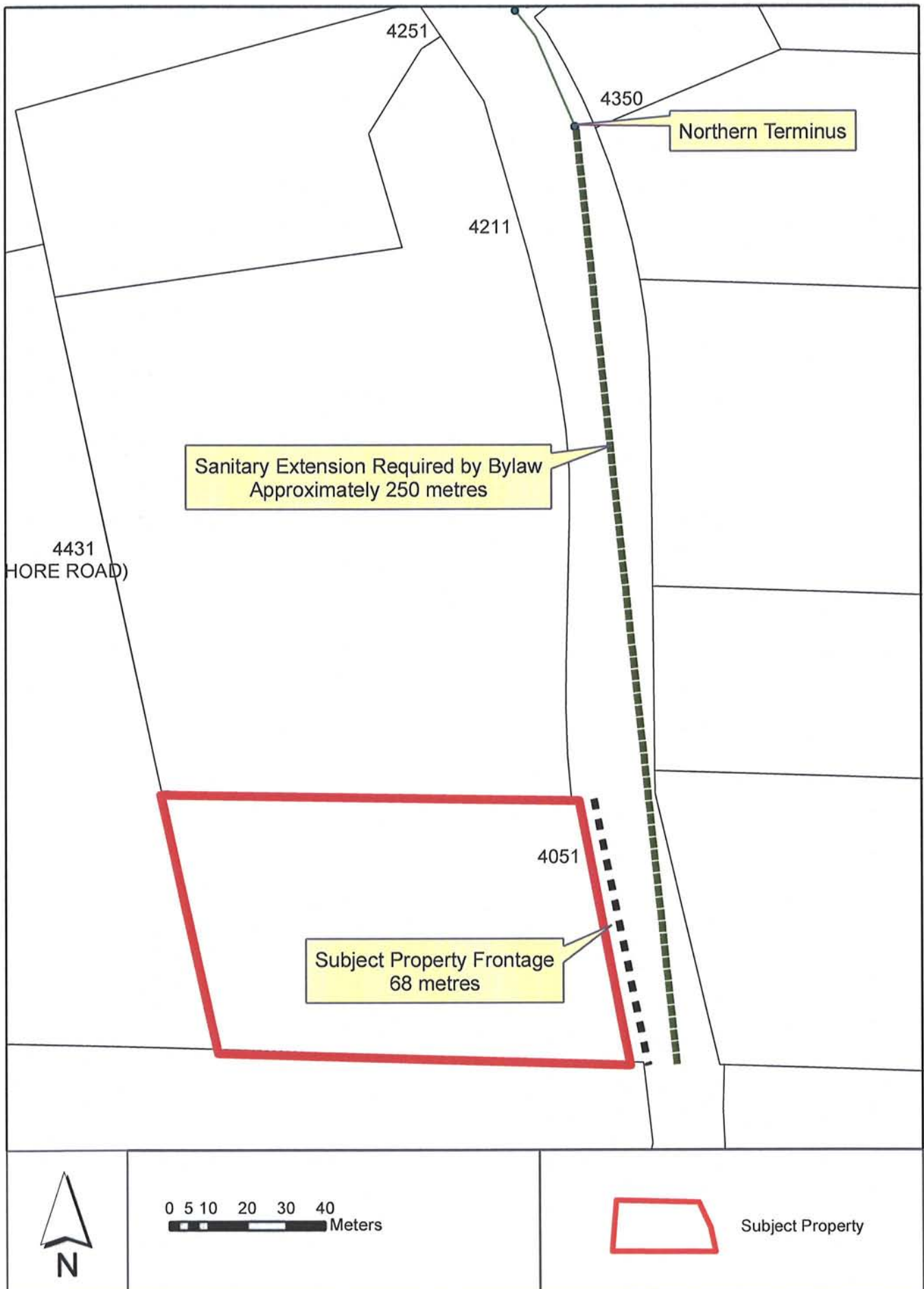


Subject Property

Appendix 2: Existing Sanitary Sewer System - Context



Appendix 3: Existing Sanitary Sewer System - Detail



Variance Permit Application for Sanitary Sewer Main Extension and Connection

February 20, 2014

City of Salmon Arm
Mayor Nancy Cooper and Salmon Arm Councillors

Warren and Anita Gage
4051 Lakeshore Rd NE
Salmon Arm, BC, V1E 4P7
Cell (250) 803-1782
Work (250) 803-0224

Dear Mayor Cooper and Salmon Arm Councillors,

I am writing this letter to accompany our application for a variance permit requesting the city not force us to extend the sanitary sewer main from the Raven subdivision to our property at 4051 Lakeshore Rd NE.

The current termination of the sewer main at the Raven subdivision is approximately 500 feet North from our property on Lakeshore Road. We have researched what would be involved in such a project and I wanted to write this letter to outline some of the challenges and high costs we would encounter undertaking this extension.

Geotechnical assessment of the East roadside of Lakeshore Rd in the area in question shows that it contains large stretches of solid bedrock which could possibly require blasting (unsure if this even could occur due to proximity of gas and water lines), and/or hammer drilling. If the soil/rock conditions do not make it feasible to run the line to the side of the existing roadway then excavation and re-construction/paving of Lakeshore Rd would also be required over this distance.

Once the line was run far enough South, piping would also be required to pass under Lakeshore road as the current sewer main is on the East side of the road while our property is located on the West side. This would also a logistical challenge in that we would have to excavate a trench across Lakeshore road and would require closing Lakeshore road and paying for adequate signage and traffic control during construction. Next there would then be the expense of engineering, back-filling, and paving of the road to return it its original condition. The existing gas and water services running under Lakeshore Rd would most likely have to be temporarily shut off while excavating under or above them.

As you are most likely aware we are also in the process of rezoning our property from R1 to R8 in order to construct a carriage house with suite on the property. I have employed Jeff Oland to engineer a septic system that will accommodate the carriage house as well as the main residence. Due to the soil conditions on the property we will be installing an Eco-Flow biofilter system which very effectively filters the effluent water after it leaves the 2-stage septic tank, resulting in a very clean final discharge of waste water. Permitting an efficient septic system on our property would also allow us to use gravity to transfer waste water to our proposed septic system rather than pumping up from our home to

Lakeshore Rd above.

It is our sincere hope that council will carefully consider and approve this variance permit application. If this variance is not passed, the costs of extending the sanitary sewer main would cause us to be unable to afford to construct a home on this property, and we would subsequently face serious financial hardship owning a lot that then could not be developed or sold.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren and Anita Gage", written in a cursive style.

Warren and Anita Gage



March 25, 2014

City of Salmon Arm - Mayor Nancy Cooper and Salmon Arm Councillors

RE: Warren and Anita Gage
4051 Lakeshore Rd NE
Salmon Arm, BC, V1E 4P7

Dear Mayor Cooper and Salmon Arm Councillors,

I have been consulted by Warren and Anita to design an on-site sewerage system capable of accommodating a main residence as well as a carriage house to be constructed at 4051 Lakeshore Rd NE in Salmon Arm.

The system I have designed utilizes an Ecoflo Biofilter which is a Type 2 secondary filtration system located behind an initial 2-stage septic tank and effluent filter. The Ecoflo system incorporates natural peat as a filtration and aeration medium before the effluent receives final polishing by the imported sand and natural soils.

I will be amending my engineering design to accommodate the peak flow demands from both residences.

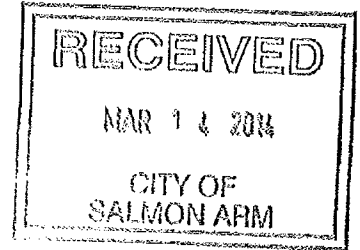
Sincerely,

C. Jeffrey Oland, P.Eng.



Interior Health

March 14, 2014



City of Salmon Arm, Development Services Department
Box 40, 500 – 2nd Avenue NE
Salmon Arm, BC
V1E 4N2

Attn: Kevin Pearson

RE: Zoning for: VP - 395

Interior Health Authority has no objections to this variance, however, it is recommended the City of Salmon Arm have certainty there is indeed sufficient area to contain both an initial, and a replacement sewerage dispersal area each sufficiently large to service the two proposed dwellings into the future.

If you have any questions, please contact me as described below.

Sincerely

David Butt
Registered Environmental Health Officer
Health Protection

All information and correspondence can be sent to HBE@interiorhealth.ca Please note the file number in the subject line to ensure prompt service.

Additional information on land development can be found on our website:
<http://www.interiorhealth.ca/YourEnvironment/LandDevelopment/Pages/default.aspx>



*City of Salmon Arm
Memorandum from the Engineering
and Public Works Department*

To: Kevin Pearson, Director of Development Services
Date: March 12, 2014
Prepared by: Darin Gerow, Engineering Assistant
Subject: Development Variance Permit Application No. VP-395E
Legal: Lot B, Section 25, Township 20, Range 10, W6M, KDYD, Plan 16427
Civic: 4051 – Lakeshore Road NE
Owner: Warren & Anita Gage, #1, 661 Ross Street NE, Salmon Arm, BC
Applicant: Same
Other: ZON-1003E

Further to your referral dated February 26, 2014, The Engineering Department has thoroughly reviewed the site and offers the following comments and recommendations, relative to the variance requested.

The applicant is requesting the following variances to The Subdivision and Development Servicing Bylaw No.3596:

Waive the requirement to extend and connect to the Sanitary Sewer System.

The property at 4051 – Lakeshore Road NE is within the Urban Containment Boundary and as per the Subdivision and Development Servicing Bylaw No. 3596 all parcels within the Urban Containment Boundary shall be provided with a connection to the Municipal Sewer system. The closest sanitary sewer is located north of the property on Lakeshore road NE approximately 250 meters from the southerly limit of the subject property.

Extension of and connection to the City sanitary system is required for the protection of public and environmental health and to meet zoning densities by ensuring that wastewater is collected and conveyed to treatment and disposal facilities with minimal risk. The City also promotes the conversion of properties from septic systems to the sanitary sewers as the sewers are extended.

Staff note the following items for consideration:

- The subject property is in close proximity to a major slide area and is adjacent to slopes well in excess of 30 degrees. Introduction of storm and effluent in the ground can be a contributing factor to slope failure.
- The applicant has applied to rezone the property from R-1 to R-8 which if approved will permit construction of a secondary suite; this increases the allowable density and therefore, the effluent loading on the property.
- There has been similar variance permit applications applied for within the same area:

4251 - Lakeshore Road NE subdivided one parcel directly to the north of the subject parcel and applied to waive the requirement to extend municipal sanitary sewer. Staff did not support this variance. Council waived the requirement to extend the municipal sanitary sewer subject to providing a 50% cash contribution towards the sanitary sewer main extension.

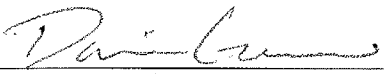
3941 - 20 Street NE, subdivided two parcels fronting on Lakeshore Road NE south east of the subject property and applied to waive the requirement to extend the municipal sanitary sewer. Staff did not support this variance. Council waived the requirement to extend municipal sanitary sewer subject to providing a 50% cash contribution towards the sanitary sewer main extension.

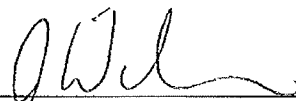
Recommendation:

We recommend that the variance requested NOT be approved. The OCP and servicing bylaw support the extension of the municipal sanitary sewer system in the urban area and there are potential risk factors involved with this property including slope stability and increased density as noted above. Additionally, there is in excess of \$21,000 of previous cash contributions to future works that can be put towards the sanitary extension and a latecomer's agreement can be registered by the developer.

Should council approve VP-395, staff recommend consistency with the previous Council decisions (noted above) and the following conditions for approval should apply:

- Require a 50% cash contribution for construction of the municipal sanitary sewer main to the southerly limit of the subject property on Lakeshore Road NE (Class D estimate to be prepared by a consulting engineer at the Owner/Developer's expense), and
- The applicant be required to undertake geotechnical study to specifically address the cumulative effect of ground disposal of treated sewage on the stability of the bank. A covenant be registered on title to insure that all on-site works are carried out in accordance with the geotechnical report.


Darin Gerow, A.Sc.T
Engineering Assistant


Jennifer Wilson, P.Eng, LEED® AP
City Engineer



To: Her Worship Mayor Cooper and Members of Council

Date: April 9, 2014

Subject: Zoning Bylaw Amendment Application No. 1004

Legal: Lot 4, Section 14, Township 20, Range 10, W6M, KDYD, Plan 10707
except Plan 37266
Civic: 860 – 9 Avenue NE
Owner / Applicant: K. Chancellor

1st 2 - Apr. 28/14
PH & 3rd - May 12/14

MOTION FOR CONSIDERATION

THAT: a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 4, Section 14, Township 20, Range 10, W6M, KDYD, Plan 10707 except Plan 37266 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

AND FURTHER THAT: final reading of the zoning amendment bylaw be withheld subject to approval by the Ministry of Transportation and Infrastructure.

STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

PROPOSAL

The subject parcel is located at 860 – 9 Avenue NE (Appendix 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) which could permit the future construction and use of a secondary suite associated with the existing single family dwelling or potentially a detached suite.

BACKGROUND

The subject parcel is designated High Density Residential in the City's Official Community Plan (OCP) and zoned R-1 (Single Family Residential) in the Zoning Bylaw (Appendix 3). The subject parcel contains a single family dwelling, is approximately 930 m², and meets both conditions of minimum parcel area and minimum parcel width as specified by the proposed R-8 zone. Site photos are attached as Appendix 4.

The subject parcel is located between McGuire Lake and Lakeshore Road. In addition to the hospital, this area is largely comprised of R-1 zoned parcels containing single family dwellings. There are currently four R-8 zoned parcels within 400 metres of the subject parcel.

As the existing single-family dwelling currently cannot accommodate a secondary suite, this amendment is to facilitate future development and use. Any development of a secondary suite or detached suite would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements. The applicant intends to draft a building plan to conform to all applicable standards at some point in the future.

Secondary Suites

Policy 8.3.25 of the OCP provides for the consideration of secondary suites in High Density Residential designated areas via a rezoning application, subject to compliance with the Zoning Bylaw and the BC Building Code. In 2013, the OCP and Zoning Bylaws were amended to permit detached suites in the R-8 zone subject to meeting a host of regulations. The applicable Zoning Bylaw regulations for secondary suites, detached suites, and the R-8 zone are attached as Appendix 5. Based on the parcel area, it appears the lot has potential for the development of a secondary suite or a detached suite.

Note that in 2014, City Staff reviewed Policy 8.3.25 with respect to the processing of rezoning applications in recognition that a zoning amendment applied to the subject parcel is not a development application, and may proceed without a building plan in anticipation of potential use or development in the future. As previously noted, any actual development of a secondary suite would require a building permit and be subject to meeting Zoning Bylaw and BC Building Code requirements.

COMMENTS

Ministry of Transportation and Infrastructure

Pursuant to Section 52 of the *Transportation Act*, approval of the zoning amendment bylaw by the Ministry is required, as the parcel is within 800 m of a Controlled Access Highway (Trans Canada Highway). The Ministry has granted preliminary approval for this zoning amendment.

Engineering Department

While not a condition of rezoning, water service upgrade is required. Comments attached as Appendix 6.

Building Department

A secondary suite is subject to BC Building Code requirements. Potential for water service upgrade. No construction plans submitted with referral.

Fire Department

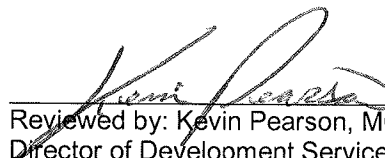
No concerns.

Planning Department

The proposed R-8 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff. Any development of a secondary suite would require a building permit and will be subject to meeting Zoning Bylaw and BC Building Code requirements.



Prepared by: Chris Larson, MCP
Planning and Development Officer


Reviewed by: Kevin Pearson, MCIP, RPP
Director of Development Services



0 5 10 20 30 40
Meters



Subject Property



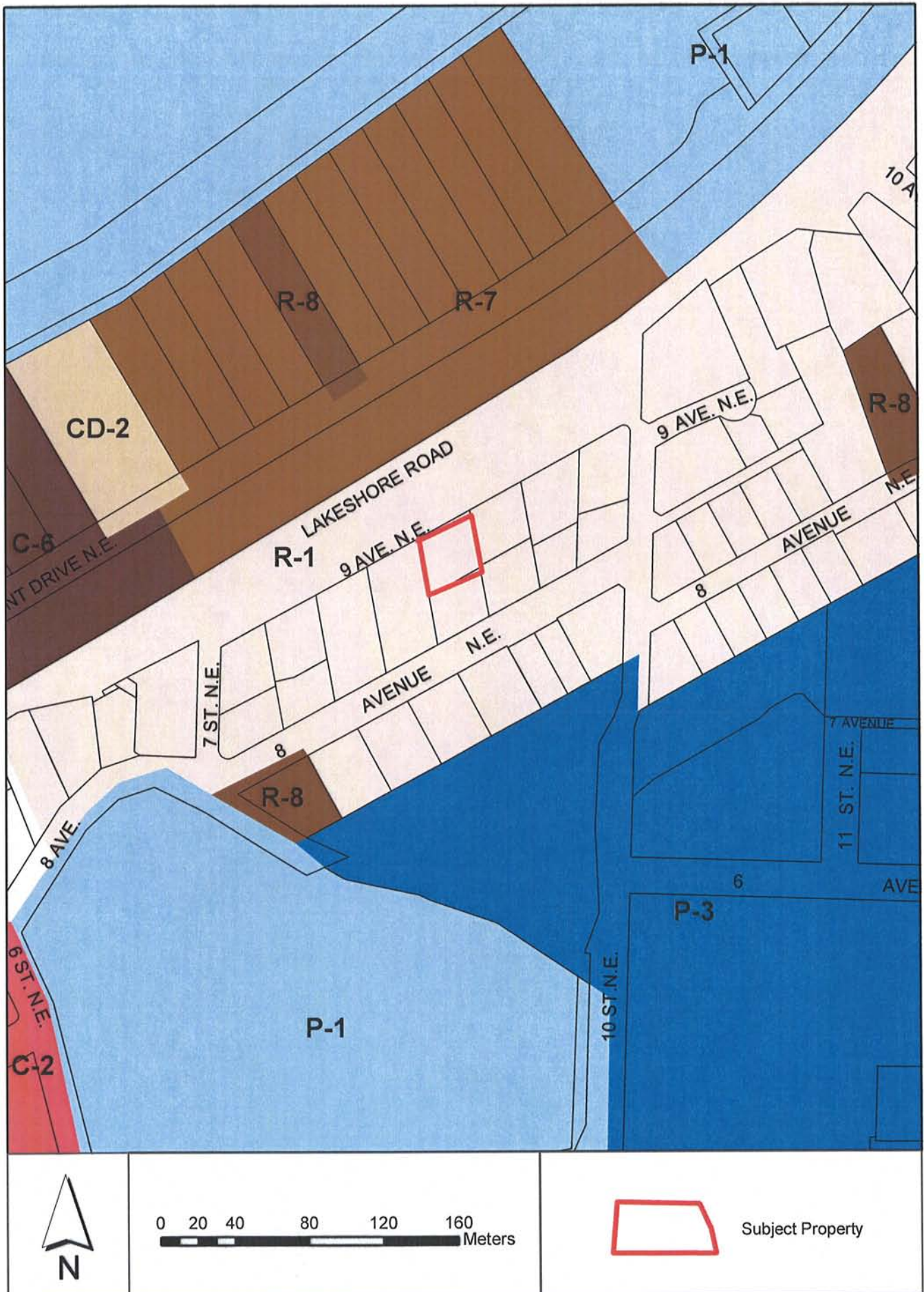
0 1.25 2.5 5 7.5 10
Meters



Subject Property



Potential Offstreet Parking





Future renovations to the existing single family dwelling would accommodate a secondary suite.



The subject property has sufficient area for the additional onsite parking space required for the secondary suite.

SECTION 2 - DEFINITIONS - CONTINUED

- #3584 **COMMUNITY SHELTER** means a *building* used to temporarily accommodate homeless or displaced persons, which may contain a caretaker *suite*, a *retail store*, *accessory office* floor area, common kitchen and dining facilities, and a community feeding program.
- #3067 **CONGREGATE HOUSING** means housing in multiple unit form for semi-independent persons within which is provided living and sleeping facilities, meal preparation, laundry services, room cleaning and may include cooking facilities.
- CONVENIENCE STORE** means the use of a *building* or a portion thereof with a maximum *floor area* of not greater than 200.0 square metres (2,152.9 square feet) for the sale of foodstuffs and convenience goods and may include the accessory sale of fast foods.
- COUNCIL** means the duly elected *Council* of the City of Salmon Arm.
- #2758 **COUNTRY INN** means a residential occupancy (as defined in the B.C. Building Code) containing a caretaker's residence and a maximum of eight [8] let rooms intended for the overnight lodging of the travelling public, with no more than two sets of cooking facilities, and with meals being prepared and served only to the caretaker and to guests utilizing the overnight lodging.
- CULTURAL FACILITY** means any *building* designed or utilized primarily for the presentation to the general public of live theatre, dance performances, musical concerts, cinema, lectures, exhibits of various art forms or exhibits of cultural, academic or scientific materials.
- DENSITY** means the ratio of the number of *dwelling units* to the *parcel* area.
- #3996 **DETACHED SUITE** means a *dwelling unit* with a maximum floor area of 90 square metres (968.8 square feet) that is contained within a building which is accessory to a *single family dwelling*, and shall not include a *mobile home*, *manufactured home*, travel trailer, recreational vehicle, or a storage container.
- DEVELOPMENT** means a change in the use of any land, *building* or *structure* for any purpose and includes the carrying out of any *building*, engineering, construction or other operation in, on, over or under land or water or the construction, addition or alteration of any *building* or *structure*.
- DEVELOPMENT PERMIT** means a permit issued pursuant to the *Official Community Plan* Bylaw No. 2301.
- #3165 **DINING AREA** means a common area allocated exclusively for dining purposes of sufficient size to accommodate all of the residents of an *assisted living housing* complex, which has not less than 1.4 square metres of floor area per unit.
- DUPLEX** means any *building* divided into two *dwelling units*.
- DWELLING UNIT** means a *suite* used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

SECTION 2 - DEFINITIONS - CONTINUED

#3517 **RESORT ACCOMMODATION** means a resort-oriented building or buildings containing *accommodation units* for either the temporary accommodation of the travelling public, or for the temporary occupancy by an owner or occupier.

#2782 **RESTAURANT** means an eating establishment where food and beverages are sold to the public.

#2966 **REST HOME** means a *boarding home* or other institution licensed by the Province of British Columbia, where food or lodging, together with care or attention are furnished, with or without charge, for two or more persons who, on account of age, infirmity, physical or mental defect, or other disability, require attention or care, excepting a home maintained by a person to whom the occupants are related by blood or marriage.

#2788 **RETAIL STORE** means a *building* where goods, wares, merchandise, substances, articles or things are offered or kept for sale, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store and includes but is not limited to: appliance stores, furniture stores, hardware stores, pet shops, video stores and second hand stores.

#3545 **RETAINING WALL** means a *structure* constructed for the purpose of retaining, stabilizing or supporting an earthen bank as a result of differences in lot *grades*.

#2789 **ROOMING HOUSE** means a *building* of residential occupancy (as defined by the B.C. Building Code) in which the operator supplies, for a fee, lodging and may supply meals, for up to 12 *boarders*. Lodging is limited to *sleeping units* with no cooking facilities. The operator may not provide meals to persons other than the *boarders*. The *boarders* are intended to be independent persons who do not require care. A *dwelling unit* for the operator is permitted as an *accessory use* within the *rooming house building*. The property owner or operator must reside on-site.

SANITARY LANDFILL means the deposit resulting from the disposal of solid waste by spreading it in layers and covering it with soil to control vectors, odours and wind blown litter and may include a *recycling depot*.

#2683
#3761 **SECONDARY SUITE** means a *dwelling unit* conforming to the Building Regulations of British Columbia which is accessory to the principal *dwelling unit* and must meet the following criteria:

- a) cannot exceed a maximum floor space of 90 square metres (968.8 square feet);
- b) cannot exceed a maximum of 40% of habitable floor space of the building;
- c) must have a separate entrance;
- d) must be an integral part of the building and have at least one heated wall or floor in common with the principal dwelling unit;
- e) must be located within a building of residential occupancy containing only one other principal dwelling unit; and
- f) must be located in and part of a building which is a single real estate entity.

SECTION 4 - GENERAL REGULATIONS

Application

- 4.1 Except as otherwise specified in this Bylaw, Sections 4.2 to 4.14 inclusive apply to all *zones* established under this Bylaw.

Notwithstanding any other provision of this Bylaw, and in keeping with the goals and objectives of City of Salmon Arm Official Community Plan Bylaw No. 2301, rezoning, subdivision and/or Agricultural Land Commission applications may not be approved by the City for any *parcels* located within the "Rural Area" as designated on Schedule "D" attached hereto and forming part of this Bylaw, except as otherwise provided in the *Official Community Plan*.

Detached Suite

- #3996 4.2 .1 No accessory *building* or *structure* shall be used as a *dwelling unit* except for an approved *detached suite*.
- .2 A *detached suite* shall be constructed to meet the requirements of the BC Building Code.
- .3 A *detached suite* shall be accessible by a cleared and constructed pathway from the offstreet parking stall(s) to the building entrance.
- .4 A *detached suite* shall be oriented and appropriately screened with landscaping or solid fencing to provide privacy in relation to neighbouring properties.
- .5 A *detached suite* shall have sufficient access and be appropriately serviced.
- .6 Subdivision of a *detached suite* is not permitted.

Setback Exceptions

#3545

- 4.3 No *building* or *structure* other than the following shall be located in the *setbacks* required by this Bylaw:

- .1 signs;
- .2 steps;
- .3 uncovered patios or terraces not greater than 0.6 metre (2.0 ft) above surrounding *grade*;
- .4 arbours, trellises, fish ponds, ornaments, flag poles, or similar landscaping;
- .5 *duplexes* where there is a common wall that coincides with an *interior side parcel line* of the strata *parcel* shown on a registered plan pursuant to the Strata Property Act;
- .6 *fences*;
- .7 *retaining walls*;
- .8 temporary *buildings* such as *offices*, lunch rooms, first aid stations or storage *buildings* on active construction sites in conjunction with a valid building permit;
- .9 display yard or unenclosed *parking space*;
- #2851 .10 projection of sills, belt courses, cornices and roof eaves to a maximum depth of 0.6 metres (1.9 ft); for each suite, the total combined area of chimney, fireplaces, bay windows, china cabinets or bathroom kickouts and cantilevered balconies is not to exceed 1.6 square metres (17 square feet) in area to a maximum depth of 0.6 metres (1.9 ft) in each required yard. No projection is permitted closer than 0.6 metres (1.9 ft) to a parcel line in a residential area.

Purpose

- ## Regulations

- ### Permitted Uses

- #3082

- #3082

- ### Maximum Number of Single Family Dwellings

- ### Maximum Number of Secondary Suites

- ### Maximum Height of Principal Building

- ### Maximum Height of Accessory Buildings

- ### Maximum Parcel Coverage

- ### **Minimum Parcel Area**

- SCHEDULE "A" TO ZONING BYLAW NO. 2303, 1995

SECTION 13 - R-8 - RESIDENTIAL SUITE ZONE - CONTINUED

Minimum Parcel Width

- 13.10 .1 The minimum *parcel width* shall be 14.0 metres (45.9 feet).
 .2 The minimum *parcel width* of a *parcel* containing a *detached suite* shall be:
 .1 With lane or second *street* frontage 15.0 metres (49.2 feet)
 .2 Without lane or second *street* frontage 20.0 metres (65.6 feet)

Maximum Floor Area and Floor Area Ratio

- 13.11 .1 The maximum *floor area* of a *detached suite* shall be 90.0 square metres (968.8 square feet).
 .2 The maximum *floor area ratio* of a *single family dwelling* shall be 0.65.

Minimum Setback of Principal Building

- 13.12 The minimum *setback* of the *principal building* from the:
- | | | | |
|-------|----|---|------------------------|
| #3426 | .1 | <i>Front parcel line</i> shall be | 6.0 metres (19.7 feet) |
| | .2 | <i>Rear parcel line</i> shall be | 6.0 metres (19.7 feet) |
| | .3 | <i>Interior side parcel line</i> shall be | 1.5 metres (4.9 feet) |
| | .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |
| #2811 | .5 | Notwithstanding Sections 13.12.2 and 13.12.3., a <i>principal building</i> on a corner <i>parcel</i> may be sited not less than 1.5 metres (4.9 feet) from the <i>rear parcel line</i> provided the combined total of the <i>rear</i> and <i>interior side yards</i> shall be not less than 6.0 metres (19.7 feet). | |
| | .6 | Refer to Section 4.9 for "Special Building Setbacks" which may apply. | |

Minimum Setback of Accessory Buildings

- 13.13 The minimum *setback* of accessory *buildings* from the:
- | | | | |
|-------|----|---|------------------------|
| #2811 | .1 | <i>Front parcel line</i> shall be | 6.0 metres (19.7 feet) |
| | .2 | <i>Rear parcel line</i> shall be | 1.0 metre (3.3 feet) |
| | .3 | <i>Interior side parcel line</i> shall be | 1.0 metre (3.3 feet) |
| | .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |
| | .5 | Refer to "Pound and Animal Control Bylaw" for special setbacks which may apply. | |

Minimum Setback of a Detached Suite

- 13.14 The minimum *setback* of an *accessory building* containing a *detached suite* from the:
- | | | | |
|--|----|---|------------------------|
| | .1 | <i>Front parcel line</i> shall be | 6.0 metres (19.7 feet) |
| | .2 | <i>Rear parcel line</i> shall be | 3.0 metres (9.8 feet) |
| | .3 | <i>Interior side parcel line</i> shall be | 2.0 metres (6.5 feet) |
| | .4 | <i>Exterior side parcel line</i> shall be | 6.0 metres (19.7 feet) |
| | .5 | <i>Parcel line</i> adjacent to a lane | 1.2 metres (3.9 feet) |

Parking

- 13.15 .1 Parking shall be required as per Appendix I.
 .2 An offstreet parking space provided for a *secondary suite* or *detached suite* shall not be sited in tandem to a parking space provided for a *single family dwelling*.

Detached Suite

- 13.16 Refer to Section 4.2 for General Regulations.

TABLE A1-1

**Required Offstreet Parking Spaces
(Cont'd)**

Column I Use	Column II Required Offstreet Parking Spaces
Residential Requirements:	
Duplex	2 per dwelling unit
Multi-Family R-4	1.5 per dwelling unit
Multi-Family R-5	1.25 per dwelling unit
Secondary Suite or Detached Suite #3996	1 per suite
Single Family Dwelling	2 per dwelling unit
Lower Floor Dwelling Unit (Amendment Bylaw No. 3951)	1 for first dwelling unit, plus 1.25 for each additional in same building
Lower Floor Dwelling Unit in the Downtown Parking Specified Area (Amendment Bylaw No. 3951)	1 per dwelling unit
Upper Floor Dwelling Unit	1.25 per dwelling unit
Upper Floor Dwelling Unit in the Downtown Parking Specified Area (Amendment Bylaw #2671)	1 per dwelling unit
Assisted Living Housing (Amendment Bylaw #3165)	1 per 3 units
Resort Accommodation (Amendment Bylaw No. 3517)	1 per accommodation unit
Restaurant	1 per 3 seats
Rest Home	1 per 3 beds
Retail Stores	1 per 10 square metres of gross floor area
Riding Stable	1 per horse stall or a minimum of 5 spaces, whichever is greater
Rifle Range	2 per position
Schools	
▪ Kindergarten, elementary and junior high	1.5 per classroom
▪ senior high	5 per classroom
▪ college	10 per classroom



*City of Salmon Arm
Memorandum from the Engineering
and Public Works Department*

To: Kevin Pearson, Director of Development Services
Date: March 5, 2014
Prepared by: Chris Moore, Engineering Assistant
Subject: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1004**
Civic: 860 – 9 Avenue NE
Legals: Lot 4, Section 14, Township 20, Range 10, W6M, KDYD, Plan 10707 except Plan 37266
OWNER: **Keith Chancellor, Box 869, Salmon Arm, BC, V1E 4N9**
APPLICANT: same

Further to your referral dated February 17, 2014, we provide the following servicing information. **The following comments and servicing requirements are not conditions for rezoning; however, these comments are provided as a courtesy in advance of any development proceeding to the next stages:**

General:

1. Full municipal services are required as noted herein. Notwithstanding the comments contained in this referral, it is the Owner/developer's responsibility to ensure these standards are met.
2. Comments provided below reflect the best available information. Detailed engineering data, or other information not available at this time, may change the contents of these comments.
3. Properties under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
4. The proposed development is subject to the exemptions provided under Section 5.3 of the Subdivision and Development Servicing Bylaw No. 3596, as amended.
5. The applicant will be required to submit for City review and approval a detailed site servicing/lot grading plan for all on-site (private) work. This plan will show such items as parking lot design, underground utility locations, pipe sizes, pipe elevations, pipe grades, catchbasin(s), control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.

Roads/Access:

1. 9 Avenue NE along the Northern property boundary is classified as a Local Urban Street requiring a minimum 20.0m road dedication (10.0 meters from centreline). Upon review of current records no additional dedication is required (to be determined by a BCLS).
2. 9 Avenue NE is constructed to an Interim Local Urban Street standard. No upgrades are required, as per previously noted exemptions.

ZONING AMENDMENT APPLICATION FILE NOS. ZON-1004E

March 5, 2014

Page 2

Water:

1. The property shall be serviced by a single metered water service connection (as per Specification Drawing W-10) adequately sized (minimum 19mm) to satisfy the servicing requirements for the proposed use. Water meters will be supplied by the City at the time of Building Permit at the builders cost. All existing inadequate services must be abandoned at the main. Applicant is responsible for all associated costs. Our records indicate that the existing residence currently has a 12.7mm service, served through an easement over 861 8 Avenue NE, to the south, from the watermain on 8 Avenue NE. Owner/developer is responsible for all associated costs.

Sanitary Sewer:


1. The property shall be serviced by a single sanitary service connection adequately sized (minimum 100mm) to satisfy the servicing requirements of the development. All existing inadequate services must be abandoned at the main. Applicant is responsible for all associated costs. Our records indicate that the existing residence currently has a 100mm service, served through an easement over 861 8 Avenue NE, to the south, from the sanitary sewer on 8 Avenue NE. No upgrades are required.

Drainage:

1. Development property does not front on an existing storm sewer. Owner/developer is exempted from storm sewer extensions under the previously noted exemptions.
2. If the impermeable area of the property is increased, the owner is required to install an alternative storm water disposal system, which has been designed by a qualified geotechnical engineer and approved by the City of Salmon Arm. Registration of a restrictive covenant under Section 219 of the Land Title Act will be required to ensure compliance with the professional geotechnical engineer's report.



Chris Moore
Engineering Assistant



Jenn Wilson P.Eng., LEED® AP
City Engineer



City of Salmon Arm
Memorandum from the Chief Administrative Officer

TO: Her Worship Mayor Cooper and Council

DATE: April 11, 2014

SUBJECT: Industrial Revitalization Tax Exemption Program

MOTION FOR CONSIDERATION:

THAT: Official Community Plan Amendment Bylaw No. 4006, containing the following amendments to the Official Community Plan, be granted first reading, be forwarded to affected agencies and authorities and be considered in conjunction with the Financial Plan and Liquid Waste Management Plan, be granted second reading and proceed to Public Hearing, third reading and adoption:

1) **Section 10.0 - Industrial Policies - Add new section, as follows:**

"10.3.18 To encourage revitalization and other types of property investment and to achieve other social, economic and development objectives, the municipality has provided for a Revitalization Tax Exemption Program specific to a Revitalization Area.

The City of Salmon Arm has adopted an Industrial Revitalization Tax Exemption Bylaw which permits, the entering into of agreements with property owners lying within the "Revitalization Tax Exemption Area" as set out in Figure 10.2 of this Bylaw to provide tax exemption for either the construction of a new improvement where the construction has a value in excess of \$500,000.00 or alteration of an existing improvement where the alteration has a value in excess of \$500,000.00 as assessed by the BC Assessment Authority."

2) Add new Figure:

"Figure 10.2 – Industrial Revitalization Tax Exemption Area"

AND THAT: City of Salmon Arm Industrial Revitalization Tax Exemption Bylaw No. 4020 be granted first three readings and that final reading be withheld pending compliance with the statutory requirement of advertising set out in Section 227 of the *Community Charter* and adoption of Official Community Plan Amendment Bylaw No. 4006;

AND FURTHER THAT: City of Salmon Arm 2014 to 2018 Financial Plan Amendment Bylaw No. 4036 be granted first three readings.

BACKGROUND:

Council, at the Regular Council Meeting of January 13, 2014 directed staff to prepare a report and bylaw to implement an Industrial Revitalization Tax Exemption Program.

INDUSTRIAL REVITALIZATION TAX EXEMPTION PROGRAM

The Economic Development Society (EDS) has recently submitted a request to Council for the establishment of an Industrial Revitalization Tax Exemption Program. Section 226 of the *Community Charter* provides authority to exempt, from general municipal property taxes, property in a designated revitalization area. Council may designate the area, establish objectives, conditions and a program, enter into agreements with property owners, and then exempt new construction or alteration to an existing improvement from taxation once eligible property investments have been completed and the value assessed by the BC Assessment Authority.

Exemptions may only be provided to properties where new improvements are constructed, or existing improvements are upgraded. The maximum amount of the exemption may not exceed the increase in the assessed value of the new construction or alteration to an existing improvement between:

- the calendar year before the new construction or alteration to an existing improvement began; and
- the calendar year in which the new construction or alteration to an existing improvement is completed.

Revitalization tax exemptions are limited to general municipal property taxes (Section 197(1) (a) of the *Community Charter* only) and do not extend to other Government levies (i.e. school, regional district, specified area levies, etc.) and other property taxes (i.e. parcel and frontage taxes). In that respect, Section 131(9) of the *School Act* specifically states that "property that is exempted under Section 226 of the *Community Charter* is not exempted from taxation under this Act". An

exemption may only be granted for a five (5) year period, with an option to extend the exemption for an additional five (5) years.

The authority to provide a revitalization tax exemption is not subject to Section 25 of the *Community Charter* (prohibition against assistance to business).

Revitalization tax exemptions are a tool that Councils may use to encourage certain types of property investment and to achieve other social, economic and development objectives. A revitalization program may apply to a small area or areas, a certain type of property or properties, or an entire municipality.

Proposed Tax Exemption Program:

Section 226 of the *Community Charter* sets out the basic requirements for a revitalization tax exemption program:

- Council may create an area as a revitalization area. The Program must include the reasons for, and objectives of, the designation and how the program is intended to accomplish the objectives;
- Council must establish a revitalization tax exemption program, by bylaw, which may include the kinds of property revitalization that will be eligible for exemption, the extent of the exemption available, the conditions on which Revitalization Tax Exemption Certificates may be issued and provisions for a recapture of foregone taxes if specified conditions are not met by the property owner;
- The bylaw must establish:
 - The amounts of exemptions, or formulas to determine the amounts, or both; and
 - The maximum term of the exemption, which may not be longer than five (5) years, and may provide for a renewal of a further five (5) years; and
- Once the conditions established in the bylaw and an agreement between the property owner and the municipality have been met, a Revitalization Tax Exemption Certificate (Certificate) must be issued for the property that is the subject of the agreement. This certificate must be issued no later than October 31 in the year before the tax revitalization exemption takes effect.

The Revitalization Tax Exemption Program proposed by the EDS covers all industrial areas in the City and encompasses the following:

- 1) Revitalization tax exemptions in respect of:
 - a) a construction of a new improvement where the construction has a value in excess of \$500,000.00; or
 - b) alteration of an existing improvement where the alteration has a value in excess of \$500,000.00,

in respect of parcels located within the Industrial Revitalization Area as shown on Schedule "A" of the proposed bylaw.

- 2) The maximum exemption must not exceed the increase in the assessed value of improvements on the parcel between:
 - a) the calendar year before the new construction or alteration to an existing improvement began; and
 - b) the calendar year in which the revitalization tax exemption certificate under the bylaw is issued (i.e. the new construction or alteration to an existing improvement is completed).
- 3) The maximum term of a revitalization tax exemption is:
 - a) five (5) years; plus
 - b) a single renewal, subject to the bylaw and the Agreement set out in Schedule "B" of the proposed bylaw for a term of an additional five (5) years.
- 4) The amount of revitalization tax exemptions provided are such that the general municipal property tax payable is:
 - a) in respect of the Industrial Revitalization Area shown in Schedule "A" of the proposed bylaw:
 - i) Years 1 to 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.

The proposed bylaws are attached as Appendices 1, 2 and 3.

Notes: City owned properties have not been included in the bylaw eligibility for various reasons (e.g. Lease terms on City owned land typically include a requirement to pay property taxes). In other words, Lessees proposing to construct new improvements or alterations to an existing improvement on City owned lands are not eligible.

There has not been an expiry date incorporated within the proposed bylaw (as there is not one in the existing Downtown Revitalization Tax Exemption Bylaw). Council may give notice of this at any time by rescinding the bylaw(s). In addition, it would be cumbersome to recreate the program if the Revitalization Exemption Bylaws expire.

From the City's perspective, the pros and cons associated with the proposed Industrial Revitalization Tax Exemption Program are as follows:

PROs	CONs
<ul style="list-style-type: none">• demonstrates Council's commitment to the industrial areas.• no capital cost outlay by the community.• if no revitalization occurs there will be no foregone general municipal tax revenue.• other communities are investigating.• industrial areas need to be revitalized.• perceived business friendly environment.• investment in growth and development.	<ul style="list-style-type: none">• provides considerable benefit to one (1) group of property owners (i.e. equity).• expectation of tax relief from other specific groups of taxpayers.• foregone general municipal tax revenue for ten (10) years, assuming development would have happened anyway.• the industrial areas are underserved, according to some, and forgiving general municipal tax revenue will not help the City in this regard.• there is no tangible proof that such a program will spur development.• property taxes are a very small component of development costs and development may or may not occur anyway.

Note: The City has foregone/invested over \$288,000.00 to date in the Downtown Revitalization Tax Exemption Program.

For these reasons, similar programs in other jurisdictions have been highly politicized and subject to varying degrees of support and/or non-support. Staff remains skeptical of the merits of such a program.

The general municipal property tax associated with a \$500,000.00 increase in assessed value is approximately \$5,735.00 per year (assuming a Class 6 (Business) Classification). As an example, foregone general municipal property taxes on a \$500,000.00 project under the proposed bylaw would be as follows:

Years 1 to 5: 100% of taxes @ \$5,735.00	=	\$28,675.00
Year 6: 80% of taxes @ \$5,735.00	=	4,590.00
Year 7: 60% of taxes @ \$5,735.00	=	3,440.00
Year 8: 40% of taxes @ \$5,735.00	=	2,295.00
Year 9: 20% of taxes @ \$5,735.00	=	1,150.00
Year 10: 0% of taxes @ \$5,735.00	=	<u>0.00</u>
Total Foregone Municipal Property Taxes	=	<u>\$40,150.00</u>

Note: This amount would be \$63,420.00 for a property with a Class 5 (Light Industrial) Classification.

This program, if approved by Council and utilized by property owners, will take significant senior staff time to implement and administer going forward (as has the existing Downtown Revitalization Tax Exemption Program). However, this program may also be viewed as an investment by the City in future growth and prosperity.



Carl Bannister, MCIP
Chief Administrative Officer

Appendix 1 – City of Salmon Arm Industrial Revitalization Tax Exemption Bylaw No. 4020
Appendix 2 – City of Salmon Arm Official Community Plan Amendment Bylaw No. 4006
Appendix 3 – City of Salmon Arm 2014 to 2018 Financial Plan Amendment Bylaw No. 4036

CITY OF SALMON ARM

BYLAW NO. 4020

A bylaw to provide for an Industrial Revitalization Tax Exemption

WHEREAS the Council may, by bylaw, provide for an Revitalization Tax Exemption Program in accordance with Section 226 of the *Community Charter*;

AND WHEREAS Council wishes to establish an Industrial Revitalization Tax Exemption Program to encourage property investment and industrial revitalization in the Industrial Revitalization Area;

AND WHEREAS Council's objective is to stimulate and reinforce development initiatives in the Industrial Revitalization Area by promoting property investment;

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

AND WHEREAS the *Community Charter* provides that an 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 an Industrial 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 Industrial 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*;

"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 improvements to which an Industrial Revitalization Tax Exemption is applied for and as legally described in the Agreement, but does not include new construction or alterations to an existing improvement on City owned lands;

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

“Industrial Revitalization Tax Exemption means an Industrial Revitalization Tax Exemption pursuant to an Industrial Revitalization Tax Exemption Certificate;

“Industrial Revitalization Tax Exemption Certificate” means an Industrial Revitalization Tax Exemption pursuant to this Bylaw.

2. There is established an Industrial Revitalization Tax Exemption Program which includes the following:

- a) Industrial Revitalization Tax Exemptions authorized under this Bylaw applies to:
 - i) the construction of a new improvement where the value of the new construction referred to in the building permit has a value in excess of \$500,000.00;
 - ii) the alteration of an existing improvement where the alteration referred to in the building permit has a value in excess of \$500,000.00, and

wherein the Property is located within the Industrial 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 an Industrial Revitalization Tax Exemption will not be eligible for consideration.
- c) The maximum Industrial 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 Industrial Revitalization Tax Exemption.
- e) The maximum term of an Industrial Revitalization Tax Exemption is contingent on when the Industrial Revitalization Tax Exemption Certificate for the Property is issued by the City pursuant to this Bylaw and the Agreement:
 - i) if the new construction or the alteration to an existing improvement 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 Industrial Revitalization Tax Exemption Certificate will be issued for one (1) year and a subsequent Industrial 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 new construction or the alteration to an existing improvement 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 Industrial Revitalization Tax Exemption Certificate will be issued for five (5) years plus a single renewal for a term of an additional five (5) years;
- f) The amount of Industrial 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 a building permit issued as a result of new construction or the alteration to an existing improvement as outlined in Section 2 a) of this Bylaw (hereinafter referred to as the Total Amount) and is as follows:
 - i) Year 1 - 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 Industrial Revitalization Tax Exemption, the Property is fully taxable. |
3. The kinds of property that will be eligible for an Industrial Revitalization Tax Exemption under this Bylaw will be limited to property zoned Industrial.
 4. This Bylaw does not apply to a property unless:
 - a) the property is located in the Industrial 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 Industrial Revitalization Area, this Bylaw shall apply where at least 50% of the property lies within the Industrial Revitalization Area.
 6. This Bylaw does not apply to any property owned by the City of Salmon Arm.
 7. 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, an Industrial Revitalization Tax Exemption Certificate must be issued for the Property.
 8. The Industrial 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 Industrial Revitalization Tax Exemption or the formula for determining the Industrial Revitalization Tax Exemption;
 - b) the term of the Industrial Revitalization Tax Exemption;
 - c) the conditions on which the Industrial Revitalization Tax Exemption is provided; and
 - d) that a recapture amount is payable if the Industrial Revitalization Tax Exemption Certificate is cancelled and how that amount is to be determined.
 9. If an Owner wants to apply for an Industrial 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 property taxes assessed and rates, charges, and fees imposed on the Property have been paid and where property 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 an Industrial 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.
10. In the event that the conditions under which an Industrial 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 general municipal property taxes of the following applicable percentage of the total Industrial Revitalization Tax Exemptions obtained under this Bylaw:
 - a) Years 1 to 10 50%
11. An Industrial Revitalization Tax Exemption Certificate will be cancelled if:
 - a) the Industrial 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 Industrial zone.
12. 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.
13. 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.

14. 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.
15. This Bylaw shall come into full force and effect upon adoption of same.
16. This Bylaw may be cited as "City of Salmon Arm Industrial Revitalization Tax Exemption Bylaw No. 4020".

READ A FIRST TIME THIS DAY OF 2014

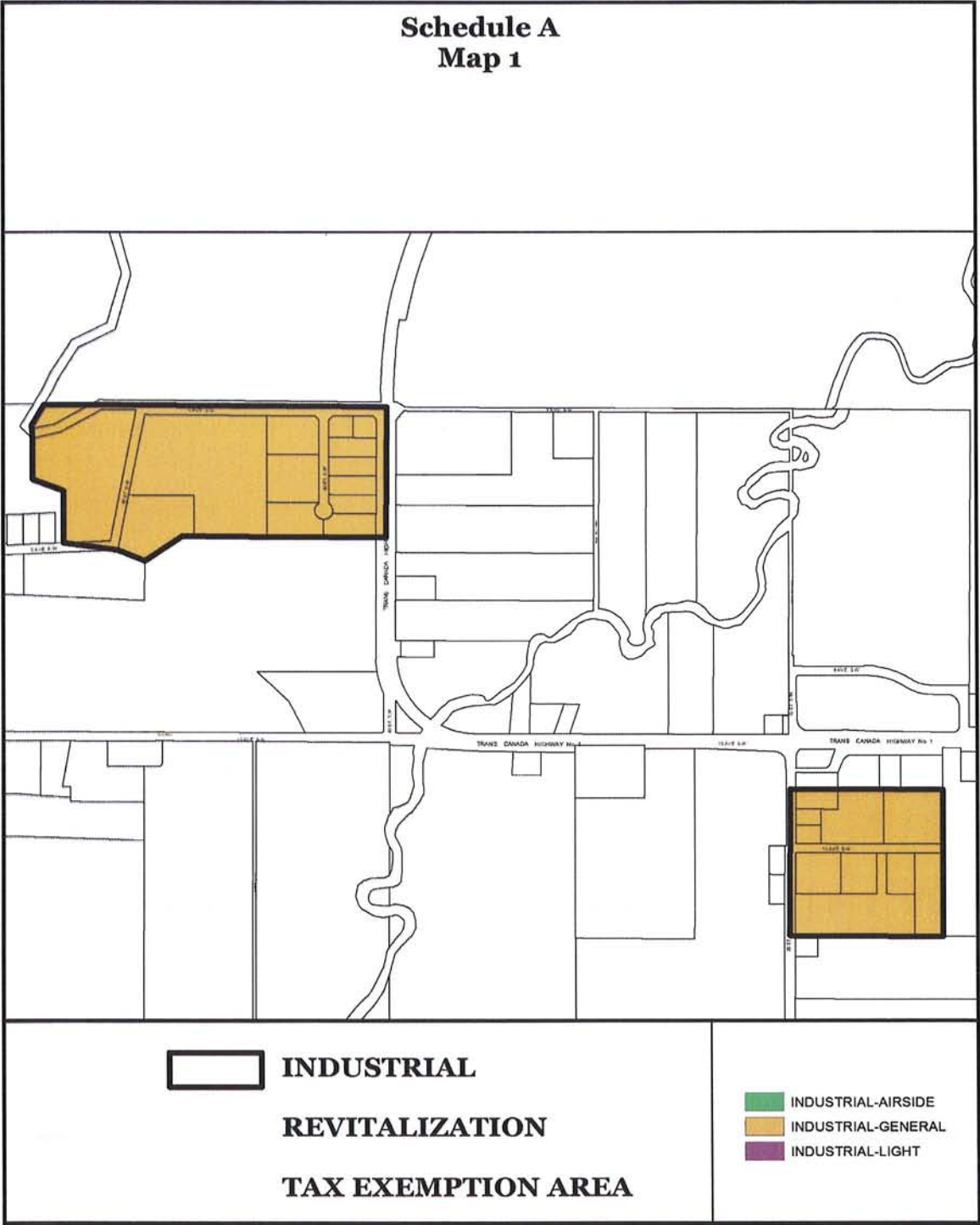
READ A SECOND TIME THIS DAY OF 2014

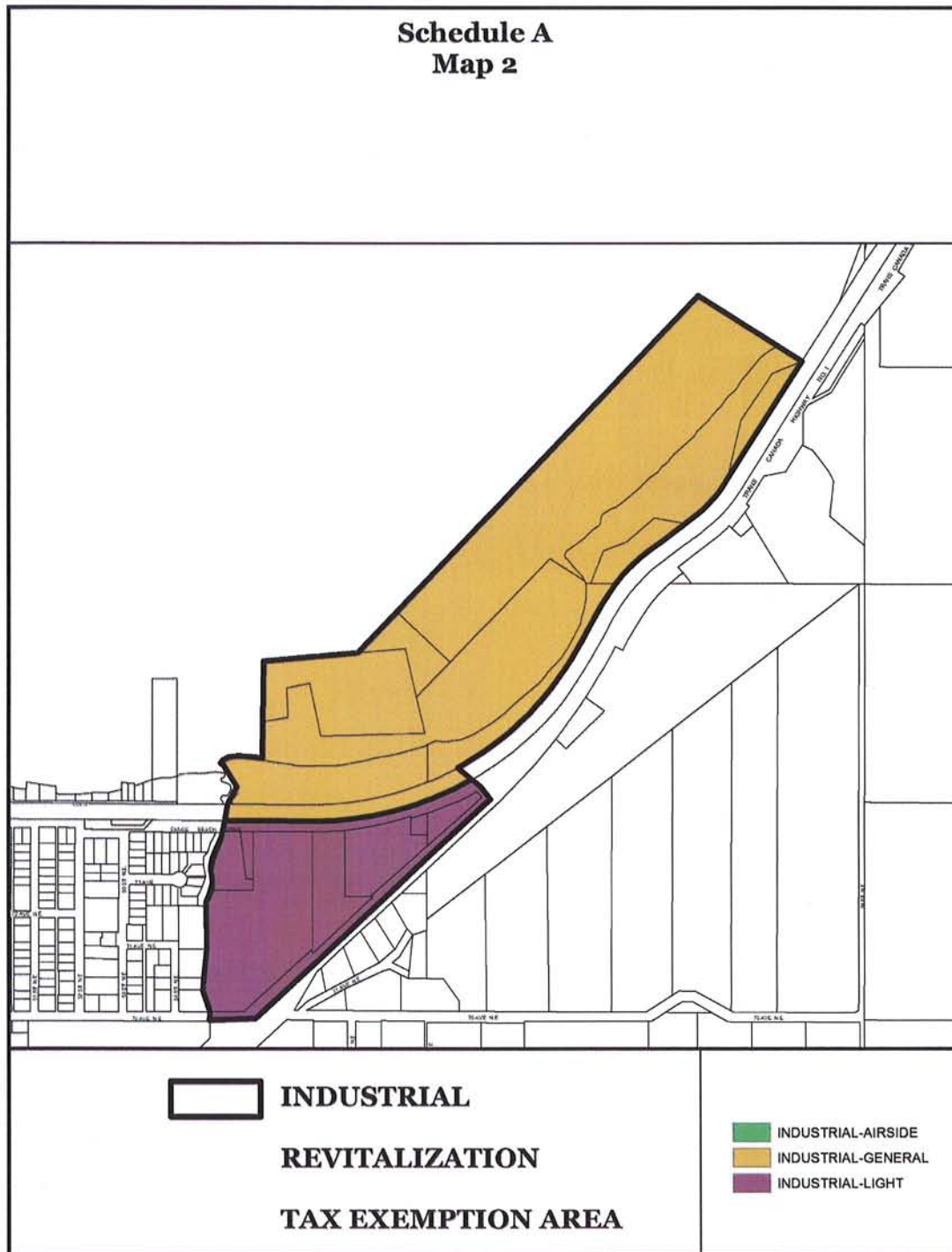
READ A THIRD TIME THIS DAY OF 2014

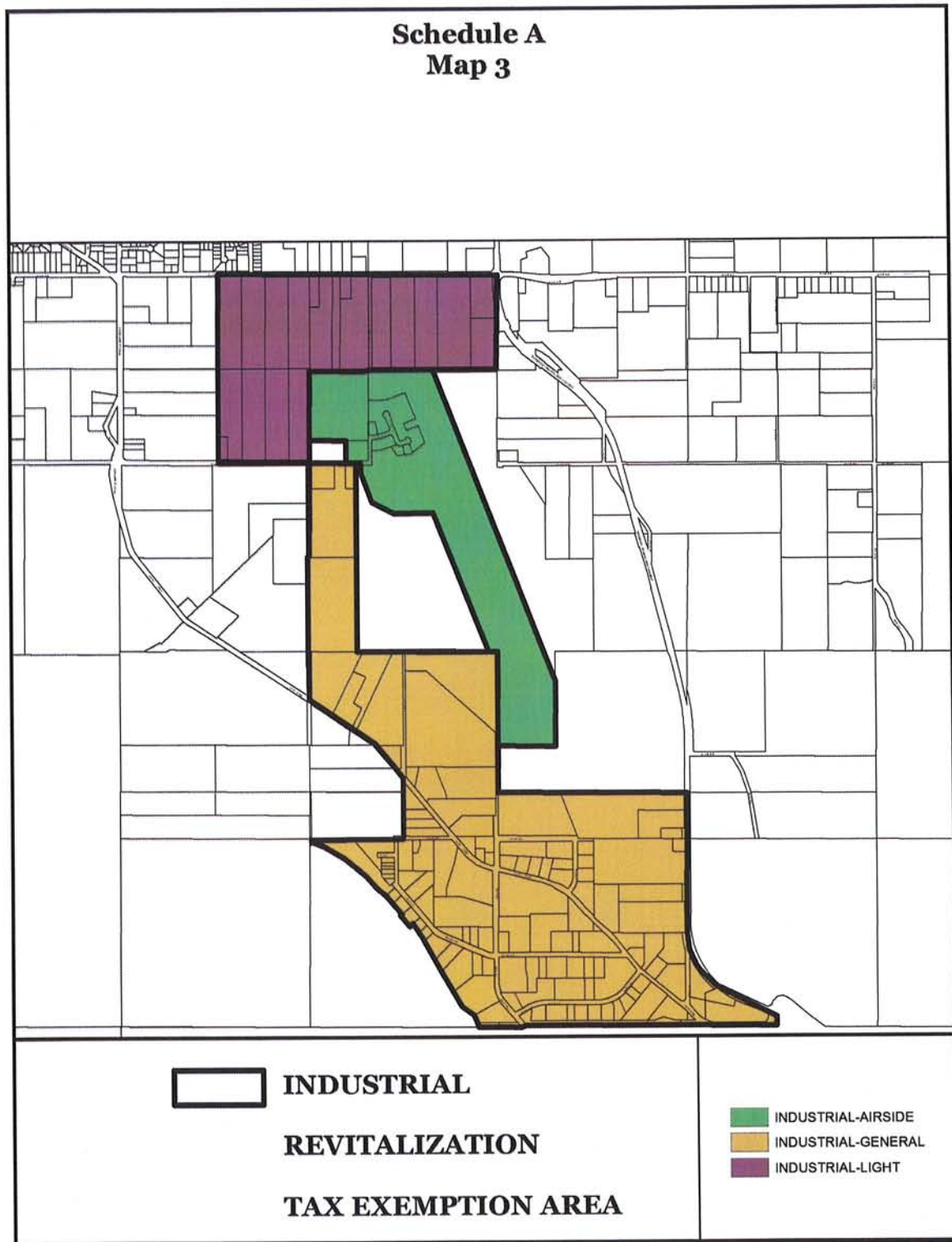
ADOPTED BY COUNCIL THIS DAY OF 2014

MAYOR

CORPORATE OFFICER







BYLAW NO. 4020

SCHEDULE "B"

Industrial Revitalization Tax Exemption Agreement

This Agreement dated for reference the _____ day of _____ ,

BETWEEN

Name and Address of Owner (hereinafter called the Owner)

OF THE FIRST PART

AND

City of Salmon Arm (hereinafter called the City)
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 an Industrial Revitalization Tax Exemption Program for the purpose of encouraging Industrial Revitalization of an area of the municipality;

AND WHEREAS Council's objective is to stimulate and reinforce development initiatives in the Industrial Revitalization Area by promoting property investment within the Industrial 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 an Industrial 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 an Industrial Revitalization Tax Exemption under the Bylaw defined in this Agreement;

AND WHEREAS the Property that is subject of this Agreement is zoned Industrial and shall remain zoned Industrial 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 Industrial Revitalization Tax Exemption Bylaw No. 4020", 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 an Industrial 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) five (5) years commencing on January 1 of the first calendar year after the calendar year that the Industrial Revitalization Tax Exemption Certificate is issued; and
- b) a renewal term of an additional five (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 Industrial Revitalization Tax Exemption is requested to qualify for a renewal for the additional five (5) years.

APPLICATION IMPROVEMENTS

4. The Industrial 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 \$500,000.00; or
 - b) alteration of an existing improvement, where the value of the alteration referred to in the building permit is in excess of \$500,000.00;

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 an Industrial Revitalization Tax Exemption will not be eligible for consideration.

INDUSTRIAL 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 an Industrial Revitalization Tax Exemption Certificate to the Owner of the Property if the Owner and the Property are otherwise in compliance with this Agreement.
 - b) An Industrial 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 Industrial Revitalization Tax Exemption or the formula for determining the Industrial Revitalization Tax Exemption;
 - ii) the term of the Industrial Revitalization Tax Exemption;
 - iii) the conditions on which the Industrial Revitalization Tax Exemption is provided; and
 - iv) that a recapture amount is payable if the Industrial Revitalization Tax Exemption Certificate is cancelled and how that amount is to be determined.

INDUSTRIAL REVITALIZATION TAX EXEMPTION

6. So long as an Industrial 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 Industrial Revitalization Tax Exemption Certificate, from general municipal property taxation (excluding specified area levies).
7. The maximum Industrial 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 Industrial Revitalization Tax Exemption
9. The Industrial 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 an Industrial Revitalization Tax Exemption is contingent on when the Industrial Revitalization Tax Exemption Certificate for the Property is issued by the City pursuant to the Bylaw and the Agreement:
 - a) if the new construction or the alteration to an existing improvement 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 Industrial Revitalization Tax Exemption Certificate will be issued for one (1) year and a subsequent Industrial 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 new construction or the alteration to an existing improvement 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 Industrial Revitalization Tax Exemption Certificate will be issued for five (5) years plus a single renewal for a term of an additional five (5) years;

11. The amount of Industrial 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 a building permit issued as a result of new construction or the alteration to an existing improvement as outlined in Section 4 of this Agreement (hereinafter referred to as the Total Amount) and is as follows:
 - i) Years 1 to 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 Exemption, the Property is fully taxable.
12. The Industrial Revitalization Tax Exemption Certificate may be cancelled by the City:
 - a) on the request of the Owner;
 - b) if the Industrial zoning is changed;
 - c) the Owner breaches any covenant or condition of the Bylaw or this Agreement;
 - d) the 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 Industrial zone.
13. To maintain an Industrial Revitalization Tax Exemption, the Occupancy Permit must be issued within twenty-four (24 months) of the Industrial Revitalization Tax Exemption Application being approved.

RECAPTURE

14. In the event that the conditions under which an Industrial Revitalization Tax Exemption Certificate was issued are no longer met by the Owner, as set out in this Agreement, the Owner must pay to the City a recapture amount of the foregone general municipal property taxes of the following applicable percentage of the total Industrial 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 construction or alteration to existing improvements, to existing storm and sanitary sewers, water mains, water meters, driveways, and other municipal services prior to the issuance of an Industrial 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 an Industrial 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 construction or alteration 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 Industrial Revitalization Tax Exemption Bylaw No. 4020 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 Property; 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:

Mayor

Witness

Corporate Officer

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

Witness

BYLAW NO. 4020

SCHEDULE "C"

Application for Industrial Revitalization Tax Exemption

Date _____ Receipt No. _____ Application No. _____

Property Owner/Applicant _____

Mailing Address _____

Telephone No. _____ Cell No. _____

Subject Property

Roll No. _____ Civic Address _____

Legal Description _____

Zoning Designation _____

Current Assessed Value _____ Business Licence No. _____

Description of Proposed Industrial Revitalization _____

Year(s) Applying For _____

Value of Construction _____ Building Permit No. _____

Note: Additional backup information may be required.

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

Property Owner/Applicant

Date

Office Use:

Property Tax Account _____ Utility Account _____

Other Fees, Rates or Charges Outstanding _____

Notes To File _____

CITY OF SALMON ARM

BYLAW NO. 4006

**A bylaw to amend "City of Salmon Arm Official Community Plan
Bylaw No. 4000"**

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chamber of City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on _____, 2014, at the hour of 7:00 p.m. was published in the _____ and _____, 2014 issue of the Salmon Arm Observer;

AND WHEREAS the said Public Hearing was duly held at the time and place above mentioned;

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

1. "City of Salmon Arm Official Community Plan Bylaw No. 4000" is hereby amended as follows:

- 1) Section 10.0 - Industrial Policies - Add new section, as follows:

"10.3.18 To encourage revitalization and other types of property investment and to achieve other social, economic and development objectives, the municipality has provided for a Revitalization Tax Exemption Program specific to a Revitalization Area.

The City of Salmon Arm has adopted a Industrial Revitalization Tax Exemption Bylaw which permits, the entering into of agreements with property owners lying within the "Revitalization Tax Exemption Area" as set out in Figure 10.2 of this Bylaw to provide tax exemption for either the construction of a new improvement where the construction has a value in excess of \$500,000.00 or alteration of an existing improvement where the alteration has a value in excess of \$500,000.00 as assessed by the BC Assessment Authority."

- 2) Add new Figure:

"Figure 10.2 – Industrial Revitalization Tax Exemption Area"

2. This bylaw may be cited as **“City of Salmon Arm Official Community Plan Amendment Bylaw No. 4006”**.

READ A FIRST TIME THIS DAY OF 2014

READ A SECOND TIME THIS DAY OF 2014

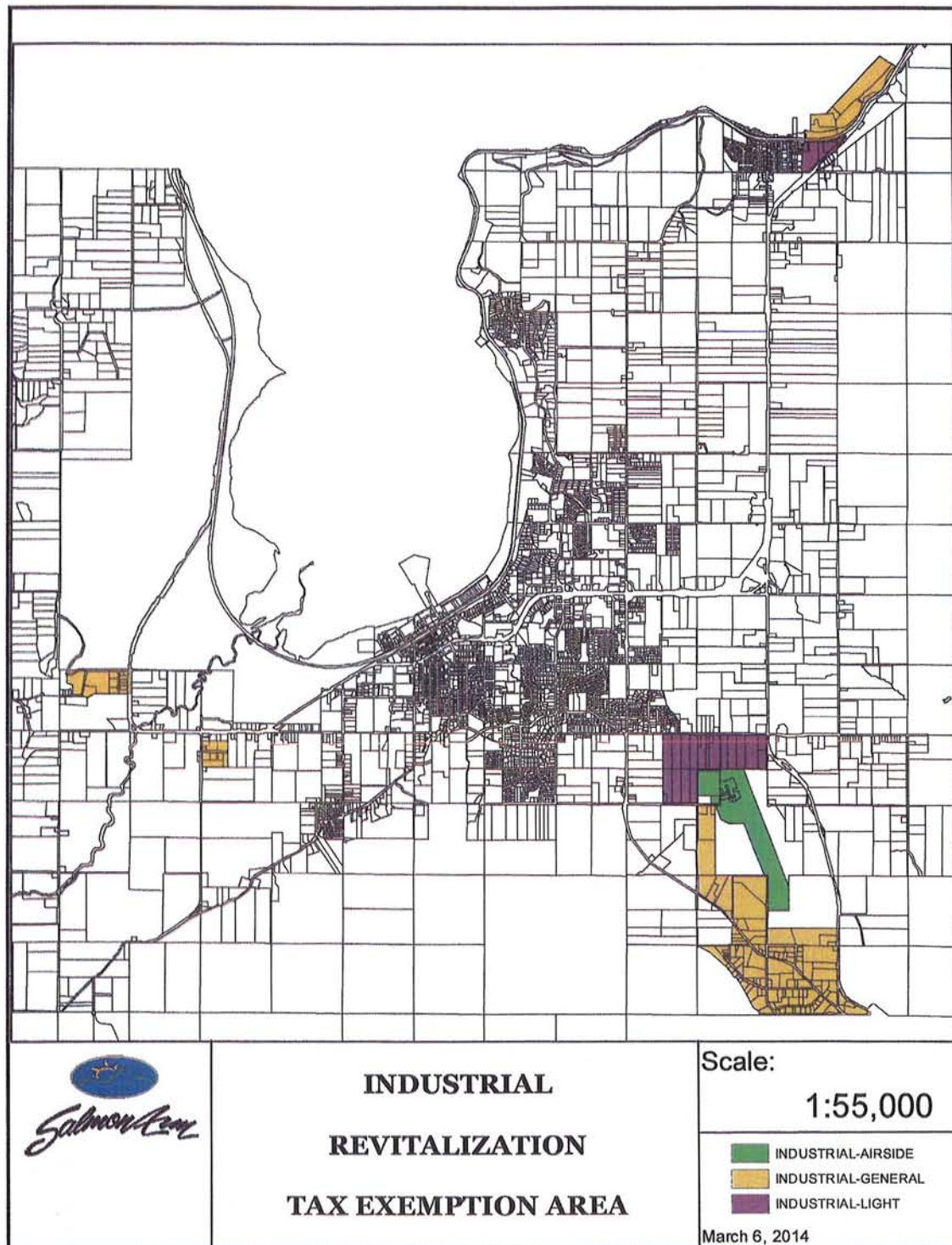
READ A THIRD TIME THIS DAY OF 2014

ADOPTED BY COUNCIL THIS DAY OF 2014

MAYOR

CORPORATE OFFICER

"Figure 10.2 – Industrial Revitalization Tax Exemption Area"



CITY OF SALMON ARM

BYLAW NO. 4036

A bylaw to amend the 2014 to 2018 Financial Plan

WHEREAS in accordance with the provisions of Section 165 of the Community Charter, the Council has adopted a financial plan for the period of 2014 to 2018;

AND WHEREAS it is deemed expedient to amend the Financial Plan;

NOW THEREFORE the Council of the City of Salmon Arm, in the Province of British Columbia, in an open meeting assembled, hereby enacts as follows:

1. "Schedule "A" of "City of Salmon Arm 2014 to 2018 Financial Plan Bylaw No. 4035" is hereby deleted in its entirety and replaced with Schedule "A" attached hereto and forming part of this bylaw.
2. "Schedule "B" of "City of Salmon Arm 2014 to 2018 Financial Plan Bylaw No. 4035" is hereby deleted in its entirety and replaced with Schedule "B" attached hereto and forming part of this bylaw.

3. SEVERABILITY

If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decisions that it is invalid shall not affect the validity of the remaining portions of this bylaw.

4. ENACTMENT

Any enactment 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.

5. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

City of Salmon Arm 2014 to 2018 Financial Plan
Amendment Bylaw No. 4036

6. CITATION

This bylaw may be cited for all purposes as "City of Salmon Arm 2014 to 2018 Financial Plan Amendment Bylaw No. 4036.

READ A FIRST TIME THIS	DAY OF	2014
READ A SECOND TIME THIS	DAY OF	2014
READ A THIRD TIME THIS	DAY OF	2014
ADOPTED BY COUNCIL THIS	DAY OF	2014

MAYOR

CORPORATE OFFICER

City of Salmon Arm

2014 - 2018 Financial Plan

	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Consolidated Revenues					
Property Taxes - Net	\$ 15,467,025	\$ 15,776,366	\$ 16,091,893	\$ 16,413,731	\$ 16,742,005
Frontage & Parcel Taxes	3,140,665	3,203,478	3,267,548	3,332,899	3,399,557
Sales of Service	6,953,545	7,092,616	7,234,468	7,379,158	7,526,741
Revenue From Own Sources	2,148,735	2,191,710	2,235,544	2,280,255	2,325,860
Rentals	794,405	810,293	826,499	843,029	859,890
Federal Government Transfers	-	-	-	-	-
Provincial Government Transfers	389,000	396,780	404,716	412,810	421,066
Other Government Transfers	233,050	237,711	242,465	247,315	252,261
Transfer From Prior Year Surplus	240,500	245,310	250,216	255,221	260,325
Transfer From Reserve Accounts	809,855	826,052	842,573	859,425	876,613
Transfer From Reserve Funds	21,290	21,290	21,290	21,290	21,290
Total Consolidated Revenues	\$ 30,198,070	\$ 30,801,606	\$ 31,417,212	\$ 32,045,130	\$ 32,685,607
Consolidated Expenditures					
General Government Services	\$ 3,089,550	\$ 3,151,341	\$ 3,214,368	\$ 3,278,654	\$ 3,344,228
Protective Services	4,996,900	5,096,838	5,198,775	5,302,750	5,408,805
Transportation Services	4,393,175	4,481,039	4,570,659	4,662,072	4,755,314
Environmental Health Services	45,000	45,900	46,818	47,754	48,709
Environmental Development Service	2,096,425	2,138,354	2,181,121	2,224,743	2,269,238
Recreation and Cultural Services	3,621,680	3,694,114	3,767,996	3,843,356	3,920,223
Fiscal Services - Interest	1,710,510	1,744,720	1,779,615	1,815,207	1,851,511
Fiscal Services - Principal	1,269,780	1,295,176	1,321,079	1,347,501	1,374,451
Capital Expenditures	2,460,575	2,540,685	2,129,456	2,565,141	2,717,440
Transfer to Surplus	-	-	-	-	-
Transfer to Reserve Accounts	1,594,345	1,594,908	2,088,423	1,736,670	1,669,981
Transfer to Reserve Funds	918,470	936,839	955,576	974,688	994,181
Water Services	2,011,780	2,052,016	2,093,056	2,134,917	2,177,615
Sewer Services	1,989,880	2,029,678	2,070,271	2,111,677	2,153,910
Total Consolidated Expenditures	\$ 30,198,070	\$ 30,801,606	\$ 31,417,212	\$ 32,045,130	\$ 32,685,607

2014 - 2018 Financial Plan**City of Salmon Arm**

2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
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Capital Projects**Finances Acquired**

General Operating Fund	\$ 1,484,075	\$ 1,940,685	\$ 1,729,456	\$ 1,890,141	\$ 1,882,440
Water Operating Fund	401,500	450,000	250,000	500,000	460,000
Sewer Operating Fund	575,000	150,000	150,000	175,000	375,000
Federal Government Grants	190,150	-	-	-	-
Provincial Government Grants	260,350	3,000,000	-	-	-
Prior Year Surplus	23,330	-	-	-	-
Reserve Accounts	2,020,019	555,000	740,000	1,850,000	90,000
Reserve Funds	1,550,000	464,500	1,558,750	1,945,000	725,000
Development Cost Charges	-	3,045,000	2,417,500	2,215,000	2,215,000
Short Term Debt	-	-	-	-	-
Long Term Debt	3,320,000	13,915,000	-	-	-
Developer Contributions	181,020	65,000	420,000	40,000	40,000

Total Funding Sources

\$ 10,005,444	\$ 23,585,185	\$ 7,265,706	\$ 8,615,141	\$ 5,787,440
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Finances Applied

Transportation Infrastructure	\$ 2,634,238	\$ 8,222,000	\$ 3,977,000	\$ 3,472,000	\$ 3,462,000
Buildings	562,865	13,628,500	136,500	169,850	165,300
Land	-	-	-	-	-
IT Infrastructure	74,835	150,000	200,000	115,000	180,000
Machinery and Equipment	1,447,895	392,185	350,956	468,291	550,140
Vehicles	70,000	-	-	60,000	130,000
Parks Infrastructure	1,862,985	622,500	1,491,250	485,000	495,000
Utility Infrastructure	3,352,626	570,000	1,110,000	3,845,000	805,000

Total Capital Expense

\$ 10,005,444	\$ 23,585,185	\$ 7,265,706	\$ 8,615,141	\$ 5,787,440
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Departmental Summary:

2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
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General Government Services	\$ 153,315	153,500	193,500	143,500	183,500
Protective Services	578,600	65,000	70,000	105,000	380,000
Transportation Services	3,688,548	8,330,000	4,272,500	3,772,500	3,770,000
Environmental Health Services	1,122,870	102,500	2,500	2,500	25,000
Environmental Development Services	-	-	-	-	-
Recreation and Cultural Services	982,985	894,185	1,547,206	676,641	553,940
Water Services	927,465	490,000	670,000	2,240,000	500,000
Sewer Services	2,551,661	13,550,000	510,000	1,675,000	375,000

Total by Department

\$ 10,005,444	\$ 23,585,185	\$ 7,265,706	\$ 8,615,141	\$ 5,787,440
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Schedule "B" – Bylaw #4036
2014 Revenue Policy Disclosure

1. Table One (1) reflects the proportion of total revenue proposed to be raised from each funding source in 2014. Property taxes form the greatest proportion of revenue of the City. The first column details the proposed percentage of revenue including Conditional Government Transfers and the second column shows the proposed percentage of revenue excluding Conditional Government Transfers. Conditional Government Transfers are funds provided by other levels of government or government agencies to fund specific projects. The absence of this funding would result in an increase to property taxes, debt borrowing or funding from reserves or other sources (ie. developers, donations, etc.) or result in the project not being undertaken.

The City collects three (3) types of parcel tax; a water frontage tax; a sewer frontage tax and a transportation parcel tax. The water and sewer frontage tax rate is applied to each parcel of land taxable foot frontage. The frontage rate is comprised of a capital debt repayment component plus 10% of the water and sewer operation and maintenance budget for preventative maintenance of the utilities infrastructure. The City introduced a transportation parcel tax in 2003. The transportation parcel tax is collected to maintain the City's transportation network to an adequate level to minimize future reconstruction costs and ensure the network is safe from hazards and disrepair. To this end, the transportation parcel tax provides a stable and dedicated source of funding. The transportation parcel tax was specifically implemented on a "flat rate per parcel" rather than an "ad valorem tax" basis recognizing that all classes of property are afforded equal access to the City's transportation network and should contribute to it's sustainability equally. This method directed tax dollars away from business and industry to residential.

The City endorses a 'user pay' philosophy in its collection of fees and charges. Such fees and charges (ie. development, building, plumbing and fire permits, recreational program and rental fees and cemetery services) are reviewed annually to ensure adequate cost recovery for the provision of services. The policy of the City is to work towards full cost recovery for services provided. The objective in reviewing fees and charges periodically is to measure the cost of providing municipal services versus the cost recovery established through user fees and charges. Development Cost Charges are based on the City's Long Term Financial Plan. Included in this percentage is the City's investment income. The City exercises a stringent cash management plan to maximize investment and interest income.

Other sources of revenue provide funding for specific functions such as the Columbia Shuswap Regional District's contribution to the Shuswap Regional Airport, Recreation Centre, Sunwave Centre, Cemetery and Fire Training Centre.

The proceeds from borrowing and developer contributions fund capital projects pursuant to the City's Long Term Financial Plan.

Schedule "B" – Bylaw #4036
2014 Revenue Policy Disclosure

Table 1: Proportions of Total Revenue

Revenue Source	Percentage to Total Revenue Includes Conditional Government Transfers	Percentage to Total Revenue Excludes Conditional Government Transfers
Property Taxes	46.76%	47.74%
Parcel Taxes	9.49%	9.70%
User Fees, Charges and Interest Income	29.92%	30.55%
Other Sources	3.79%	1.76%
Proceeds From Borrowing	10.04%	10.25%
	100.00%	100.00%

2. Table Two (2) reflects the distribution of property tax between the different property classes. The objective of the City is to set tax rates in order to maintain tax stability while maintaining equality between the property classes. The policy of the City is to develop a tax rate which maintains the proportionate relationship between the property classes. Inflationary increases in assessments are reduced to reflect only the 'real' increase attributed to new construction for each property class. This allows the property owner to be confident that, in any year, their property tax bill will only increase as much as their proportion of the increase in tax revenue required year to year. The City has reviewed the property tax multiple structure and adjusted the property tax multiple for Class 4 (Major Industry) by shifting \$25,000.00 in general municipal taxes from Class 4 (Major Industry) to the other property tax classifications for the taxation year 2013 in keeping with its objective to maintain tax stability while maintaining equality between property classes.

Assessment values fluctuate as market values change in one class or another. It is this market value change that may precipitate an amendment to the class multiple.

The Provincial Government has legislated a municipal taxation rate cap for the Utilities Class of assessment. The City of Salmon Arm "Utilities" tax rate adheres to this legislation.

Table 2: Distribution of Property Taxes Between Property Classes

Property Class	2014 Tax Rate	Class Multiple	Percentage to Total Property Tax	Percentage to Total Property Assessment Value
Residential	4.6982	1.00:1	64.35%	83.28%
Utilities	26.2037	5.58:1	0.89%	0.21%
Supportive Housing	0.0000	0:1	0.00%	0.00%
Major Industry	79.9999	17.03:1	3.49%	0.27%
Light Industry	18.1190	3.86:1	2.65%	0.89%
Business	11.4660	2.44:1	27.76%	14.72%
Recreational/Non Profit	2.9897	0.64:1	0.14%	0.28%
Farm	12.3929	2.64:1	0.72%	0.35%

Schedule "B" – Bylaw #4036
2014 Revenue Policy Disclosure

3. The City adopted a Permissive Tax Exemption Policy in 1998 which outlines the eligibility criteria to receive a permissive tax exemption. The Annual Municipal Report for 2013 contains a schedule of permissive tax exemptions granted for the year and the amount of tax revenue exempted.

Commencing in 1999, the City provided a three (3) year permissive tax exemption for each eligible organization. These include religious institutions, historical societies, some recreational facilities, service organizations and cultural institutions.

Table 3: Permissive Tax Exemptions

Organization	General Municipal Tax Exemption	Other Government Tax Exemption	Total
Churches	\$ 39,779.00	\$ 44,602.50	\$ 84,381.50
Non Profit Societies	298,353.00	223,068.00	521,421.00
Senior Centers	16,245.00	12,154.00	28,399.00
Other	11,562.00	14,735.00	26,297.00
Sports Clubs	236,081.00	182,191.00	418,272.00
Total	\$ 602,020.00	\$ 476,750.50	\$ 1,078,770.50

4. The Official Community Plan for the City of Salmon Arm identifies the revitalization of the downtown as a priority. As a result, in 2005, the City established a Downtown Revitalization Tax Exemption Program pursuant to City of Salmon Arm Revitalization Tax Exemption Bylaw No. 3471.

The Revitalization Tax Exemption Program is a tool that Council is using to encourage property investment in the downtown area (hereinafter referred to as the Revitalization Area). 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.

City of Salmon Arm Revitalization Tax Exemption Bylaw No. 3741 establishes property tax exemptions in respect of construction of a new improvement or alteration of an existing improvement where the alteration has a value in excess of \$75,000.00 to encourage revitalization in the Revitalization Area.

Table 4: Revitalization Tax Exemptions

Area	2009 General Municipal Tax Exemption	2010 General Municipal Tax Exemption	2011 General Municipal Tax Exemption	2012 General Municipal Tax Exemption	2013 General Municipal Tax Exemption	2014 General Municipal Tax Exemption
C-2 "Downtown Commercial Zone"	\$ 34,935.10	\$ 42,020.08	\$ 41,245.67	\$ 41,619.87	\$ 46,974.30	\$ 47,032.50

Schedule "B" – Bylaw #4036
2014 Revenue Policy Disclosure

5. The Official Community Plan for the City of Salmon Arm identifies the revitalization of the "Industrial Zones" as a priority. As a result, in 2014, the City established an Industrial Revitalization Tax Exemption Program pursuant to City of Salmon Arm Revitalization Tax Exemption Bylaw No. 4020.

The Revitalization Tax Exemption Program is a tool that Council is using to encourage property investment in the "Industrial Zones" (hereinafter referred to as the Revitalization Area). Council's objective is to stimulate and reinforce development initiatives in the Revitalization Area by promoting property investment within the "Industrial Zone" and to reinforce the City's investment in infrastructure upgrades and beautification projects.

City of Salmon Arm Revitalization Tax Exemption Bylaw No. 4020 establishes general municipal property tax exemptions in respect of construction of a new improvement or alteration of an existing improvement where the alteration has a value in excess of \$500,000.00 to encourage revitalization in the Revitalization Area.

Table 5: Revitalization Tax Exemptions

Area	2014 General Municipal Tax Exemption
"Industrial Zone"	\$ 0.00

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City of Salmon Arm
Memorandum from the Chief Administrative Officer

TO: Her Worship Mayor Cooper and Council

DATE: March 28, 2014

PREPARED BY: Caylee Simmons, Administrative Assistant

SUBJECT: Local General Elections – Bylaw Revision – Mail Ballot Voting

For Direction

Motion for Consideration:

THAT: Bylaw No. 4032 cited as “City of Salmon Arm General Local Government Election and Automated Voting Machines Authorization Amendment Bylaw No 4032” be read a first, second, and third time.

Background:

Section 100 of the *Local Government Act* and the *Community Charter* permits voting to be done by mail ballots (see Appendix 1, attached), however, municipalities are not required to permit such voting. Some elected officials and citizens have expressed an interest in this for the City of Salmon Arm.

Bylaw No. 4032 amends “City of Salmon Arm General Local Government Election and Automated Voting Machines Authorization Bylaw No. 3673” to provide for the determination of various procedures and the use of mail ballots for the conduct of general local government elections and other voting (see Appendix 2, attached).

The time and dates in relation to mail in ballots will be determined by the Chief Election Officer in each year of an election; however a returned mail in ballot must be received by the Chief Election Officer before the close of voting on General Voting Day in order to be counted for an election.

Discussion:

Mail Ballot Voting:

Until March 2008, the *Local Government Act* permitted local governments to only offer mail ballots to electors with a disability or to those living in an area remote from a polling station. The legislation was amended to allow local governments to offer mail ballots to persons who expect to be absent from the municipality during normal voting opportunities.

The legislation contains detailed instructions as to the format and content of mail ballot packages. These requirements are designed to ensure that only qualified electors utilize the process and that the security of the ballot is maintained by leaving the onus on the voter who signs a declaration stating that they are eligible to vote in this election. However the legislation does not require electors to provide proof that he or she meets the eligibility requirements which could potentially increase the risk of election fraud.

Mail Ballot Packages:

The mail ballot package must contain the following:

- mail ballot instructions,
- Ballot(s),
- Resident Elector and Non-Resident Elector registration application (if registration is required),
- Secrecy envelope in which the ballot(s) should be returned,
- Certification envelope in which the secrecy envelope is placed,
- Other return envelope, and
- Instructions regarding spoiled ballots.

In order to receive a mail ballot voting package, a qualified elector must fill out “Schedule A - Application to Vote by Mail” from within the designated time frame, set by the Chief Election Officer, and submit the completed form to the Chief Election Officer.

Ballots cannot be printed until one week after the close of nomination period to allow for candidates to withdraw. It will take approximately 1 week for ballots to be printed. This leaves a maximum of a 3 week window for ballot packages to be mailed out and returned to the Chief Election Officer. This could be problematic should the voter be outside of the country during this period.

If a mail ballot has been spoiled the ballot may be replaced upon request of the elector and the spoiled ballot package is returned in its entirety. An elector who spoils a ballot is still subject to the requirement that their ballot be received by the Chief Election Officer before the close of voting on general voting day in order to be counted in the election result.

Her Worship Mayor Cooper and Council
Local General Elections – Bylaw Revisions - Mail Ballot Voting

Advertising:

The Chief Election Officer must give notice(s) of the opportunities to vote by mail ballot and who is eligible to vote within the municipal jurisdiction. The notice must be advertised in a manner and as frequently as the Chief Election Officer considers reasonable. The notice must include information on “who can vote by mail” as dictated by (Section 100(3 a), b), and c) as well as other details and instructions that will assist eligible voters follow an accurate and legal process. The notice should also advise that it is the responsibility of the person applying for a mail ballot to contact the local government to request a mail ballot application form.

Expenses:

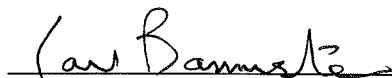
Mail Ballot Voting will likely increase expenses for the 2014 Local Government Election. These expenses include costs associated with the production of the mail ballot voting packages, postage costs of mailing packages and potentially staff costs with administering mail ballot voting. Staff time required to implement a process that meets the legislative requirements will be increased particularly during the first election.

It is estimated that the Mail Ballot Voting packages will cost approximately \$4.45 to mail within North America, \$9.05 to mail within the USA and \$18.10 to mail internationally. These prices will vary depending on the size of the ballot and the size of envelopes required. Electors will be personally responsible for the costs of returning the ballots to the Chief Election Officer pursuant to Section 100 (9), it is obligation of the voter to ensure that the mail ballot is received by the Chief Election Officer before the close on general voting day. It is difficult at this time to estimate the total cost since it is unknown the number of eligible voters that will request to vote by mail.

The average cost per vote at the 2011 Local Government Election was \$4.32. The estimated average cost per mail ballot vote, based on an estimated 200 mail ballot applications, is \$8.50 for a total estimated increase of \$1,700.00 in election expenses.

Conclusion:

Despite the increase in costs, staff workload and complexity of the mail ballot process, the benefits of offering a mail ballot may outweigh the challenges outlined in this report. Most notably, the City would be providing the voting electorate an additional voting method. If mail ballot voting is supported by Council it is envisioned that the results in 2014 would be limited but that would likely increase over time.



Carl Bannister, MCIP
Chief Administrative Officer

- Appendix 1: Section 100 of the *Local Government Act* and the *Community Charter*
2: Amendment Bylaw No. 4032

LOCAL GOVERNMENT ACT

CHAPTER 323 [RSBC 1996]

[includes 2011 Bill 16, c. 25 (B.C. Reg. 131/2012) amendments (effective March 18, 2013)]

Mail ballot voting

- 100.** (1) Subject to this section and any regulations under section 156, a local government may, by bylaw, permit voting to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.
- (2) For a municipality, the only electors who may vote by mail ballot are:
- (a) persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity, and
 - (b) persons who expect to be absent from the municipality on general voting day and at the times of all advance voting opportunities.
- (3) For a regional district, the only electors who may be permitted to vote by mail ballot are:
- (a) persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity,
 - (b) if areas are specified for this purpose in the bylaw under subsection (1), persons who reside in a specified area of the jurisdiction for which the election is being held that is remote from voting places at which they are entitled to vote, and
 - (c) persons who expect to be absent from the regional district on general voting day and at the times of all advance voting opportunities.
- (4) A bylaw under subsection (1) may:
- (a) establish procedures for voting and registration that differ from those established under other provisions of this Part, and
 - (b) establish, or authorize the Chief Election Officer to establish, time limits in relation to voting by mail ballot.
- (5) The Chief Election Officer must give notice of an opportunity to vote by mail ballot in any manner the Chief Election Officer considers will give reasonable notice to the electors who will be entitled to vote by this means.
- (6) The procedures for voting by mail ballot must require the Chief Election Officer to keep sufficient records so that challenges of an elector's right to vote may be made in accordance with the intent of section 116.
- (7) Mail ballot packages must contain the following:
- (a) the ballot or ballots to which an elector is entitled;
 - (b) a secrecy envelope that has no identifying marks, in which the ballots are to be returned;

- (c) a certification envelope on which is printed the information referred to in subsection (8) for completion by the person voting, in which the secrecy envelope is to be placed;
 - (d) an outer envelope on which is printed the address of the Chief Election Officer at the local government offices and in which the envelopes under paragraphs (b) and (c) and, if applicable, the registration application under paragraph (e) are to be returned;
 - (e) if permitted by the bylaw under subsection (1), an application for registration as an elector, to be completed if necessary and returned in the outer envelope;
 - (f) Instructions as to how to vote by mail ballot.
- (8) The certification envelope must be printed:
- (a) with spaces in which the person voting is to record his or her full name and residential address, and
 - (b) with a statement to be signed by the person voting declaring that the person:
 - (i) is entitled to be registered as an elector for the election,
 - (ii) is entitled to vote by mail ballot, and
 - (iii) has not previously voted in the election and will not afterwards vote again in the election.
- (9) In order to be counted for an election, a mail ballot must be received by the Chief Election Officer before the close of voting on general voting day and it is the obligation of the person applying to vote by mail ballot to ensure that the mail ballot is received by the Chief Election Officer within this time limit.

MAIL BALLOT VOTING PROCEDURES:

The following procedures for voting and registration must apply:

10.3 Application Procedure:

- (a) A person wishing to vote by mail ballot shall apply by giving their name and address to the Chief Election Officer or to the person designated by the Chief Election Officer for such purposes, during the period commencing 7 days before the first day of advance voting and ending at 4:00 p.m. on the Thursday two days before general voting day.
- (b) Upon receipt of a request for a mail ballot, the Chief Election Officer or designate shall, between the first day of advanced voting and 4:00 p.m. on the Thursday two days before general voting day:
 - (i) make available to the applicant, a mail ballot package as specified in Section 100(7) of the *Local Government Act*, together with a statement advising the elector that the elector must meet one or more of the mail ballot criteria specified in Section 10.2 of this bylaw, and that they must attest to such fact; and

- (ii) immediately record and, upon request, make available for inspection the name and address of the person to whom the mail ballot package was issued.

10.4 Voting Procedure:

- (a) To vote using a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer;
- (b) After marking the ballot, the elector shall:
 - (i) place the ballot in the secrecy envelope provided and seal the secrecy envelope;
 - (ii) place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
 - (iii) place the certification envelope, together with a completed elector registration application in the outer envelope, and then seal the outer envelope;
 - (iv) mail, or have delivered, the outer envelope and its contents to the Chief Election Officer at the address specified so that it is received not later than the close of voting on general voting day.

10.5 Ballot Acceptance or Rejection:

Bylaw No. 0017.01, adopted May 24, 2011, deleted in its entirety the words "chief election office" and replaced them with "Chief Election Officer":

- (a) Until 4:00 p.m. on the Thursday two days before general voting day, upon receipt of the outer envelope and its contents, the Chief Election Officer or designate shall immediately record the date of such receipt and shall then open the outer envelope and remove and examine the certification envelope and the completed elector registration application, if applicable, and if satisfied as to:
 - (i) the identity and entitlement to vote of the elector whose ballot is enclosed;
 - (ii) the completeness of the certification; and
 - (iii) the fulfilment of the requirements of Section 55 of the *Local Government Act* in the case of a person who is registering as a new elector;The Chief Election Officer or designate shall mark the certification envelope as "accepted" and shall retain in his or her custody all such certification envelopes in order to deal with any challenges made in accordance with Section 10.6 of this bylaw.
- (b) The unopened certification envelopes shall remain in the custody of the Chief Election Officer or designate until 4:00 p.m. on the Thursday two days before general voting day, at which time the certification envelopes containing the secrecy envelopes shall be opened in the presence of at least one other person, including any scrutineers present.
- (c) At 4:00 p.m. on the Thursday two days before general voting day, the Chief Election Officer or designate shall place all secrecy envelopes received up until

that time into a ballot box specified for such purpose, where such secrecy envelopes were received from persons who rights to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.

- (d) Where an outer envelope and its contents are received by the Chief Election Officer or designate between 4:00 p.m. on the Thursday two days before general voting day and the close of voting on general voting day, the provisions of Section 10.5 (a) of this bylaw regarding ballot acceptance shall apply and the Chief Election Officer or designate shall retain such envelopes in their possession until the close of voting and at that time shall open such certification envelopes in the presence of at least one other person, including any scrutineers present, and place the secrecy envelope containing the ballot into the ballot box containing the other unopened secrecy envelopes.
- (e) As soon as possible after all of the secrecy envelopes have been placed in the ballot box designated for that purpose, the ballot box shall be opened under the supervision of the Chief Election Officer or designate, and in the presence of at least one other person and any scrutineers present, the secrecy envelopes shall be opened and the ballots contained therein counted in accordance with the provisions of the *Local Government Act*.
- (f) Where:
 - (i) upon receipt of an outer envelope, the Chief Election Officer is not satisfied as to the identify of the elector whose ballot is enclosed, or
 - (ii) in the case of a person required to complete an application for registration as an elector, such application has not been completed in accordance with Section 56 of the *Local Government Act*; or
 - (iii) the outer envelope is received by the Chief Election Officer or designate after the close of voting on general voting day, the certification envelope shall remain unopened and the Chief Election Officer shall mark such envelope as "rejected", and shall note the reasons therefore, and the ballot contained therein shall not be counted in the election.
- (g) Any certification envelopes and their contents rejected in accordance with Section 10.5 (f) of this bylaw shall remain unopened and shall be subject to the provisions of Section 150 (6) of the *Local Government Act* regarding their destruction.

10.6 Challenge of Elector:

- (a) A person exercising the right to vote under the provisions of this bylaw may be challenged in accordance with and on the grounds specified in Section 116 of the *Local Government Act* until 4:00 p.m. on the Thursday two days before general voting day.
- (b) The provisions of Section 116 (2) to (5) inclusive of the *Local Government Act* shall apply where a challenge of an elector using a mail ballot has been made.

10.7 Elector's Name Already Used:

Where, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the provisions of Section 117 of the *Local Government Act* shall apply, so far as applicable.

10.8 Replacement of Spoiled Ballot:

- (a) Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by advising the Chief Election Officer or designate of the ballot spoilage and by mailing or otherwise delivering by an appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer or designate.
- (b) The Chief Election Officer shall, upon receipt of the spoiled ballot package, record such fact, and proceed in accordance with Section 10.3 of this bylaw.

CITY OF SALMON ARM

BYLAW NO. 4032

A bylaw to provide for the determination of various procedures and the use of mail ballots for the conduct of general local government elections and other voting

WHEREAS under the *Local Government Act*, RS, 1996, Chapter 323, Council may, by bylaw, determine various procedures and requirements to be applied in the conduct of local government elections and other voting, and by bylaw, provide for the use of mail ballots for voting in an election;

AND WHEREAS the Council of the City of Salmon Arm wishes to establish procedures and requirements for mail ballots under that authority;

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

1. The bylaw entitled “City of Salmon Arm General Local Government Election and Automated Voting Machines Authorization Bylaw No. 3673” is hereby amended as follows:

1. Add Section 14.3 Special Voting Opportunity Procedures as follows:

14.3 Mail Ballot Voting - As authorized under Section 100 of the *Local Government Act*, voting may be done by mail for those electors who meet the criteria as outlined under Section 100 of the *Local Government Act*, for each election or other voting:

The following electors are permitted to vote by mail ballot:

- a) persons who have a physical disability, illness, or injury that affects their ability to vote at another voting opportunity; or
 - b) persons who expect to be absent from the City of Salmon Arm on General Voting Day and at the times of all advance voting opportunities.

The following procedures for voting and registration must apply:

- a) sufficient records will be kept by the Chief Election Officer so that challenges of the elector’s right to vote may be made in accordance with the intent of Section 116 of the *Local Government Act*;

- b) a person exercising the right to vote by mail under the provisions of Section 100 may be challenged in accordance with, and on the grounds specified in Section 116 of the *Local Government Act*.

The time and dates in relation to mail in ballots will be determined by the Chief Election Officer in each year of an election; however a returned mail in ballot must be received by the Chief Election Officer before the close of voting on General Voting Day in order to be counted for an election.

2. Schedule “B” Application to Vote by Mail attached as Schedule “A” to this bylaw is hereto attached and forming part of this bylaw.

2. SEVERABILITY

If any part, section, sub-section, clause, or sub-clause of this bylaw for any reason is held to be invalid by the decision of 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 which shall continue in full force and effect and be construed as if the bylaw had been adopted without the invalid portion.

3. ENACTMENT

Any enactment 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.

4. EFFECTIVE DATE

This bylaw shall come into full force and effect upon adoption of same.

5. CITATION

This bylaw may be cited as the “City of Salmon Arm General Local Government Election Amendment Bylaw No. 4032”.

READ A FIRST TIME THIS	DAY OF	2014
READ A SECOND TIME THIS	DAY OF	2014
READ A THIRD TIME THIS	DAY OF	2014
ADOPTED BY COUNCIL THIS	DAY OF	2014

MAYOR

CORPORATE OFFICER

Schedule "A"
Application to Vote by Mail

1. Complete this form and mail, fax or email it to Attention: Chief Election Officer, City of Salmon Arm, Box 40, Salmon Arm, BC V1E 4N2; Fax: 250-803-4042, Email: XXXXXXXX.
2. If your application is filled out correctly, the Election Office will send you a mail ballot package between the first week of November and prior to the November General Voting Day. If your application needs further information the Elections Office will contact you.
If you are a non-resident property elector you will receive a non-resident property elector consent form and you will be responsible for obtaining the consent from the majority of the property owners to be registered as a non-resident elector.
3. You are responsible for ensuring that your completed ballot is received by the Chief Election Officer no later than 8:00 p.m. on General Voting Day.
4. For more information, contact the Elections Office at 250-803-40xx

I, _____
(Name of Elector)
of _____
(Residential Address of Elector)
and _____
(For non-resident property elector, address of real property in relation to which elector is voting)

Phone #: _____ Email: _____

Request that I receive a ballot to vote by mail under the provisions of the *Local Government Act* s. 100, in the General Local Election. I hereby declare that I am:

- 18 years of age or older on General Election Day; **AND**
- a Canadian citizen; **AND**
- a resident of the City of Salmon Arm for at least the past 30 days **OR** a registered owner of real property in the City of Salmon Arm for at least the past 30 days; **AND**
- a resident of BC for at least the past 6 months; **AND**
- not disqualified by law from voting in an election.

I further declare that I am entitled to vote by mail for the following reason(s) (*check at least one*):

- ☐ I have a physical disability, illness or injury that affects my ability to vote at another voting opportunity for this elections; **AND/OR**
- ☐ I expect to be absent from the city at the times of all Advance Voting Opportunities and on General Voting Day.

I request you to provide me a mail ballot package as follows (*check ONLY one*):

- ☐ Keep it at the City of Salmon Arm Municipal Hall for me **OR** for _____ to pick up; **OR**
- ☐ Mail it to my residential address; **OR**
- ☐ Mail it to the following address:

Signature of Elector

Date

Schedule "A" - Continued
Application to Vote by Mail

FOR OFFICE USE ONLY

Date Received: _____

Examined By: _____

Registered Resident Elector: Yes ☐ No ☐

Registered Non-Resident Elector Yes ☐ No ☐

Comments:

BALLOT PICK UP

Vote by mail package received on behalf of _____

This _____ day of _____, 201__ by _____

Signature

Print Name

Address

Address