



# AGENDA

## Regular Council Meeting

Monday, September 24, 2018

1:30 p.m.

*[Public Session Begins at 2:30 p.m.]*

**Council Chamber of City Hall**

**500 – 2 Avenue NE**

Page #	Item #	Description
	1.	CALL TO ORDER
1 – 2	2.	IN-CAMERA SESSION
	3.	ADOPTION OF AGENDA
	4.	DISCLOSURE OF INTEREST
	5.	PRESENTATIONS / DELEGATIONS
3 – 6	1.	Victoria Olynik, Shuswap Branch Manager, BCSPCA – Salmon Arm and the BC SPCA
	6.	CONFIRMATION OF MINUTES
7 – 18	1.	Regular Council Meeting Minutes of August 27, 2018
19 – 22	2.	Special Council Meeting Minutes of September 7, 2018
	7.	COMMITTEE REPORTS
23 – 26	1.	Development and Planning Services Committee Meeting Minutes of September 17, 2018
27 – 30	2.	Agricultural Advisory Committee Meeting Minutes of August 15, 2018
31 – 34	3.	Community Heritage Commission Meeting Minutes of April 20, 2018
35 – 38	4.	Housing Task Force Meeting Minutes of August 13, 2018
39 – 42	5.	Environmental Advisory Committee Meeting Minutes of September 6, 2018
	8.	INTRODUCTION OF BYLAWS
43 – 50	1.	City of Salmon Arm 2019 Permissive Tax Exemption Bylaw No. 4279 – First, Second and Third Readings
51 – 64	2.	City of Salmon Arm Zoning Amendment Bylaw No. 4282 [ZON-1131; Salmon Arm Shopping Centres Ltd./Green Emerald Investments Inc.; 1511 10 Avenue SW; R-1 to C-3]– First and Second Readings
65 – 78	3.	City of Salmon Arm Zoning Amendment Bylaw No. 4283 [ZON-1132; Fennell, L. & S.; 110 2 Street SE; R1 to R-8] – First and Second Readings
79 – 120	4.	City of Salmon Arm Cemetery Management Bylaw No. 4280 – First, Second and Third Readings



9. **RECONSIDERATION OF BYLAWS**
  - 121 – 138 1. City of Salmon Arm Road Closure Bylaw No. 4266 [Bickle, J. & J./Morgan, R. & M./Taylor, S. & E; Portion of 25 Avenue SW] – Final Reading
  - 139 – 164 2. City of Salmon Arm Council Procedure Bylaw No. 4276 – Final Reading
  - 165 – 256 3. City of Salmon Arm Fee for Service Amendment Bylaw No. 4278 [Cannabis Retail Processing Fee] – Final Reading
10. **CORRESPONDENCE**
  - 257 – 258 1. Informational Correspondence
11. **STAFF REPORTS**
  - 259 – 278 1. Director of Development Services - Agricultural Land Commission Application No. ALC-377 [Mountainview Baptist Church/Alberts, K.; 4480 – 30 Street NE; Non-Farm Use]
  - 279 – 282 2. Chief Financial Officer – Purchase of Fire Apparatus
  - 283 – 288 3. Chief Financial Officer – Airport Fuel Supply Self-Serve Fueling Terminal
  - 289 – 292 4. Director of Engineering & Public Works - Recycle BC Statement of Work for Curbside Collection Services Provided by Local Government
  - 293 – 294 5. Director of Engineering & Public Works - Budget Amendment – Replacement of Unit#46 – Truck & Crane
  - 295 – 298 6. Director of Engineering & Public Works - Project Award – Metford Dam Berm – Access Road and Flow Pond Upgrades
12. **NEW BUSINESS**
13. **COUNCIL STATEMENTS**
14. **COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE**
15. **SALMON ARM SECONDARY YOUTH COUNCIL**
  1. Introduction of 2018/2019 Salmon Arm Secondary Youth Council
  2. Gray Simms Update on 2018 UBCM Convention
16. **NOTICE OF MOTION**
17. **UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS**
18. **OTHER BUSINESS**
- 299 – 300 19. **ADJOURNMENT**



Item 2.

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



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Item 5.1

## CITY OF SALMON ARM

Date: September 24, 2018

### PRESENTATION

**NAME:** Victoria Olynik, Shuswap Branch Manager, BCSPCA

**TOPIC:** Salmon Arm and the BC SPCA

#### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## Salmon Arm & the BC SPCA

**About the BC SPCA**

- Established in 1895 by provincial statute
- Covers the entire province of BC
- 490 staff and nearly 4,000 volunteers
- 80,000+ donors
- 43,000 animals cared for each year
- 10,000 cruelty investigations each year
- Registered charity
- No ongoing federal or provincial government funding


**BCSPCA**  
SPEAKING FOR ANIMALS

## Our Mission and Vision

**MISSION:** To Protect and Enhance the Quality of Life for Domestic, Farm and Wild Animals in BC

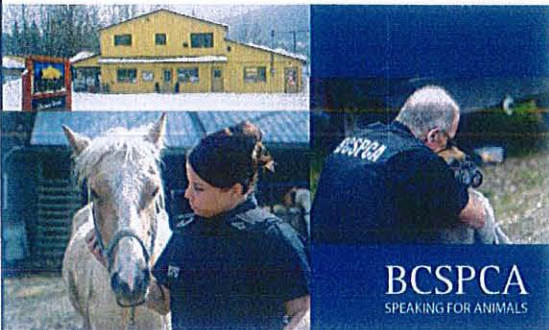
**VISION:** To inspire and mobilize society to create a world in which all animals enjoy as a minimum, five essential freedoms:

1. Freedom from hunger and thirst
2. Freedom from pain, injury, and disease
3. Freedom from distress
4. Freedom from discomfort
5. Freedom to express behaviours that promote well-being



**BCSPCA**  
SPEAKING FOR ANIMALS

## BC SPCA and the Salmon Arm Community



**BCSPCA**  
SPEAKING FOR ANIMALS

## BC SPCA and The Shuswap

In 2016:

- BC SPCA took in 81 dogs and puppies and 627 cats and kittens from Shuswap region.
- Of 627 cats and kittens, 363 were surrendered by owner and 229 were found as strays.

Of the 627 cats, 447 (72% of all cat intake) were kittens and 180 were adult cats

- Cat overpopulation is an issue across British Columbia – cats are domesticated pets, but often treated as if they are wild animals



**BCSPCA**  
SPEAKING FOR ANIMALS

## Staff and Volunteers

Our staff and volunteers work tirelessly to prevent animal cruelty, promote humane education, and ensure animals find homes.

We have:

- 1 full-time and 5 part-time staff
- 40 volunteers

## Costs

- Caring for an animal includes: spay/neuter, microchip, parasite & medical treatment, sheltering and overhead (staff time for welfare monitoring, housing, feeding, accounting, PR, & fixed facility costs)
- What it cost to run our shelter in 2016: Over \$507,608
- Cost of spay/neuter assistance program \$50,642



**BCSPCA**  
SPEAKING FOR ANIMALS

## Pet Overpopulation: Community Concerns

**Unsterilized animals cause community problems**

- Unsterilized animals breed, producing unwanted litters, creating pet over population
- Disease from animal waste can spread to children & other animals
- Predation of birds and other native wildlife
- Public nuisance & noise issues
- Poor animal welfare – animals die needlessly



**BCSPCA**  
SPEAKING FOR ANIMALS



## Spay & Neuter Programs Saves Lives

Every year in Salmon Arm and other B.C. communities thousands of animals suffer from abandonment and disease due to lack of care.

With support from government, foundations and donors, The BC SPCA combats this problem by caring for over 40,000 abandoned or surrendered animals every year.

**BCSPCA**  
SPEAKING FOR ANIMALS



## Working Together to Improve Animal Welfare

### Partners in safety...

The BC SPCA works with communities across BC to review animal control bylaws.

**Bylaws** are integral to fighting animal cruelty, neglect, and preventing community safety issues

Our team would love to work with your policy staff and help improve community safety through bylaw review!

**BCSPCA**  
SPEAKING FOR ANIMALS



## Proposed Bylaw Amendment

### 1) Adopt standards of care:

- Restrict unattended tethering
- Prohibit confinement without ventilation
- Require the provision of basic nutrition, exercise, veterinary care and appropriate shelter

### 2) Adopt cat-related bylaws:

- Require cat identification
- Mandatory spay/neuter
- Option for cat registration

The BC SPCA does not anticipate additional costs to the City resulting from these changes. We look forward to further consultation



**BCSPCA**  
SPEAKING FOR ANIMALS

## Planning for a new home in Salmon Arm

- We are in the early stages of planning for a new facility in the community
- First step is identifying a parcel of land in the City of Salmon Arm



## Thank You!

### Questions?

CONTACT INFORMATION:  
Victoria Olynik

Title: Shuswap Branch Manager  
Email: volynik@spca.bc.ca  
Phone number: (250) 803-1195

**BCSPCA**  
SPEAKING FOR ANIMALS





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Item 6.1

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: the Regular Council Meeting Minutes of August 27, 2018, be adopted as circulated.

### **Vote Record**

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## REGULAR COUNCIL

Minutes of a Regular Meeting of Council of the City of Salmon Arm held in the Council Chamber of the City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on **Monday, August 27, 2018.**

### PRESENT:

Mayor N. Cooper  
Councillor C. Eliason  
Councillor K. Flynn  
Councillor A. Harrison  
Councillor K. Jamieson  
Councillor T. Lavery  
Councillor L. Wallace Richmond

Director of Corporate Services E. Jackson  
Director of Engineering & Public Works R. Niewenhuizen  
Director of Development Services K. Pearson  
Chief Financial Officer C. Van de Cappelle  
Recorder C. Simmons

### 1. CALL TO ORDER

Mayor Cooper called the meeting to order at 1:30 p.m.

### 2. IN-CAMERA SESSION

0371-2018

Moved: Councillor Harrison  
Seconded: Councillor Eliason  
THAT: Pursuant to Section 90 (1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 1:30 p.m.  
Council returned to Regular Session at 1:54 p.m.  
Council recessed until 2:30 p.m.

### 3. REVIEW OF AGENDA

Addition under item 11.3 Overview of Affordable Housing Initiatives in Other Communities

Item 11.3 report from Director of Corporate Services - City of Salmon Arm Housing Task Force be moved to Item 5.1

Item 15.1 Notice of Motion City of Salmon Arm Housing Task Force be moved to follow Item 5.1

Item 10.3 D. Dunlop, Executive Director, Canadian Mental Health Association - Shuswap Revelstoke and Shuswap Independent Living Association - email dated August 23, 2018 - Request for Letter of Support for BC Housing RFP be moved to follow Item 15.1

Addition under item 20.1 M. A. Mills - letter dated August 21, 2018 - Development Variance Permit No. VP-479



**3. REVIEW OF AGENDA – continued**

Addition under item 20.1 A. Chin – letter dated August 25, 2018 – Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 1346 (civic address 1151 8<sup>th</sup> Ave NE)

Addition under item 20.1 J. Halliday – letter and petition dated August 24, 2018 – Variance Permit application No. VP-479 (servicing), 1151 8 Ave NE, Lakeshore Terrace Developments Ltd.

**4. DISCLOSURE OF INTEREST****5. PRESENTATIONS / DELEGATIONS****1. Report from Director of Corporate Services – City of Salmon Arm Housing Task Force**

E. Jackson, Director of Corporate Services provided an introduction to the report prepared in conjunction with Chairs Lavery and Wallace Richmond and the Housing Task Force.

Lana Fitt, Salmon Arm Economic Development Society and Jeff Ragsdale, Member at Large from the City of Salmon Arm Housing Task Force outlined the recommendations from the Housing Task Force and were available to answer questions from Council.

**15. NOTICE OF MOTION**

0372-2018

Moved: Councillor Harrison

Seconded: Councillor Eliason

THAT: The consideration of the City of Salmon Arm Housing Task Force Notice of Motion be given at the August 27, 2018 Regular Council Meeting.

CARRIED UNANIMOUSLY

**1. City of Salmon Arm Housing Task Force**

0373-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

WHEREAS: the primary goal of the Housing Task Force (HTF) is to provide information and recommendations to Council that will allow the City of Salmon Arm to position itself for potential Federal or Provincial funding opportunities geared toward the creation of non-profit housing for low and moderate income households, affordable rental housing and affordable homeownership.

AND WHEREAS: the HTF has presented its recommendations to Council;

THEREFORE BE IT RESOLVED THAT: Council direct Staff to include for consideration in the 2019 Budget, the allocation in the amount of \$60,000.00 to retain a consultant to develop and implement an achievable five (5) year community housing strategy;

AND THAT: the HTF continue to play an active role along with staff, council and consultants towards a measurable and sustainable outcome.

CARRIED UNANIMOUSLY



**10. CORRESPONDENCE**

3. D. Dunlop, Executive Director, Canadian Mental Health Association - Shuswap Revelstoke and Shuswap Independent Living Association - email dated August 23, 2018 - Request for Letter of Support for BC Housing RFP

D. Dunlop, Executive Director, Canadian Mental Health Association - Shuswap Revelstoke and Shuswap Independent Living Association provided an overview the Request for Proposal and, if successful, the terms of the long term funding agreement with BC Housing. She was available to answer questions from Council.

0374-2018

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: Council provide a letter of support to the Canadian Mental Health Association for their application to BC Housing for affordable housing in the City of Salmon Arm.

CARRIED UNANIMOUSLY

**6. CONFIRMATION OF MINUTES**

1. Regular Council Meeting Minutes of August 13, 2018

0375-2018

Moved: Councillor Flynn

Seconded: Councillor Jamieson

THAT: the Regular Council Meeting Minutes of August 13, 2018, be adopted as circulated.

CARRIED UNANIMOUSLY

**7. COMMITTEE REPORTS**

1. Development and Planning Services Committee Meeting Minutes of August 20, 2018

0376-2018

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: the Development and Planning Services Committee Meeting Minutes of August 20, 2018, be received as information.

CARRIED UNANIMOUSLY

2. Housing Task Force Meeting Minutes of July 30, 2018

0377-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the Housing Task Force Meeting Minutes of July 30, 2018 be received as information.

CARRIED UNANIMOUSLY



**6. CONFIRMATION OF MINUTES – continued****3. Downtown Parking Commission Meeting Minutes of August 21, 2018**

0378-2018

Moved: Councillor Eliason  
Seconded: Councillor Jamieson  
THAT: the Downtown Parking Commission Meeting Minutes of August 21, 2018 be received as information.

CARRIED UNANIMOUSLY

**8. INTRODUCTION OF BYLAWS****1. City of Salmon Arm Road Closure Bylaw No. 4266 – First, Second and Third Readings**

0379-2018

Moved: Councillor Lavery  
Seconded: Councillor Wallace Richmond  
THAT: the bylaw entitled City of Salmon Arm Road Closure Bylaw No. 4266 be read a first, second and third time;

AND THAT: Council authorize the sale of Closed Road, Plan EPP81980, Section 10, Township 20, Range 10, W6M, KDYD, as shown on Appendix 3 of the staff report dated August 9, 2018, to J.L. & J.M. Bickle, R.D. & M.L. Morgan and S.H. & E.A. Taylor for the total sum of \$64,000.00;

AND FURTHER THAT: The sale of the above lands be subject to the following:

- i) Compliance with Section 26 (Notice of Proposed Property Disposition) and Section 94 (Requirements for Public Notice) of the Community Charter and Policy 3.16 (Notification);
- ii) The lands being consolidated with the applicant's properties as shown on Appendix 6 of the staff report dated August 9, 2018; and
- iii) All associated costs being the responsibility of the applicants.

CARRIED UNANIMOUSLY

**2. City of Salmon Arm Fee for Service Amendment Bylaw No. 4278 – First, Second and Third Readings and Cannabis Retail Stores – Policy No. 3.20**

0380-2018

Moved: Councillor Jamieson  
Seconded: Councillor Eliason  
THAT: the bylaw entitled City of Salmon Arm Fee for Service Amendment Bylaw No. 4278 be read a first, second and third time;

AND THAT: the "Cannabis Retail Stores – Policy No. 3.20" attached to the staff report dated August 10, 2018 be adopted.

CARRIED UNANIMOUSLY

**9. RECONSIDERATION OF BYLAWS**



10. CORRESPONDENCE

1. Informational Correspondence

For information.

Councillor Harrison left the meeting at 3:46 p.m. and returned at 3:47 p.m.

3. D. McDonald - email dated August 13, 2018 - Adaptable Paddleboard Event August 29

0381-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: Council authorize the use of Canoe Beach Park and wharf for the Adaptable Paddleboard event on August 29, 2018 from 11:00 a.m. to 4:00 p.m. subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY

Councillor Eliason left the meeting at 3:52 p.m. and returned at 3:54 p.m.

2. M. Kriese, SAS Sullivan Wellness Centre Coordinator - letter dated August 22, 2018 - Request for Rainbow Crosswalk Celebration - Tuesday, September 25, 2018 4:00 p.m. - 6:00 p.m.

0382-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Harrison

THAT: Council authorize the use of Blackburn Park and portion of road containing the Rainbow Crosswalk for the Rainbow Crosswalk Celebration event on September 25, 2018 from 4:00 p.m. to 6:00 p.m. subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY

11. STAFF REPORTS

Councillor Jamieson left the meeting at 3:59 p.m.

Councillor Eliason declared a conflict of interest as he is a Board Member of the Municipal Insurance Association of BC and left the meeting at 3:59 p.m.

1. Director of Corporate Services - 2018 Property Insurance

0383-2018

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: Council award the contract for provision of Property, Crime, Equipment Breakdown, Marina Operators Legal Liability and Environmental Impairment Liability insurance to the Municipal Insurance Association of BC for the period of September 17, 2018 to September 16, 2019 for \$157,965.00, with the option of renewing for an additional two (2) years subject to receipt of a satisfactory quotation 45 days prior to commencement of the next policy period.

Councillor Jamieson returned to the meeting 4:01 p.m.

Councillor Flynn left the meeting at 4:01 p.m. and returned at 4:01 p.m.

CARRIED UNANIMOUSLY



**11. STAFF REPORTS – continued**

Councillor Eliason returned to the meeting at 4:00 p.m.

**2. Director of Corporate Services – Shuswap Regional Airport Commission Appointment**

0384-2018

Moved: Councillor Harrison  
Seconded: Councillor Wallace Richmond  
THAT: Chelsea Van de Cappelle, Chief Financial Officer, be appointed to replace Monica Dalziel, as a City of Salmon Arm representative to the Shuswap Regional Airport Commission for the remainder of the two (2) year term expiring December 31, 2019.

CARRIED UNANIMOUSLY

**4. Director of Engineering and Public Works – Sidewalk Inspection and Maintenance Policy**

0385-2018

Moved: Councillor Jamieson  
Seconded: Councillor Lavery  
THAT: Council adopt the Sidewalk Inspection and Maintenance Policy No. 5.18 attached as "Appendix A" to the staff report dated July 25, 2018.

CARRIED UNANIMOUSLY

**5. Director of Corporate Services – Supply of Bulk Aviation Fuels and Related Delivery Services**

0386-2018

Moved: Councillor Harrison  
Seconded: Councillor Eliason  
THAT: Council award the contract for supply of Bulk Aviation Fuels and Related Delivery Services to PetroValue Products Inc. at their quoted unit prices for a term of one (1) year, commencing September 1, 2018.

CARRIED UNANIMOUSLY

**6. Director of Engineering and Public Works – Budget Amendment and Project Award – 10 Street SW and 20 Avenue SE and Shuswap Street Sidewalk Extensions**

0387-2018

Moved: Councillor Lavery  
Seconded: Councillor Jamieson  
THAT: the 2018 Budget contained in the 2018 – 2022 Financial Plan Bylaw be amended to reflect an increase to the 10 Street SW Sidewalk Upgrade and Extension project allocation in the amount of \$35,000.00 funded from the reallocation of Community Works Fund monies as follows:

- Decrease the 20 Avenue SE Sidewalk Extension project allocation in the amount of \$15,000.00;
- Decrease Shuswap Street – East Side Sidewalk Replacement project allocation in the amount of \$20,000.00;

AND THAT: the 2018 Budget contained in the 2018 – 2022 Financial Plan Bylaw be amended to cancel the Shuswap Street – East Side Sidewalk Replacement Project;



**11. STAFF REPORTS – continued****6. Director of Engineering and Public Works – Budget Amendment and Project Award – 10 Street SW and 20 Avenue SE and Shuswap Street Sidewalk Extensions – continued**

AND THAT: Council award the 10 Street SW and 20 Avenue SE Sidewalk Extension projects to Blackburn Excavating Ltd. in accordance with the terms of their proposal for \$238,669.20 (\$170,229.65 and \$68,439.55 respectively) plus applicable taxes.

Councillor Eliason left the meeting at 4:19 p.m.

CARRIED UNANIMOUSLY

**7. Director of Engineering and Public Works – Shuswap Regional Airport – Taxiway Charlie – Preliminary and Detailed Design Award**

0388-2018

Moved: Councillor Harrison

Seconded: Councillor Jamieson

THAT: the 2018 Budget contained in the 2018 – 2022 Financial Plan Bylaw be amended to reflect funding for the Shuswap Regional Airport – Taxiway Charlie Design project in the amount of \$110,000.00 funded from the reallocation of Community Works Fund monies in the amount of \$55,000.00 and General Revenue in the amount of \$55,000.00 from the Shuswap Street Sidewalk Replacement project;

AND THAT: the City's Purchasing Policy No. 7.13 be waived in procurement of the Engineering Services relative to Project No. ENG2018-62 to authorize the sole sourcing of same to WSP Canada Inc.;

AND THAT: Council award the Engineering Services contract for the Shuswap Regional Airport – Taxiway Charlie Design project to WSP Canada Inc. in accordance with the terms of their proposal dated August 23, 2018, for an estimated cost of \$108,272.00 plus applicable taxes.

Councillor Eliason returned to the meeting at 4:22 p.m.

CARRIED UNANIMOUSLY

**12. NEW BUSINESS****13. COUNCIL STATEMENTS****1. Committees of Council/Agency Representatives**

Members of Council reported on the Committees and Agencies they represent.

**14. COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE****1. Board in Brief – August, 2018**



**15. NOTICE OF MOTION****16. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS****17. OTHER BUSINESS**

The Meeting recessed at 4:37 p.m.

The Meeting reconvened at 7:00 p.m.

**PRESENT:**

Mayor N. Cooper  
Councillor K. Flynn  
Councillor C. Eliason  
Councillor A. Harrison  
Councillor K. Jamieson  
Councillor T. Lavery  
Councillor L. Wallace Richmond

Director of Corporate Services E. Jackson  
Director of Engineering & Public Works R. Niewenhuizen  
Director of Development Services K. Pearson

**18. DISCLOSURE OF INTEREST**

No interest was declared.

**19. SPECIAL PRESENTATIONS****1. Special Olympics**

Council presented the 2018 Special Olympic Summer Games participants with certificates in recognition of their success.

**20. HEARINGS****1. Development Variance Permit No. VP-479 [Lakeshore Terrace Developments Ltd.; 1151 – 8 Avenue NE; Servicing Variance]**

0389-2018

Moved: Councillor Harrison

Seconded: Councillor Flynn

THAT: Development Variance Permit No. 479 be authorized for issuance for Lot 2, Section 13, Township 20, Range 10, W6M, KDYD, Plan 13746 which will vary the provisions of Subdivision and Development Servicing Bylaw No. 4163 as follows:

1. Waive the requirement to provide 100% cash contribution for upgrade of the watermain along 8 Avenue NE for the entire frontage of the subject property.



20. HEARINGS - continued

1. Development Variance Permit No. VP-479 [Lakeshore Terrace Developments Ltd.; 1151 - 8 Avenue NE; Servicing Variance] - continued

The Director of Development Services explained the proposed Development Variance Permit.

Submissions were called for at this time.

B. Hermanski, the applicant, outlined the application and was available to answer questions from Council.

S. Dolton, 1131 8 Avenue NE, asked if the City pays for upgrades if it is transferred to the tax payers?

The Director of Engineering and Public Works advised that the if the developer did not pay for the upgrades that the water utility would have to fund the water main upgrade and this would ultimately be paid for by the users and rate payers.

S. Dolton, 1131 8 Avenue NE, asked how the City knows that the existing 4" pipe will be sufficient?

The Director of Engineering and Public Works advised that a Design Engineer has tested the flow and determined it is sufficient.

Amendment:

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: The requirement to provide a 100% cash contribution for upgrade of the watermain along 8 Avenue NE for the entire frontage of the subject property be reduced to a 50% cash in lieu contribution (\$15,640.60) plus applicable taxes.

CARRIED UNANIMOUSLY

Following three calls for submissions and questions from Council, the Hearing was closed at 7:31 p.m. and the motion as amended was:

CARRIED UNANIMOUSLY

21. PUBLIC HEARING

22. RECONSIDERATION OF BYLAWS



23. ADJOURNMENT

0390-2018

Moved: Councillor Eliason

Seconded: Councillor Harrison

THAT: the Regular Council Meeting of August 27, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:44 p.m.

CERTIFIED CORRECT:

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
MAYOR

Adopted by Council the day of 2018.



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Item 6.2

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the Special Council Meeting Minutes of September 7, 2018, be adopted as circulated.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## SPECIAL COUNCIL

Minutes of a Special Meeting of Council of the City of Salmon Arm held in Room 100 at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on Friday, September 7, 2018.

### PRESENT:

Mayor N. Cooper  
Councillor L. Wallace Richmond  
Councillor A. Harrison  
Councillor K. Flynn  
Councillor A. Harrison  
Councillor T. Lavery

Chief Administrative Officer C. Bannister  
Director of Corporate Services E. Jackson  
Director of Engineering & Public Works R. Niewenhuizen  
Director of Development Services K. Pearson  
Chief Financial Officer C. Van de Cappelle  
Recorder C. Simmons

### ABSENT:

Councillor C. Eliason  
Councillor K. Jamieson

### 1. CALL TO ORDER

Mayor Cooper called the meeting to order at 8:00 a.m.

### 2. ADOPTION OF AGENDA

### 3. DISCLOSURE OF INTEREST

### 4. CORRESPONDENCE

1. R. McMahon, 2018 Salmon Arm Fair Coordinator - email dated August 29, 2018 - Request for Salmon Arm Fair Parking on Safeway Field

0391-2018

Moved: Councillor Harrison  
Seconded: Councillor Wallace Richmond  
THAT: Council authorize Salmon Arm and Shuswap Lake Agricultural Association/Girl Guides use of 251 - 5 Avenue SW for parking during the Salmon Arm Fall Fair from September 6 - 9, 2018, subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY



4. CORRESPONDENCE - continued

2. J. Murray - email dated September 3, 2018 - Memorial Bench at Skatepark

0392-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: Council authorize the installation of a memorial bench for Josh Hunter at the Skatepark located at 681 10 Avenue Southwest (Blackburn Park) as outlined in the email dated September 3, 2018 subject to J. Murray incurring all associated costs, pending conformation of John Hunter's involvement in the development of the Skatepark;

AND THAT: J. Murray work with staff on the placement and installation of the bench.

CARRIED UNANIMOUSLY

5. STAFF REPORTS

1. Chief Financial Officer - 2018 Budget Amendment

0393-2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to cancel the 10 Street NE (from Hospital to 9 Ave NE) Road project and redirect allocations between budget accounts as follows:

10 St SW Sidewalk Extension - \$160,000.00, funded as follows:

General - City Hall Facility

(Project Complete - Funded From Unexpended Reserve)	\$ 100,000.00
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Shuswap Street - East Side

(Project Deferred - Funded From Community Works)	20,000.00
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10 Street NE (From Hospital to 9 Ave NE)

(Project Deferred - Funded From Community Works)	<u>40,000.00</u>
--	------------------

Total \$ 160,000.00

AND THAT: the 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to cancel the 6 Ave NE and 10 Street NE Intersection Improvement project and redirect \$20,000.00 from the Unexpended Reserve to the Narcisse Street and Beatty Ave NE Intersection project;

AND FURTHER THAT: The 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to direct \$10,000.00 to Property Appraisals funded from the reduction and reallocation of the following:

Investigations - Interviews	\$ 5,000.00
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Workplace Initiatives - Lunch & Learn Meetings	<u>5,000.00</u>
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Total \$ 10,000.00

CARRIED UNANIMOUSLY



5. STAFF REPORTS - continued

2. Director of Corporate Services - Lease and Operating Agreement for the Memorial Arena Sports Complex: September 1, 2018 to March 31, 2020

0394-2018

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: the Mayor and Corporate Officer be authorized to execute a Lease and Operating Agreement with the Shuswap Recreation Society for the Memorial Arena Sports Complex, for the period of September 1, 2018 to March 31, 2020, subject to Community Charter Advertising Requirements.

CARRIED UNANIMOUSLY

6. OTHER BUSINESS

7. IN-CAMERA SESSION

0395-2018

Moved: Councillor Harrison

Seconded: Councillor Flynn

THAT: pursuant to Section 90(1) of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 8:21 a.m.

Council returned to Regular Session at 8:53 a.m.

8. ADJOURNMENT

0396-2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Harrison

THAT: the Special Council Meeting of September 7, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:53 a.m.

CERTIFIED CORRECT:

\_\_\_\_\_  
CORPORATE OFFICER

Adopted by Council the day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR



Item 7.1

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Harrison

Seconded: Councillor Lavery

THAT: the Development and Planning Services Committee Meeting Minutes of September 17, 2018, be received as information.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## **DEVELOPMENT AND PLANNING SERVICES COMMITTEE**

Minutes of a Meeting of the Development and Planning Services Committee of the City of Salmon Arm held in Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on **Monday, September 17, 2018.**

### **PRESENT:**

Mayor N. Cooper  
Councillor K. Flynn  
Councillor C. Eliason  
Councillor A. Harrison  
Councillor L. Wallace Richmond  
Councillor T. Lavery

Chief Administrative Officer C. Bannister  
Director of Corporate Services E. Jackson  
Director of Engineering & Public Works R. Niewenhuizen  
Director of Development Services K. Pearson  
Recorder B. Puddifant

### **ABSENT:**

Councillor K. Jamieson

#### **1. CALL TO ORDER**

Mayor Cooper called the meeting to order at 8:00 a.m.

#### **2. REVIEW OF THE AGENDA**

#### **3. DECLARATION OF INTEREST**

#### **4. PRESENTATIONS**

#### **5. REPORTS**

1. **Zoning Amendment Application No. ZON-1131 [Salmon Arm Shopping Centres Ltd. (Smart Centres)/Green Emerald Investments Inc.; 1511 – 10 Avenue SW; R-1 to C-3]**

Moved: Councillor Eliason

Seconded: Councillor Harrison

THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 3, Section 15, Township 20, Range 10, W6M, KDYD, Plan 4309 from R-1 (Single Family Residential Zone) to C-3 (Service Commercial Zone);



5. **REPORTS - continued**

1. **Zoning Amendment Application No. ZON-1131 [Salmon Arm Shopping Centres Ltd. (Smart Centres)/Green Emerald Investments Inc.; 1511 - 10 Avenue SW; R-1 to C-3] - continued**

AND FURTHER THAT: Final Reading of the Bylaw be withheld subject to approval of the Bylaw by the Ministry of Transportation and Infrastructure.

CARRIED UNANIMOUSLY

2. **Zoning Amendment Application No. ZON-1132 [Fennell, L.; 110 - 2 Street NE; R-1 to R-8]**

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the Development and Planning Services Committee recommends to Council that a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 8, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

AND THAT: Final reading of the zoning amendment bylaw be withheld subject to:

1. confirmation that the proposed detached suite meets Zoning Bylaw and BC Building Code requirements; and
2. approval by the Ministry of Transportation and Infrastructure.

L. Fennell, the applicant, outlined the application and was available to answer questions from the Committee.

CARRIED UNANIMOUSLY

3. **Agricultural Land Commission Application No. ALC-377 [Mountainview Baptist Church/Alberts, K.; 4480 - 30 Street NE; Non-Farm Use]**

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Agricultural Land Commission Application No. ALC-377 be authorized for submission to the Agricultural Land Commission.

K. Alberts, the agent, outlined the application and was available to answer questions from the Committee.

W. Miles, Planning Officer, spoke regarding the Agricultural Advisory Committee's discussion and Resolution.

CARRIED UNANIMOUSLY

6. **FOR INFORMATION**



7. IN CAMERA

8. LATE ITEMS

9. ADJOURNMENT

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the Development and Planning Services Committee meeting of September 17, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:46 a.m.

Minutes received as information by Council  
at their Regular Meeting of

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Mayor Nancy Cooper  
Chair



Item 7.2

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Harrison

THAT: the Agricultural Advisory Committee Meeting Minutes of August 15, 2018 be received as information.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## **AGRICULTURAL ADVISORY COMMITTEE**

Minutes of a Meeting of the Agricultural Advisory Committee of the City of Salmon Arm held in Room 100 of City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on **Wednesday, August 15, 2018.**

### **PRESENT:**

Councillor Ken Jamieson, Chair  
 James Olafson  
 Don Syme  
 Ron Ganert  
 John McLeod  
 James Hanna  
 Kurt Alberts – agent/presenter (Item 5.1)  
 Loyd Garner, Mountainview Baptist Church (Item 5.1)  
 Manley Fredlund, Mountainview Baptist Church (Item 5.1)  
 Wesley Miles, Planning & Development Officer - staff/recorder (non-voting)

**ABSENT:** Lana Fitt, Bruce Cook, John Schut, Kirsten Bevandick

### **1. Call to Order**

Chair Ken Jamieson called the meeting to order at 3:00 p.m.

### **2. Declaration of Interest**

n/a

### **3. Presentations / Delegations**

n/a

### **4. Previous Meeting Minutes**

n/a

### **5. Items**

1. **Agricultural Land Reserve Applicant No. ALC-377 (Non-Farm Use)**  
**4480 – 30 Street NE**  
**Owner: Mountainview Baptist Church**  
**Applicant: Kurt Alberts**

Moved: John McLeod  
 Seconded: Ron Ganert



THAT: the Agricultural Advisory Committee recommends to Council that it support the application subject to the protection, via split zoning and covenant, of the north-east portion of property for agricultural uses only.

Unanimous

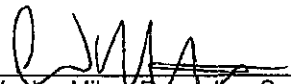
Staff provided a brief overview of the application including current zoning and land use designations. The application presented a detailed background report on the history of school and church use dating back to 1918. It was stated that the use predated the ALC, however no records were available and the applicant was directed to make a Non-Farm Use application by ALC staff. The Committee discussed points including local history, historic zoning, the proposed church structure, the available area for parking and protection of the north-east portion of the property for agricultural use. Given the historic use, the Committee supported the application subject to protecting the north-east portion of the property by means of split zoning and covenant for future agricultural use including future community gardens.

**6. Late Items**

1. It was recommended that an item to be discussed at the next meeting would include developing questions related to agriculture for the candidates in the upcoming civil election.

**7. Adjournment**

The meeting adjourned at 4:04 p.m.

  
Wesley Miles, Recording Secretary  
(Endorsed By Meeting Chair)



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Item 7.3

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: the Community Heritage Commission Meeting Minutes of April 20, 2018 be received as information.

### Vote Record

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## COMMUNITY HERITAGE COMMISSION

Minutes of the Community Heritage Commission Meeting held on Friday, April 20, 2018 at 3:00 p.m. in Meeting Room 100, City Hall, Salmon Arm, British Columbia.

### PRESENT:

Councillor Louise Wallace-Richmond  
Cindy Malinowski  
Deborah Chapman  
Pat Kassa  
Harry Welton  
Mary Landers

### REGRETS:

Anne Kirkpatrick

### STAFF:

Jon Turlock, Planning & Development Officer

#### 1. Call to Order

The meeting was called to order at 3:00 p.m.

#### 2. Presentations

n/a

#### 3. Confirmation of Minutes

##### 3.1 Community Heritage Commission Meeting of March 16, 2018.

Moved: Harry Welton/Seconded: Pat Kassa

THAT: the Minutes of the Meeting of March 16, 2018 be approved.

CARRIED UNANIMOUSLY



#### 4. Items

##### 4.1 Heritage Plaque Program

Moved: Pat Kassa/Seconded: Mary Landers

THAT: the Fletcher Park/City Hall properties be added to the Community Heritage Register and this location be included in the next phase of the Heritage Plaque Program.

CARRIED UNANIMOUSLY

The Fletcher Park and City Hall properties have historically been used as a community gathering place and the Commission agreed that this location should be added to the Heritage Register and included in the next phase of the Heritage Plaque Program, along with the 'Old Cemetery' and the Fall Fair Grounds.

At its previous meeting, the Commission included Victory Hall in the next phase of the Heritage Plaque Program but the property is currently for sale and it was agreed to proceed with the Fletcher Park/City Hall location until the future status of Victory Hall is known.

##### 4.2 Heritage Inventory

Deferred to the next CHC meeting in May.

#### 5. Late Items

5.1 Louise Wallace-Richmond advised the Commission of the following:

- i) the Downtown Activity Centre (DAC) will be closed by December 31, 2018;
- ii) the ownership status of Victory Hall is uncertain as it may still be for sale but the sign has been removed; and
- iii) the steps at the Art Gallery need to be replaced and the Arts Council is working on a design for their replacement which they will review with the Commission.

#### 6. Date of Next Meeting

The next regular CHC meeting is scheduled for Friday, May 18, 2018 at 3:00 pm in Meeting Room 100 at City Hall.



7. Adjournment

The meeting adjourned at 4:05 p. m.

*Louise Wallace Richmond*

Louise Wallace Richmond, Chair  
Community Heritage Commission



Item 7.4

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the Housing Task Force Meeting Minutes of August 13, 2018 be received as information.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## HOUSING TASK FORCE

Housing Task Force meeting held **Monday, August 13, 2018**, at 11:00 a.m. in Meeting Room 100, City Hall, Salmon Arm, British Columbia.

### PRESENT:

Councillor Louise Wallace Richmond	City of Salmon Arm, Co-Chair
Councillor Tim Lavery	City of Salmon Arm, Co-Chair
Paige Hilland	Shuswap Area Family Emergency (SAFE) Society
Jeff Ragsdale	Member at Large
Ian McDiarmid	McDiarmid Construction Ltd.
Calvin Berger	Member at Large
Caylee Simmons	City of Salmon Arm staff

### ABSENT:

Dawn Dunlop	Canadian Mental Health Association (CMHA)
Louis Thomas	Neskonlith Indian Band
Steven Teed	Adams Lake Indian Band
Barry Delaney	Salmon Arm Savings and Credit Union (SASCU)
Lana Fitt	Salmon Arm Economic Development Society

The meeting was called to order at 11:04 a.m.

1. **Call to Order**
2. **Introductions**
3. **Presentations**
4. **Approval/ Changes/ Additions to Agenda**

Moved: Calvin Berger

Seconded: Jeff Ragsdale

THAT: the Housing Task Force Meeting Agenda of August 13, 2018 be approved as circulated.

**CARRIED UNANIMOUSLY**



**5. Approval of Minutes of July 30, 2018 Housing Task Force Meeting**

Moved: Jeff Ragsdale

Seconded: Ian McDiarmid

THAT: the minutes of the Housing Task Force meeting of July 30, 2018 be approved as circulated.

**CARRIED UNANIMOUSLY**

**6. New Business**

a) Updates -

- Review of SAFE Society correspondence from Jane Shirley
- Compile letters of support from possible stakeholders for August 27, 2018 Regular Council Meeting
- Revisions to staff report for August 27, 2018 Regular Council Meeting

b) Preparation for Council Recommendation -

MOVED: Paige Hilland

SECONDED: Calvin Berger

THAT: the Housing Task Force encourage Council to support the Okanagan College Housing Application.

**CARRIED UNANIMOUSLY**

**7. Old Business/Arising from Minutes**

a) **Housing Strategy Data**

- Review of general recommendation to Council
- Staff will prepare a draft report to provide to the Housing Task Force in a timely manner for review by Task Force members
- Discussions of delegating items referred to in Appendix A of the general recommendation to Council and revising Appendix A for public understanding

**8. Next Regular Meeting**

The next Regular Meeting will be held on September 17, 2018 at 11:00 am.



**9. Adjournment**

MOVED: Ian McDiarmid

SECONDED: Jeff Ragsdale

THAT: the Housing Task Force Meeting of August 13, 2018 be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 12:08 pm

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Co-Chair

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Co-Chair

Minutes received as information by Council at their Regular Meeting of , 2018.



Item 7.5

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Lavery

Seconded: Councillor Harrison

THAT: the Environmental Advisory Committee Meeting Minutes of September 6, 2018 be received as information.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## CITY OF SALMON ARM

Minutes of the **Environmental Advisory Committee** Meeting held in Room 100 of City Hall,  
500 – 2 Avenue NE, Salmon Arm, BC, on **Thursday, September 6, 2018** at 9:00 a.m.

### PRESENT:

Councillor Tim Lavery  
Barry Wilson  
Ron Pederson  
Warren Bell  
Sherry Bowlby  
Luke Gubbels  
John McLeod  
Janet Pattinson  
Sarah Weaver  
Dan Smith  
Gary Arsenault  
Louis Thomas  
Barb Puddifant

City of Salmon Arm, Chair  
Citizen at Large  
Salmon Arm Fish & Game Club  
WA:TER  
Citizen at Large  
Canoe Forest Products  
Salmon Arm Farmers Institute (SAFI)  
Shuswap Naturalist Club  
Salmon Arm Bay Nature Enhancement Society  
Shuswap Construction Industry Professionals  
Shuswap Pro Development Association  
Neskonlith Indian Band  
City of Salmon Arm, recorder

### ABSENT:

Pauline Waelti  
Iva Jules  
Amy Vallarino

Shuswap Environmental Action Society (SEAS)  
Adams Lake Indian Band  
Citizen at Large

### GUEST:

Nancy Cooper  
Julia Beatty

Mayor, City of Salmon Arm  
Citizen

The meeting was called to order at 9:01 a.m.

1. **Introductions and Welcome**
2. **Presentations**
3. **Approval of Agenda and Additional Items**

Late Item 6.d – UBCM 2018 Resolutions Book

Late Item 6.e - email from West Coast Environmental Law dated September 4, 2018 – It's time for fossil fuel polluters to pay their fair share

Late Item 6.f – Solar Society Update

Moved: Warren Bell

Seconded: Dan Smith

THAT: the Environmental Advisory Committee Meeting Agenda of September 6, 2018, be approved as circulated.

**CARRIED UNANIMOUSLY**



**4. Approval of Minutes of June 7, 2018 Environmental Advisory Committee Meeting**

Moved: Sherry Bowlby

Seconded: Janet Pattinson

THAT: the minutes of the Environmental Advisory Committee Meeting of June 7, 2018 be approved as circulated.

**CARRIED UNANIMOUSLY**

**5. Old Business / Arising from minutes****a) Greenhouse Gas Emissions Reduction**

Discussions regarding Greenhouse Gas Emissions Reduction will be brought forward at the October 4, 2018 meeting.

**6. New Business**

**a) Drones in the Bay** - Review of email correspondence from the Shuswap Naturalist Club recommending that signs prohibiting the use of recreational drones be placed at the entrance to Peter Jannink Park, at the Wharf and at the bird sanctuary path. Janet Pattinson spoke regarding the danger to birds and wildlife in these locations. The Committee discussed jurisdictional issues. This matter will be brought forth at the October 4, 2018 meeting after clarification on jurisdiction is obtained.

**b) Shuswap Watershed Council 2017-** Review of the Shuswap Watershed Council 2017 Water Quality Report. Gary Arsenault expressed concerns regarding farming activities in the watershed area and enforcement of government regulations. Councillor Lavery suggested that the Committee invite members of the Shuswap Watershed Council, Fraser Basin Council, Ministry of Agriculture to answer questions from the Committee.

**c) Thompson Watershed Flood mapping - Fraser Basin Council applying for NDMP Stream 2 funds** - Correspondence from M. Simpson, Senior Regional Manager, Thompson, Fraser Basin Council regarding the Thompson Watershed Flood mapping - Fraser Basin Council applying for NDMP Stream 2 funds was reviewed. Councillor Lavery outlined the application process and the requirement that the applications for funding be multi-jurisdictional. Applications for funding from single jurisdictions will not be accepted. Councillor Lavery will review/confirm with City of Salmon Arm staff the information that the Fraser Basin indicates that it has.

**d) UBCM 2018 Resolutions Book** - Councillor Lavery outlined the UBCM Resolution process.



- e) **Email from West Coast Environment Law dated September 4, 2018 - It's time for fossil fuel polluters to pay their fair share** - John McLeod outlined Resolution B128, Climate Accountability for Fossil Fuel Companies.

Moved: John McLeod

Seconded: Warren Bell

THAT: the Environmental Advisory Committee recommends that Council be present for the reading of Resolution B128 at the 2018 UBCM and to vote in favour.

**CARRIED UNANIMOUSLY**

7. **Other Business &/or Roundtable Updates**
8. **Next meeting - Thursday, October 4, 2018**
9. **Adjournment**

Moved: Gary Arsenault

Seconded: Warren Bell

THAT: the Environmental Advisory Committee Meeting of September 6, 2018 be adjourned.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10:39 a.m.

\_\_\_\_\_  
Councillor Tim Lavery, Chair

Received for information by Council on the      day of      , 2018



Item 8.1

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor

Seconded: Councillor

THAT: the bylaw entitled City of Salmon Arm 2019 Permissive Tax Exemption Bylaw No. 4279 be read a first, second and third time.

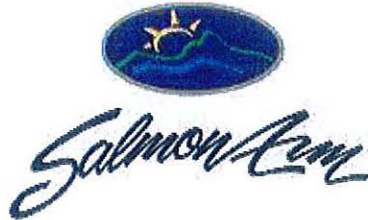
### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





*City of Salmon Arm*  
*Memorandum from the Chief Financial Officer*

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Date: September 17, 2018  
 To: Mayor Cooper and Members of Council  
 Subject: Permissive Tax Exemption – New Applications – 2019

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**Motion for Consideration:**

THAT: Bylaw No. 4279 cited as “City of Salmon Arm Tax Exemption Bylaw No. 4279” be given three readings.

**Recommendation:**

THAT: Bylaw No. 4279 cited as “City of Salmon Arm Tax Exemption Bylaw No. 4279” be given three readings as amended by removing the following properties:

*Lot 13, Block C, Plan 1523, Section 14, Township 20, Range 10 (350 Fraser Avenue NW)*

*Lot 14, Block C, Plan 1523, Section 14, Township 20, Range 10 (360 Fraser Avenue NW)*

*Lot 15, Block C, Plan 1523, Section 14, Township 20, Range 10 (380 Fraser Avenue NW)*

*Lot 16, Block C, Plan 1523, Section 14, Township 20, Range 10 (390 Fraser Avenue NW)*

**Background:**

Council at the Regular Council Meetings held on October 24, 2016 adopted Bylaw No. 4168 granting various Organizations a Permissive Tax Exemption for the three (3) year period 2017, 2018 and 2019. No new applications were received in the prior year for the 2018 and 2019 years and as such no bylaw was adopted.

Five (5) new applications have been received requesting Council to grant them a Permissive Tax Exemption for the taxation year 2019. Pursuant to Section 224 of the Community Charter, adoption of this bylaw will exempt the subject properties from not only the general municipal tax in the amount of \$22,015.00, but also, taxes levied by other governments in the amount of \$12,281.00 (e.g. School, Regional District, Regional Hospital, Library, MFA and BCAA). The City is still responsible for payment of the exempted taxes levied by other governments, and the remaining tax base must make up this difference.



It is important to note that statutory exemptions (legislated pursuant to the Community Charter) allow churches and the property they sit on, an automatic or statutory exemption. Council has historically granted a Permissive Tax Exemption to churches for the remaining property of up to 2 acres. For Societies, Senior Facilities and Sports Clubs, Council has historically permissively exempted all land and improvements, provided they are owned by a charitable, philanthropic or other not-for-profit organization.

The applications submitted were provided to Council for review. The following Organizations have submitted an application:

*Churches of Salmon Arm Used Goods Society*

In addition to the existing property that Council has granted a Permissive Tax Exemption for, the Churches of Salmon Arm Used Goods Society (Society) has applied for a new Permissive Tax Exemption on four (4) vacant properties that were purchased by the Society in 2015. Council granted a Permissive Tax Exemption on these four (4) properties for the 2017 year only to enable the Society to convert the properties into parking for the Thrift Store and encouraged them to re-apply when complete.

To date, the Society has done some development to the lots such as striping of top soil and organics, grading and spreading of gravel for the entrance and exit. A Parking sign was also installed. According to the Development and Services Department, the City of Salmon Arm Zoning Bylaw requires parking areas to meet certain standards such as hard surfacing, grading, drainage and delineation (painted lines) of parking spaces. A variance application to not hard-surface has not been submitted by the Society. For this reason it is not recommended that the four (4) vacant properties be granted a permissive tax exemption.

The estimated permissive tax exemption value for 2019 for all four properties is \$7,032.00 (General Municipal - \$4,764.00 and Other Governments \$2,268.00).

*Shuswap Family Resource & Referral Society*

The Shuswap Family Resource & Referral Society (Resource Society) purchased a new property located at 681 Marine Park Drive NE in 2018. Council granted a Permissive Tax Exemption for the three (3) year period 2017, 2018 and 2019 to the Resource Society at their previous locations (151 and 181 TCH NE). These locations were sold to a for-profit entity and as such will no longer be exempt from taxation.

The Resource Society is renting a portion of its current building to another not for profit organization, Shuswap Children's Association.

The estimated permissive tax exemption value for 2019 is \$22,965.00 (General Municipal - \$15,116.00 and Other Governments \$7,849.00).



Synod of the Diocese of Kootenay of the Anglican Church of Canada (Anglican Church)

The Anglican Church recently consolidated two (2) properties (170 Shuswap Street SE and 41 2 Avenue SE) in Plan EPP81986. As a result, BC Assessment Authority (BCAA) deleted the previous properties from the 2018 Assessment Roll and assigned one (1) new Property Roll Number, PID and legal description. The civic address of the newly created roll number remains 170 Shuswap Street SE.

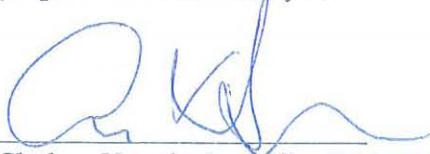
Council granted a Permissive Tax Exemption for the three (3) year period 2017, 2018 and 2019 to the Anglican Church on one (1) of the previous properties noted above (170 Shuswap Street SE). The property received a statutory exemption for the church and land on which the church stood and a permissive exemption on the entire property surrounding the church as it was less than two (2) acres. Council's policy allows up to a maximum of two (2) acres surrounding churches and accessory uses. Following the consolidation of the properties, the current area surrounding the building continues to be less than two (2) acres; therefore the entire property would remain exempt.

As advised by BCAA, the previous permissive exemption will not transfer to the newly created Property Roll Number unless authorized by Council by bylaw. The Anglican Church did not submit a formal application for Council's consideration. However, it is recommended that Council grant a permissive exemption on the entire newly created property for 2019.

The estimated permissive tax exemption value for 2019 is \$4,299.00 (General Municipal - \$2,135.00 and Other Governments \$2,164.00).

Pursuant to Section 227 of the Community Charter, the City of Salmon Arm is required to advertise all properties being considered for a permissive tax exemption and the value of said exemptions. As such, advertisements will appear in the Salmon Arm Observer on September 26 and October 3, 2018.

This bylaw must be adopted by October 31, 2018 to be in effect for the 2019 tax year. Therefore, it is recommended that Council adopt Bylaw No. 4279 to exempt the subject properties for the 2019 year.



Chelsea Van de Cappelle, CPA, BBA  
Chief Financial Officer



**CITY OF SALMON ARM****BYLAW NO. 4279****Being a bylaw to exempt from taxation certain lands and improvements for the year  
2019**

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WHEREAS it is provided by Section 224 of the Community Charter, that the Council may by bylaw exempt from taxation any lands and improvements as therein specified;

AND WHEREAS the Council of the City of Salmon Arm deems it necessary and expedient to exempt from taxation for all purposes, the whole of the taxable assessed value of the land and improvements on certain properties situate within the City of Salmon Arm;

AND WHEREAS Section 224 of the Community Charter provides that every building set apart and in use for public worship and any church hall which Council considers necessary thereto, and the land upon which the building or hall actually stands, shall be exempt from taxation;

AND WHEREAS such area of lands surrounding the church building or hall as may be determined by Council shall be exempt from taxation, such area so exempted to be determined by bylaw in accordance with Subsection 2 (f) of Section 224 of the Community Charter;

NOW THEREFORE the Council of the City of Salmon Arm by affirmative vote of at least two-thirds of all the members thereof enacts as follows:

**1. CHURCHES**

- a) In addition to the statutory exemption for every building set apart and in use for public worship and the land upon which the building actually stands, all church halls located on the same property or adjacent property owned by the Church or its Trustees shall also be exempted, including the land upon which the halls stand, for the year 2019.
- b) Where the property on which a church is located does not exceed two (2) acres, all such land shall be exempt from taxation for the year 2019.
- c) Where there is a residence located on the same property as a church, the residence and any ancillary buildings and the land upon which the residence and ancillary buildings actually stand, as well as any area of land deemed to be associated with the use and enjoyment of the residential and ancillary buildings, shall be assessed and taxed as residential property for the year 2019.



- d) Where the property on which a church is located exceeds two (2) acres, the area of land exempt from taxation, including the statutory exemption, shall be two (2) acres.

1. Lot 1, Plan EPP81986, Section 14, Township 20, Range 10 (170 Shuswap Street SE)  
Registered Owner and Occupier: Synod Diocese of Kootenay (06140.010)

## 2. SOCIETIES

- a) The following properties are hereby exempted from taxation for all purposes for the year 2019, the whole of the taxable assessed value of the land and improvements unless otherwise noted:

1. Lot 1, Plan 42866, Section 14, Township 20, Range 10 (681 Marine Park Drive NE)  
Registered Owner and Occupier: Shuswap Family Resource & Referral Society (06757.010)
2. Lot 13, Block C, Plan 1523, Section 14, Township 20, Range 10 (350 Fraser Avenue NW) Registered Owner and Occupier: Churches of Salmon Arm Used Goods Society (06780.000)
3. Lot 14, Block C, Plan 1523, Section 14, Township 20, Range 10 (360 Fraser Avenue NW) Registered Owner and Occupier: Churches of Salmon Arm Used Goods Society (06780.001)
4. Lot 15, Block C, Plan 1523, Section 14, Township 20, Range 10 (380 Fraser Avenue NW) Registered Owner and Occupier: Churches of Salmon Arm Used Goods Society (06780.002)
5. Lot 16, Block C, Plan 1523, Section 14, Township 20, Range 10 (390 Fraser Avenue NW) Registered Owner and Occupier: Churches of Salmon Arm Used Goods Society (06780.003)

## 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.

6. CITATION

This bylaw may be cited as "City of Salmon Arm Tax Exemption Bylaw No. 4279"

READ A FIRST TIME THIS DAY OF 2018

READ A SECOND TIME THIS DAY OF 2018

READ A THIRD TIME THIS DAY OF 2018

ADOPTED BY COUNCIL THIS DAY OF 2018

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MAYOR

---

CORPORATE OFFICER



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Item 8.2

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4282 be read a first and second time;

AND THAT: final reading of Zoning Amendment Bylaw No. 4282 be withheld subject to approval by the Ministry of Transportation and Infrastructure.

[ZON-1131; Salmon Arm Shopping Centres Ltd./Green Emerald Investments Inc.; 1511 10 Avenue SW; R-1 to C-3]

### Vote Record

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



# CITY OF SALMON ARM

## BYLAW NO. 4282

### A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 – 2 Avenue NE, Salmon Arm, British Columbia, on , 2018 at the hour of 7:00 p.m. was published in the and , 2018 issues 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. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

Rezone Lot 3, Section 15, Township 20, Range 10, W6M, KDYD, Plan 4309 from R-1 (Single Family Residential Zone) to C-3 (Service Commercial Zone) as shown on Schedule "A" attached hereto and forming part of this bylaw.

2. 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.

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 **"City of Salmon Arm Zoning Amendment Bylaw No. 4282"**

READ A FIRST TIME THIS DAY OF 2018

READ A SECOND TIME THIS DAY OF 2018

READ A THIRD TIME THIS DAY OF 2018

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE DAY OF 2018

\_\_\_\_\_  
For Minister of Transportation & Infrastructure

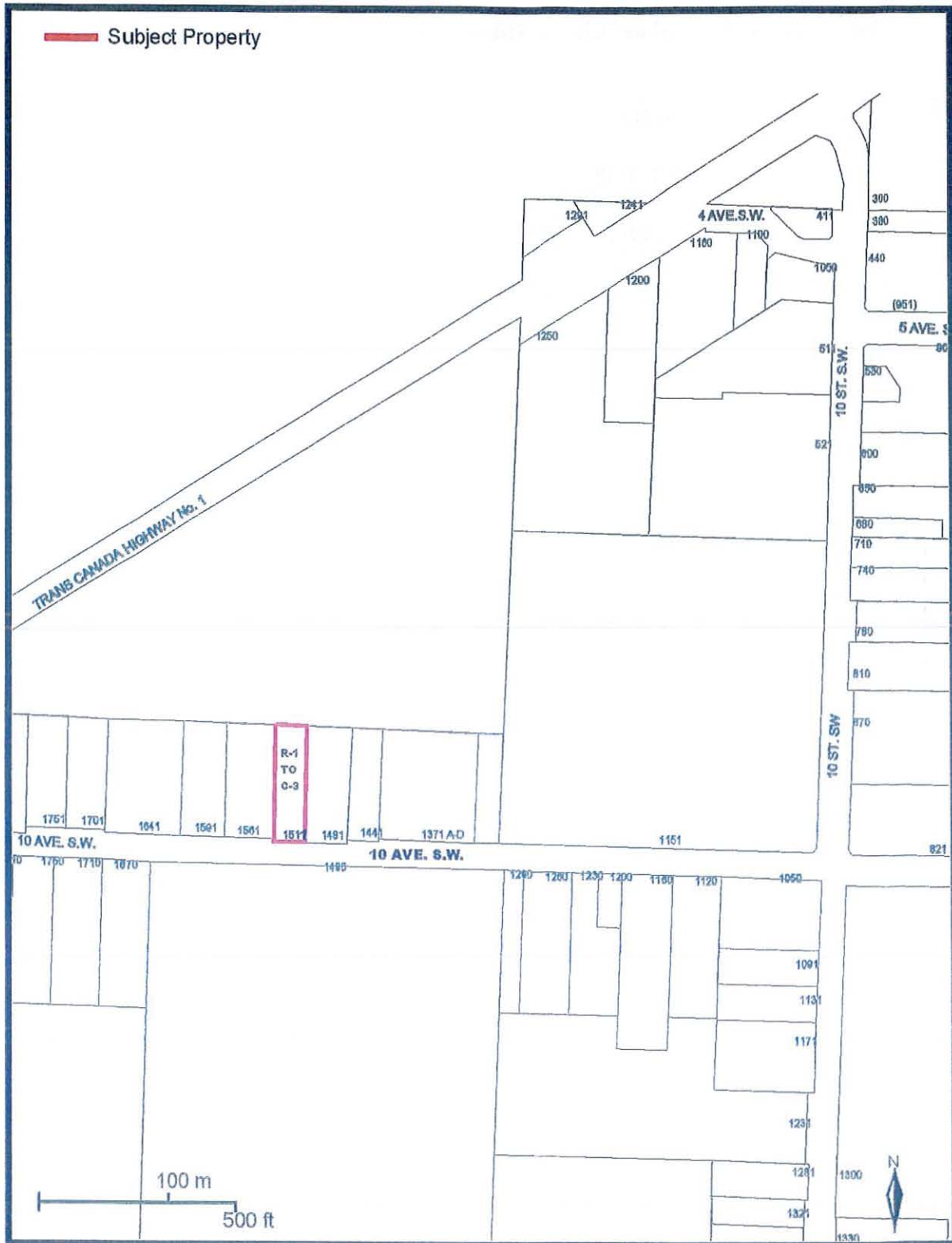
ADOPTED BY COUNCIL THIS DAY OF 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



SCHEDULE "A"







*City of Salmon Arm*

*Development Services Department Memorandum*

TO: Her Worship Mayor Cooper and Members of Council

DATE: September 12, 2018

SUBJECT: Zoning Bylaw Amendment Application No. 1131 (R-1 to C-3)  
 Legal: Lot 3, Section 15, Township 20, Range 10, W6M, KDYD, Plan 4309  
 Civic Address: 1511 – 10 Avenue SW  
 Owner: Salmon Arm Shopping Centres Ltd. (Smart Centres)  
 Applicant: Green Emerald Investments Inc.

**MOTION FOR CONSIDERATION**

**THAT:** a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 3, Section 15, Township 20, Range 10, W6M, KDYD, Plan 4309 from R-1 (Single Family Residential Zone) to C-3 (Service Commercial Zone).

**AND FURTHER THAT:** Final reading of the Bylaw be withheld subject to approval of the Bylaw by the Ministry of Transportation and Infrastructure.

**STAFF RECOMMENDATION**

**THAT:** The motion for consideration be adopted.

**PROPOSAL**

The subject parcel is located at 1511 – 10 Avenue SW and is currently vacant (APPENDICES 1 and 2). The proposal is to rezone the parcel from R-1 (Single Family Residential) to C-3 (Service Commercial Zone) for future development. The applicant does not intend to develop the property at this time; therefore no development plan is available. Site photos are attached as APPENDIX 5.

**SITE CONTEXT**

The subject parcel has approximately 22 m of frontage on 10 Avenue SW and is 2,020 m<sup>2</sup> in size. The property is designated Highway Service/Tourist Commercial in the City's Official Community Plan (OCP) and zoned Single Family Residential (R-1) in the Zoning Bylaw as shown in APPENDIXES 3 and 4. The adjacent land uses are described as follows:

North: Vacant First Nation Reserve Lands (I.R.7)  
 South: Single Family Residential (R-1) and Agriculture (A-1)  
 East: Service Commercial (C-3)  
 West: Service Commercial (C-3)

The site is currently owned by Salmon Arm Shopping Centres Ltd. and was intended to be used as a potential secondary access for development located on I.R. 7 lands to the north. Since the Smart Centres development ultimately located elsewhere, the property owner no longer requires the property for a secondary access. If development is planned on I.R.7 and the Ministry of Transportation & Infrastructure



required a secondary access to 10 Avenue SW, the developer of I.R.7 would need to negotiate that with one of the property owners of land fronting this street (which is the situation now).

### COMMENTS

#### Ministry of Transportation & Infrastructure

MOTI has granted preliminary approval.

#### Fire Department

No concerns.

#### Building Department

No concerns with rezoning application.

#### Engineering Department

Comments are attached as APPENDIX 6.

#### Planning Department

##### *OCP Policy*

As previously noted, the property is designated Highway Service/Tourist Commercial in the City's Official Community Plan (OCP), which supports the proposed C-3 zoning. OCP Policy 9.3.1 supports the development and infilling of Highway Service/Tourist Commercial lands as proposed.

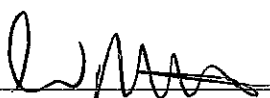
As per OCP policy 9.3.6 and aligned with recent development on nearby parcels, the future development of a commercial building would be guided by the Development Permit process. Furthermore, development would require a building permit, and will be subject to applicable Development Cost Charges, the Subdivision and Development Servicing Bylaw No. 4163 as well as meeting Zoning Bylaw and BC Building Code requirements.

##### *10 Avenue SW / Future Development*

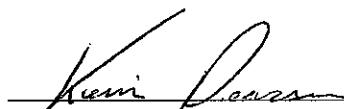
10 Avenue SW is designated as a future Urban Arterial Road in the OCP with a 25 m dedicated width. Special building setbacks of 18.5 m from centreline of 10 Avenue SW are required to meet the future road width. Additional dedication would be needed from the subject property to reach the full 25 m standard (approximately 4.88 m based on development review on the adjacent parcel to the east). Any dedication at this time would be voluntary by the owner/applicant, unless subdivision was proposed. In general, the site is relatively narrow which may limit the development options as a standalone parcel. The parcel to the west is currently vacant, currently zoned C-3 and could be potentially consolidated with the subject property for improved development potential.

### CONCLUSION

The proposed C-3 zoning of the subject parcel is consistent with the OCP and is therefore supported by staff.



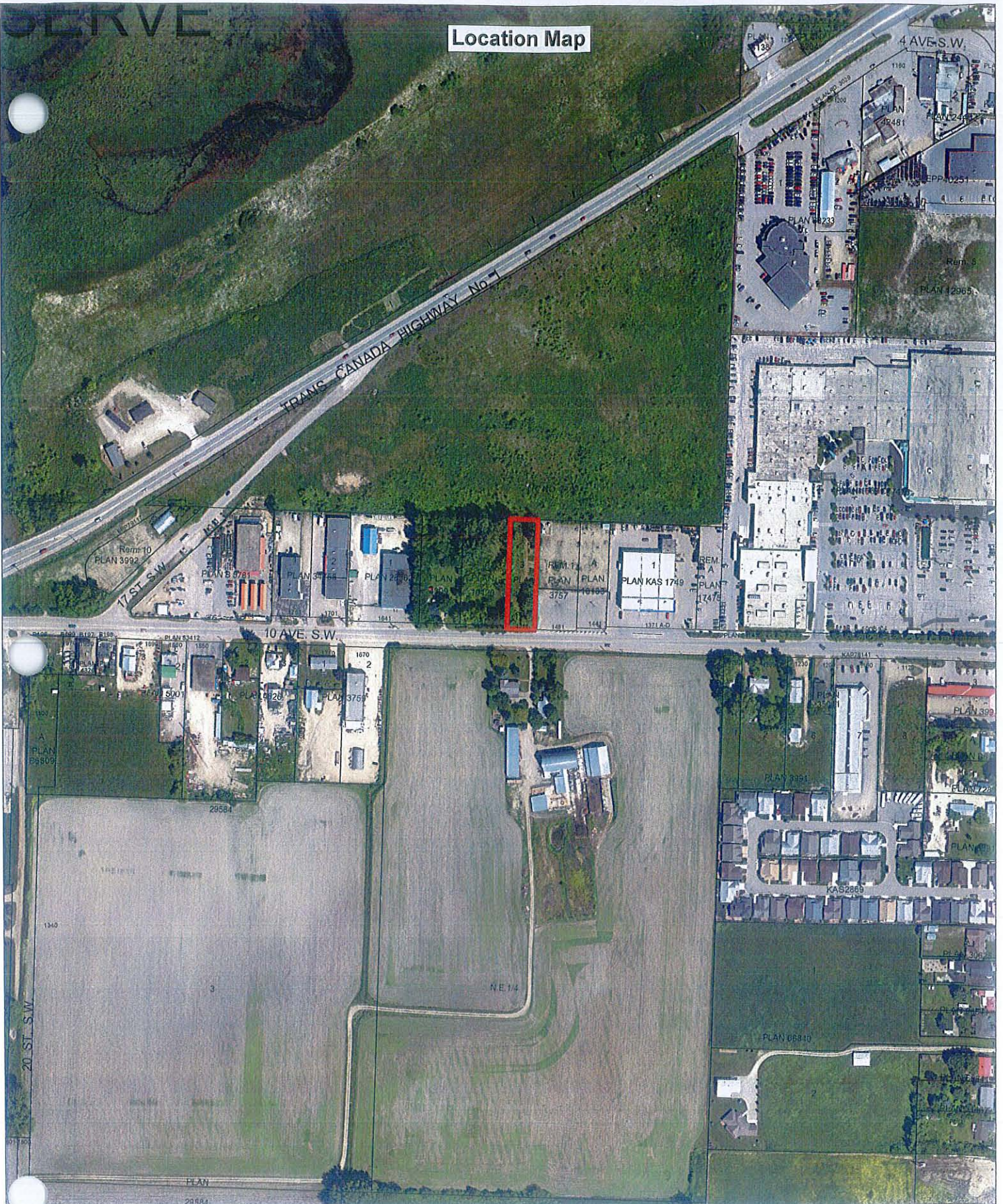
Prepared by: Wesley Miles, MCIP, RPP  
Planning and Development Officer



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



# Location Map



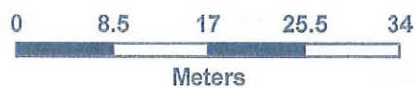
0 40 80 120 160  
Meters



Subject Parcel



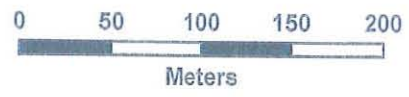
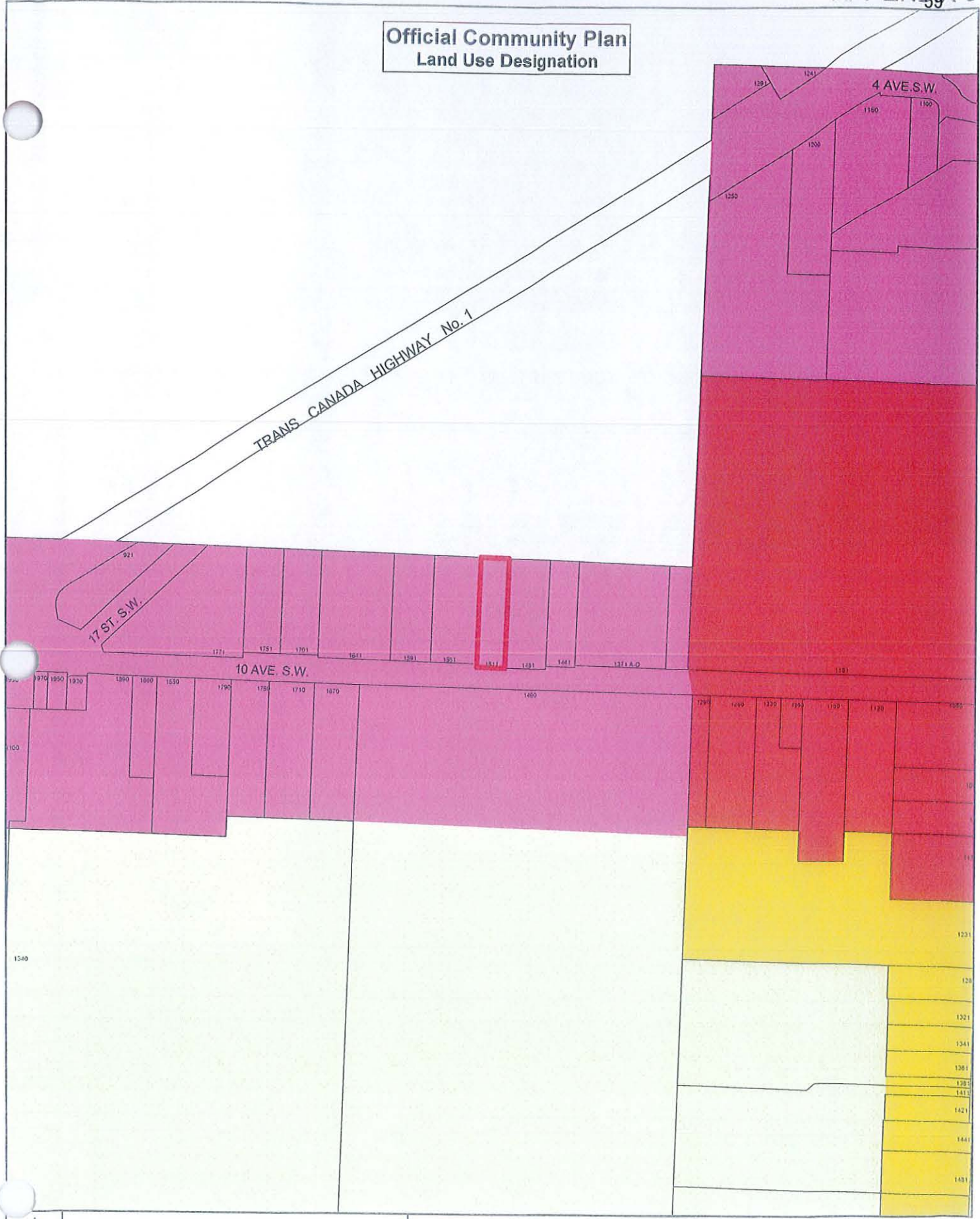
Orthophoto





Subject Parcel



Official Community Plan  
Land Use Designation

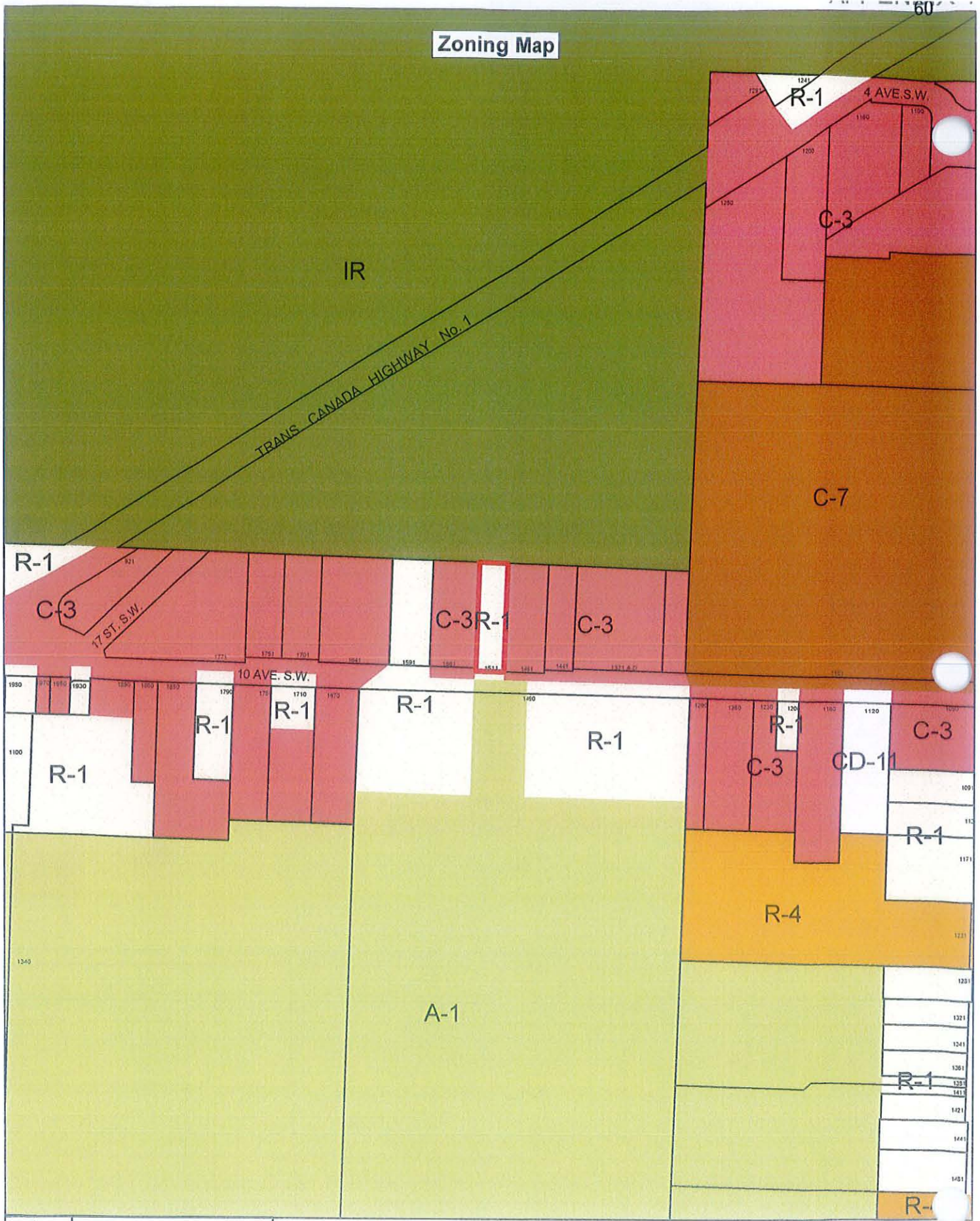


-  Subject Parcel
-  Highway Service / Tourist

-  Salmon Valley Agriculture
-  Residential Medium Density
-  City Centre



# Zoning Map



0 20 40 60 80 100  
Meters



Subject Parcel



Service Commercial



Single Family Residential



Shopping Centre Commercial



Agriculture



Medium Family Residential





Photo 1: Photo looking north from 10 Avenue SW at the subject property.



Photo 2: Photo looking north west from 10 Avenue SW at the subject property.





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

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To: Kevin Pearson, Director of Development Services  
 Date: 24 August, 2018  
 Prepared by: Xavier Semmelink, Engineering Assistant  
 Subject: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1131**  
 Legal: Lot 3, Section 18, Township 20, Range 10, W6M KDYD, Plan 4309  
 Civic: **1511 – 10 Avenue SW**  
 Owner: **Salmon Arm Shopping Centres Ltd., 700 Applewood Crescent, Ontario L4K 5X3**  
 Applicant: Green Emerald Investments Inc., 2100 – 45 Avenue NE, Salmon Arm, BC V1E 2A3

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Further to your referral dated July 10, 2018, we provide the following servicing information. **The following comments and servicing requirements are not conditions for the Zoning Amendment. These comments are provided as a courtesy in advance of any development proceeding. For the purpose of this referral it is assumed any development would not require subdivision.**

**General:**

1. Full municipal services are required as noted herein. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4163. 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. Development property to be serviced by underground electrical and telecommunications wiring. Applicant is not required to underground 3 phase overhead lines; however poles may be required to be relocated to an appropriate offset within boulevard.
4. Properties under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
5. Owner/developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
6. Erosion and Sediment Control measures will be required at time of construction. ESC plans to be approved by the City of Salmon Arm.
7. Any existing services (water, sewer, hydro, telus, gas, etc) traversing the proposed lot must be protected by easement or relocated outside of the proposed building envelope. Owner/Developer will be required to prove the location of these services. Owner / Developer is responsible for all associated costs.
8. 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),



**ZONING AMENDMENT APPLICATION FILE NO. ZON-1131**

21 August 2018

Page 2

control/containment of surface water, contours (as required), lot/corner elevations, impact on adjacent properties, etc.

9. The applicant will be required to submit for City review and approval an engineered design (plan/profile) for any off-site improvements or works within City owned lands. Design must be prepared and submitted by a qualified professional engineer. Refer to the sections below for more information. The applicant may contact the Engineering Department should additional information be required. Securities equal to 125% of the estimated off-site servicing costs will be required as a condition of development.

**Roads/Access:**

1. 10 Avenue SW on the southern property boundary is classified as an Urban Arterial Street requiring an ultimate 25.0m road dedication (12.5 meters from centreline). All building setbacks will be required to conform to the ultimate 25.0 meters cross section. Available records indicate an additional 4.88m will ultimately be required (to be confirmed by BCLS). However, no dedication is required through a Development or Building Permit.
2. 10 Avenue SW is constructed to an Interim Arterial Street standard. Upgrading along the property's frontage to the Urban Arterial standard (RD-4: Interim 20m ROW) will be required. Improvements will include, but are not limited to curb & gutter, sidewalk, boulevard construction, street drainage and street lighting. Since these works are premature at this time, a 100% cash in lieu contribution for future construction of the works will be required.
3. The subject property shall be served by a single driveway access with a maximum width of 8.0m.

**Water:**

1. The subject property fronts a 200mm diameter Zone 1 watermain on 10 Avenue SW. No upgrades are anticipated.
2. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
3. Fire protection requirements to be confirmed with the Building Department and Fire Department.
4. Property is to be serviced by single metered water service connection (as per Specification Drawing No. W-11), including backflow prevention, adequately sized to satisfy the proposed use (minimum 25mm). Available records indicate that the property is currently serviced by a 12.5mm service from the watermain on 10 Avenue SW. All existing inadequate/unused services must be abandoned at the main. Applicant is responsible for all associated costs.



**ZONING AMENDMENT APPLICATION FILE NO. ZON-1131**

21 August 2018

Page 3

**Sanitary:**

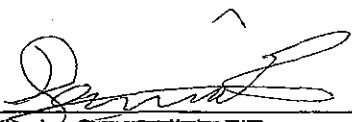
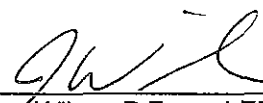
1. The subject property fronts a 300mm diameter sanitary sewer on 10 Avenue SW. No upgrades are anticipated.
2. The property shall be serviced by a single sanitary service connection (as per Specification Drawing SAN-4) adequately sized (minimum 100mm) to satisfy the servicing requirements of the development. Available records indicate that the property is currently serviced by a 100mm diameter service from the existing sewer on 10 Avenue SW. All existing inadequate/unused services must be abandoned at the main. Applicant is responsible for all associated costs.

**Drainage:**

1. The subject property fronts a 1700mm diameter storm sewer on 10 Avenue SW. No upgrades are anticipated.
2. The property to be serviced by a single storm service connection (as per Specification Drawing ST-4) adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Available records indicate that there is no existing storm connection to the property. Alternative methods of managing the stormwater may be considered, with specific approval from the City Engineer as part of an Integrated Stormwater Management Plan. Owner / Developer is responsible for all associated costs.
3. An Integrated Stormwater Management Plan conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided. Should discharge into the City storm sewer be part of the ISMP, owner's Engineer is required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. Based on available information, it is expected that site retention and release at 5 year pre-development flows will be required.

**Geotechnical:**

1. A geotechnical report to be submitted in accordance with the Engineering Departments Geotechnical Study Terms of Reference for Category A – Building foundation design and site drainage.

  
Xavier Semmelink, EIT  
Engineering Assistant  
Jenn Wilson P.Eng., LEED® AP  
City Engineer



## Item 8.3

**CITY OF SALMON ARM**Date: September 24, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4283 be read a first and second time;

AND THAT: final reading of Zoning Amendment Bylaw No. 4283 be withheld subject to:

1. confirmation that the proposed detached suite meets Zoning Bylaw and BC Building Code requirements; and
2. approval by the Ministry of Transportation and Infrastructure.

[ZON-1132; Fennell, L. & S.; 110 2 Street SE; R1 to R-8]

**Vote Record**

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



# CITY OF SALMON ARM

## BYLAW NO. 4283

### A bylaw to amend "District of Salmon Arm Zoning Bylaw No. 2303"

WHEREAS notice of a Public Hearing to be held by the Council of the City of Salmon Arm in the Council Chambers at City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on , 2018 at the hour of 7:00 p.m. was published in the and , 2018 issues 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. "District of Salmon Arm Zoning Bylaw No. 2303" is hereby amended as follows:

- 1) Add the following:

Rezone Lot 8, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone) as shown on Schedule "A" attached hereto and forming part of this bylaw.

2. 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.

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 **"City of Salmon Arm Zoning Amendment Bylaw No. 4283"**

READ A FIRST TIME THIS DAY OF 2018

READ A SECOND TIME THIS DAY OF 2018

READ A THIRD TIME THIS DAY OF 2018

APPROVED PURSUANT TO SECTION 52 (3) (a) OF THE TRANSPORTATION ACT  
ON THE DAY OF 2018

\_\_\_\_\_  
For Minister of Transportation & Infrastructure

ADOPTED BY COUNCIL THIS DAY OF 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



SCHEDULE "A"







## Development Services Department Memorandum

To: Her Worship Mayor Cooper and Members of Council

Date: September 12, 2018

Subject: Zoning Bylaw Amendment Application No. 1132

Legal: Lot 8, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392

Civic: 110 – 2 Street NE

Applicant: Fennell, L

**MOTION FOR CONSIDERATION**

**THAT:** a bylaw be prepared for Council's consideration, adoption of which would amend Zoning Bylaw No. 2303 by rezoning Lot 8, Block 3, Section 14, Township 20, Range 10, W6M, KDYD, Plan 392 from R-1 (Single Family Residential Zone) to R-8 (Residential Suite Zone);

**AND THAT:** Final reading of the zoning amendment bylaw be withheld subject to:

1. confirmation that the proposed detached suite meets Zoning Bylaw and BC Building Code requirements; and
2. approval by the Ministry of Transportation and Infrastructure.

**STAFF RECOMMENDATION**

**THAT:** The motion for consideration be adopted.

**PROPOSAL**

The subject parcel is located at 110 2 Street NE (Appendix 1 and 2) and presently contains an existing single family dwelling and accessory building. The proposal is to rezone the parcel from R-1 (Single Family Residential) to R-8 (Residential Suite) to permit the repurposing of the existing accessory building under Building Permit to a *detached suite*.

**BACKGROUND – SECONDARY SUITES**

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 & 4). The subject parcel is located in the residential portion of the city centre, largely comprised of R-1 zoned parcels containing single family dwellings and R-5 zoned multi-family buildings. There are currently two R-8 zoned parcels within the proximity of the subject parcel.

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. Based on parcel area, the subject property has potential to meet the conditions for the development of a *detached suite*, including sufficient space for an additional off-street parking stall.

The subject parcel contains an existing single family dwelling and accessory building. The parcel meets the conditions as specified by the proposed R-8 zone, with the exception of the siting of the accessory building: the existing building does not meet the more restrictive applicable setbacks for a detached suite



(2 metres from the interior side parcel line, and 3 metres from the rear lane, as opposed to 1 metre setbacks for an accessory building) and a variance application has been submitted for Council's consideration at an upcoming meeting. Site photos are attached as Appendix 5.

The existing 60 square metre accessory building is in the south-east corner of the lot, adjacent the lane. The building is below the 7.5 metre maximum permitted height of an accessory building containing a detached suite and the current buildings (40%) would be well below the 45% maximum parcel coverage, while the proposed suite is within the current 15% maximum parcel coverage for a detached suite.

#### Restrictive Covenant

In 2002, a parcel coverage variance was required and approved (DVP-212), increasing the parcel coverage for accessory buildings from 10% to 15% (aligned with the maximum of 15% currently permitted). At that time, Council required a covenant on title prohibiting residential use of the accessory building as a condition of approval for that DVP. In conjunction with this zoning application to permit a detached suite under current policy and regulations, the applicant has requested the removal of the restrictive covenant. Subject to approval of this zoning application, staff support the covenant removal.

#### COMMENTS

##### Ministry of Transportation & Infrastructure

MOTI has granted preliminary approval.

##### Engineering Department

No concerns with rezoning. Records indicate water service upgrades will be required at time of Building Permit. Comments attached as Appendix 6.

##### Building Department

Building permit 9940B was issued to renovate the existing accessory building. The scope of BP 9940B was limited to the structural shell only. A separate building permit is required to complete the interior framing, insulation and interior finishing of the building. The owner has been advised that BC Building Code requirements must be met to convert to a detached suite and is prepared to construct as required.

Development Cost Charges (DCCs) are payable at the time of Building Permit for a Detached Suite in the amount of \$6,064.31 (same as the DCCs for a High Density Residential Unit).

##### 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. Given that the proposal involves an existing building, the character of the parcel would not be unreasonably or significantly altered. Any development of a detached suite would require a building permit and will be subject to applicable Development Cost Charges, as well as meeting Zoning Bylaw and BC Building Code requirements. Should the zoning bylaw be adopted, the covenant limiting residential use of the accessory building may be released from title, with the owner/applicant responsible for associated costs.



Prepared by: Chris Larson, MCP  
Planning and Development Officer



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



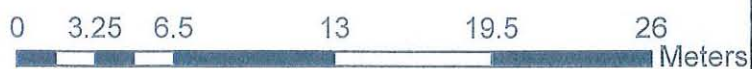


A horizontal number line representing distance in meters. The line is marked with numbers 0, 15, 30, 60, 90, and 120. The segments between these marks are colored in an alternating pattern: dark blue (0-15), light blue (15-30), dark blue (30-60), light blue (60-90), and dark blue (90-120). The word "Meters" is written at the right end of the line.



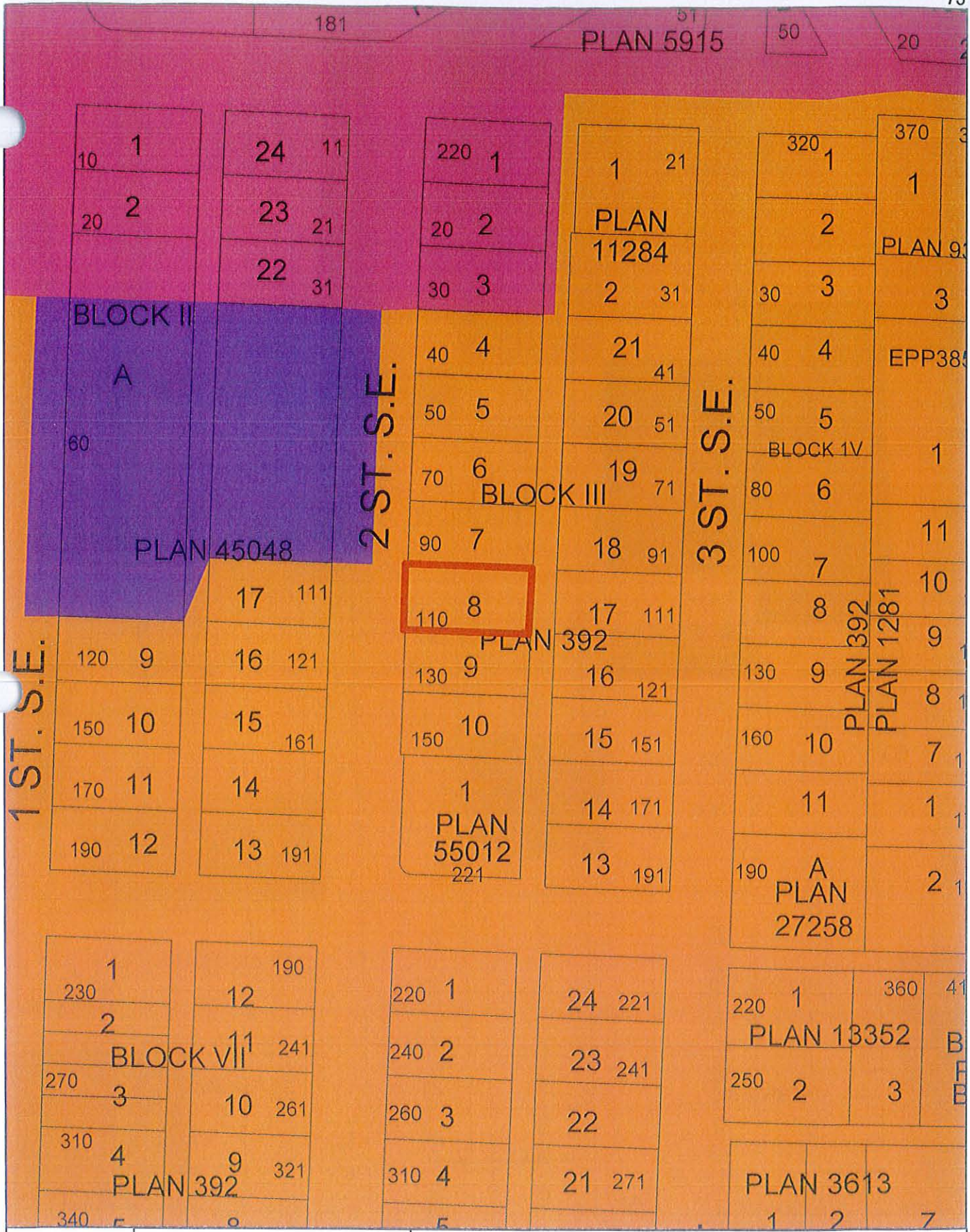
Subject Parcel





Subject Parcel





0 5 10 20 30 40 Meters



Subject Parcel



Institutional

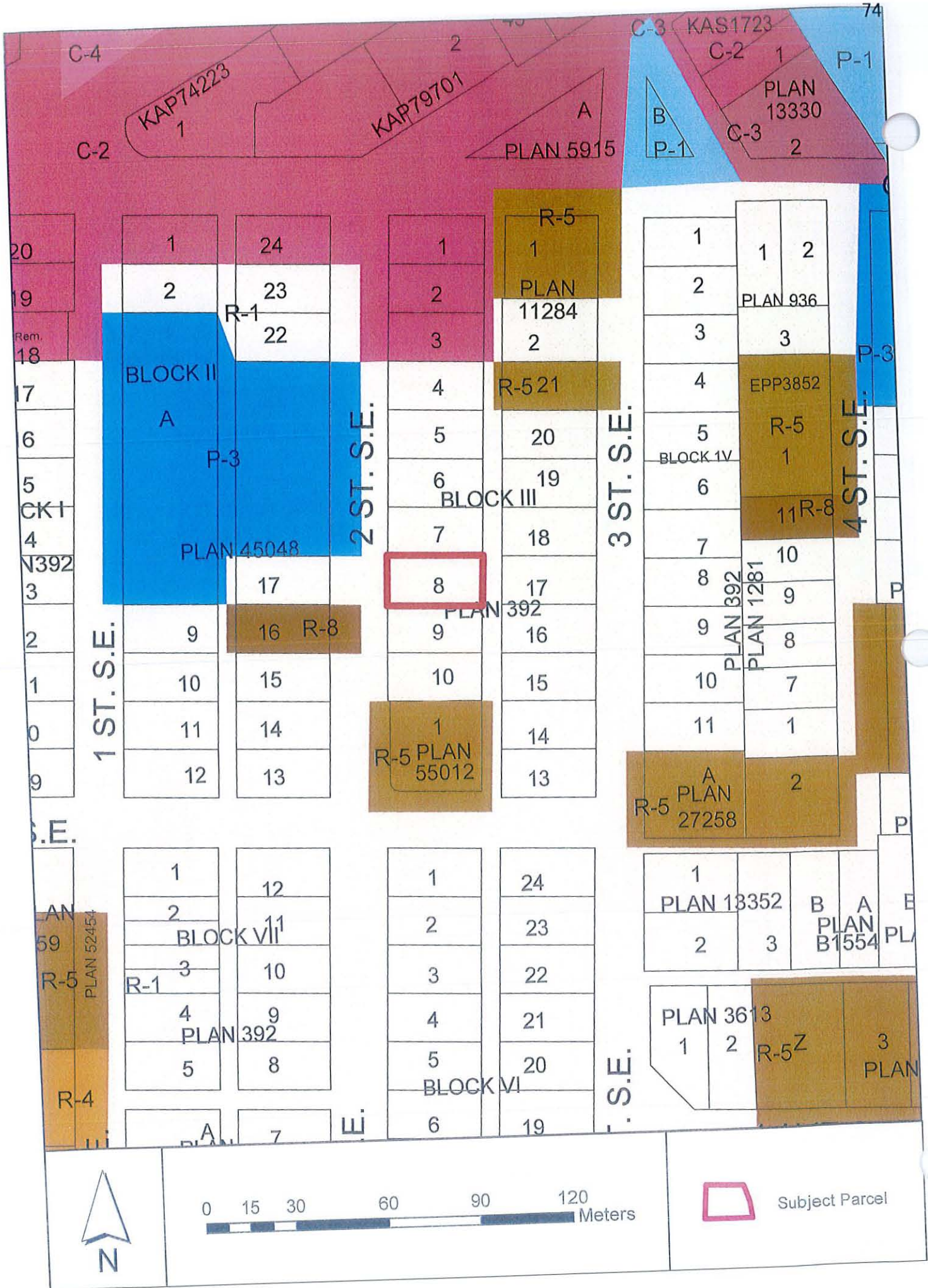


Commercial - City Centre

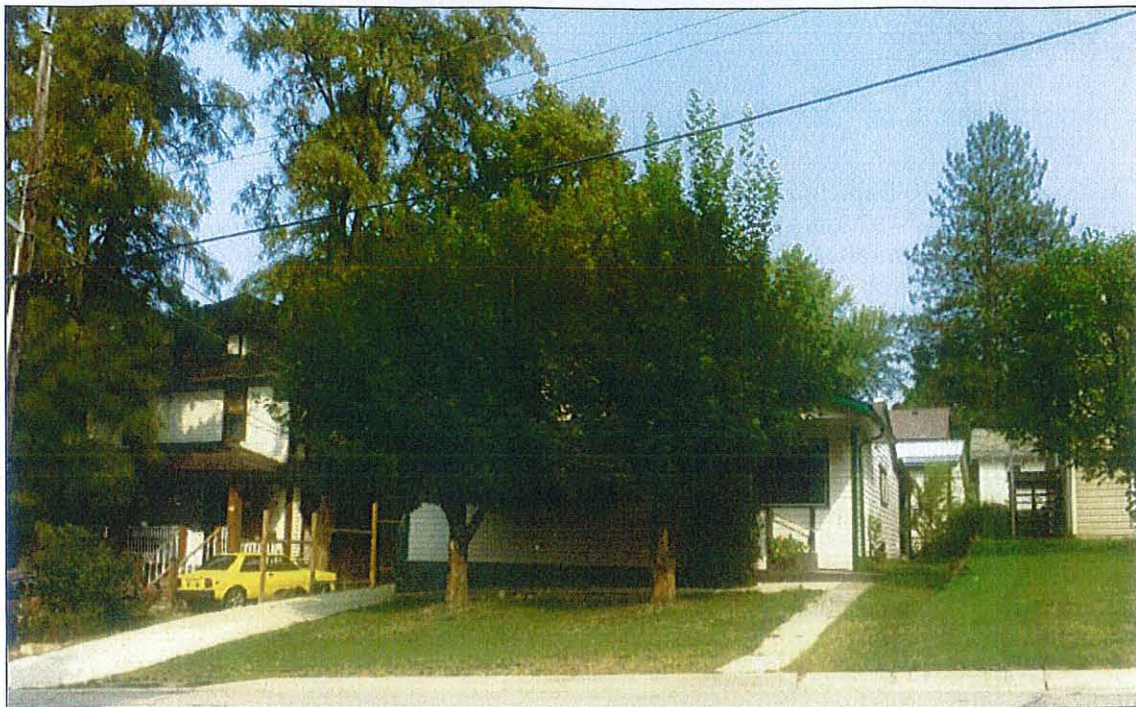


High Density - Residential









View of subject parcel from 2 Street NE, with accessory building visible in rear yard.



View of accessory building looking north from rear lane.





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

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TO: Kevin Pearson, Director of Development Services  
 DATE: 10 September 2018  
 PREPARED BY: Chris Moore, Engineering Assistant  
 OWNER: Fennell, L. & S., 3980 Heighton Road, Armstrong, BC V0E 1B8  
 APPLICANT: Walsh, N., 110 – 2 Street SE, Salmon Arm, BC V1E 1G8  
 SUBJECT: **ZONING AMENDMENT APPLICATION FILE NO. ZON-1132**  
 LEGAL: Lot 8, Block 3, Section 14, Township 20, Range 10 W6M KDYD, Plan 392  
 CIVIC: **110 – 2 Street SE**

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Further to your referral dated 17 July 2018, 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:

Engineering Department does not have any concerns related to the Re-zoning and recommends approval.

**General:**

1. Full municipal services are required as noted herein. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4163. Notwithstanding the comments contained in this referral, it is the applicant'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. This proposed development is exempt from frontage improvements under Subdivision and Development Servicing Bylaw No. 4163, Section 5.3.
4. Property shall have all necessary public infrastructure installed to ensure properties can be serviced with electrical and telecommunication wiring upon development.
5. Property under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
6. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
7. Erosion and Sediment Control measures may be required at time of construction. ESC plans to be approved by the City of Salmon Arm.
8. At the time of Building Permit 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.



**ZONING AMENDMENT APPLICATION FILE: ZON-1132**

10 September 2018

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**Roads / Access:**

1. 2 Street SE, on the subject properties western boundary, is designated as an Urban Local Road standard, requiring 20.0m road dedication (10.0m on either side of road centerline). Available records indicate that 0.856m of additional road dedication is required (to be confirmed by a BCLS). Note that although the City does not require dedication at this time, all building setbacks will be required to conform to the ultimate property line.
2. 2 Street SE is currently constructed to an Interim Local Road standard. No improvements will be required, as per previously noted exemptions.
3. The Lane on the subject properties eastern boundary requires a total road allowance of 7.3m (3.65m from centre line). Available records indicate that an additional 0.602m will be required (to be confirmed by a BCLS). Note that although the City does not require dedication at this time, all building setbacks will be required to conform to the ultimate property line.
4. The Lane is currently constructed to an Interim Lane standard. Upgrading to the Paved Lane standard is required, however no upgrades are required at this time as per previously noted exemptions.

**Water:**

1. The subject property fronts a 200mm diameter Zone 1 watermain on 2 Street SE. No upgrades will be required at this time.
2. The lot is to be serviced by a single metered water service connection (as per Specification Drawing No. W-10), adequately sized to satisfy the proposed use (minimum 25mm). Water meter will be supplied by the City at the time of building permit, at the Owner / Developer's cost.
3. Records indicate that the existing property is serviced by a 12.5mm service from the 200mm diameter watermain on 2 Street SE. Upgrading to a new metered service (minimum 25mm) will be required. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Sanitary:**

1. The subject property fronts a 150 diameter sanitary sewer on 2 Street SE. No upgrades will be required at this time as per previously noted exemptions.
2. The lot is to be serviced by a single sanitary service connection adequately sized (minimum 100mm diameter) to satisfy the servicing requirements of the development. Owner / Developer is responsible for all associated costs.
3. Records indicate that the existing property is serviced by a 100mm service from the sanitary sewer on 2 Street SE. No upgrades will be required.



**ZONING AMENDMENT APPLICATION FILE: ZON-1132**

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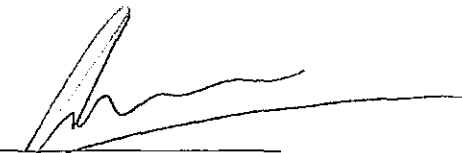
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**Storm**

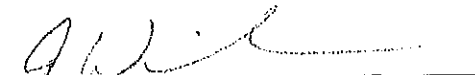
1. Records indicate that the existing property is not serviced by a storm service.
2. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided.
3. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.
4. Where discharge into the Municipal Stormwater Collection System is recommended by the ISMP, this shall be in accordance with Section 7.3. The lot shall be serviced by a single storm service connection adequately sized (minimum 150mm) to satisfy the servicing requirements of the development. Owner / Developer's engineer may be required to prove that there is sufficient downstream capacity within the existing City Storm System to receive the proposed discharge from the development. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.

**Geotechnical:**

1. Subject to the proposed development, a geotechnical report in accordance with the Engineering Departments Geotechnical Study Terms of Reference for: Category A (Building Foundation Design), may be required.



**Chris Moore**  
Engineering Assistant



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



Item 8.4

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Harrison

Seconded: Councillor Flynn

THAT: the bylaw entitled City of Salmon Arm Cemetery Management Bylaw No. 4280 be read a first, second and third time.

### Vote Record

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





**City of Salmon Arm**  
*Memorandum from the Director of Corporate Services*

TO: Her Worship Mayor Cooper and Council  
 DATE: September 18, 2018  
 SUBJECT: Cemetery Management Bylaw No. 4280

**RECOMMENDATION:**

**THAT:** the bylaw entitled Cemetery Management Bylaw No. 4280, be read a first, second and third time.

**BACKGROUND:**

Construction of the Shuswap Memorial Cemetery is complete and it is ready to be opened for interments once the City has been granted a license by Consumer Protection BC. The process of obtaining a license involves the submission of a business plan and enactment of a bylaw that meets the "Cremation, Interment and Funeral Services Act [SBC 2004] C. 35" and the "Business Practices and Consumer Protection Act [SBC 2004] C. 2" requirements to provide for the regulation, operation and maintenance of the City's cemeteries.

Cemetery Management Bylaw No. 4280 will cover both Mt. Ida Cemetery (which is nearing capacity) and the new Shuswap Memorial Cemetery. It allows for new offerings such as oshuaries, a scattering garden and green burials. While green burials will not be offered immediately, there has been some interest in the service and staff will endeavour to move forward with this in the not too distant future.

During the preparation of the bylaw staff consulted with the two local funeral service providers and the City's cemetery maintenance contractor.

In addition, staff are undertaking a pricing study in order to ensure that the City is charging adequately for cemetery products and services. Recommendations will be brought forward for Council's consideration in 2019.

Respectfully submitted,

  
 Erin Jackson  
 Director of Corporate Services



**City of Salmon Arm**  
**Cemetery Management Bylaw**  
**Bylaw No. 4280**

A Bylaw to provide for the regulation, operation and  
maintenance of the City of Salmon Arm municipal cemeteries.

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WHEREAS Section 8(3)(f) of the *Community Charter [SBC 2003] C. 26* empowers the Council of the City of Salmon Arm to enact a Bylaw to regulate, operate and maintain places of interment in compliance with the *Cremation, Interment and Funeral Services Act [SBC 2004] C. 35*;

AND WHEREAS the Council of the City of Salmon Arm deems it necessary to provide for the regulation, operation and maintenance of places of interment owned by the City of Salmon Arm;

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

**1.0 TITLE**

1.1 This Bylaw shall be cited for all purposes as "City of Salmon Arm Cemetery Management Bylaw No. 4280" (herein the "*Bylaw*").

**2.0 INTERPRETATION**

2.1 Legislation referred to in this Bylaw is a reference to an enactment of British Columbia or Canada as the case may be, and regulations made thereto, as amended, revised, consolidated or repealed and replaced from time to time.

2.2 A bylaw referred to in this Bylaw is a reference to an enactment of the Council of the City of Salmon Arm, as amended, revised, consolidated or repealed and replaced from time to time.

2.3 Headings given to any section, subsection, paragraph, clause, phrase or word in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

2.4 A metric or imperial measurement included in any section, subsection, paragraph, clause, phrase or word in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

2.5 A word signifying the masculine shall include the feminine and the use of a word signifying the singular shall include the plural and are used for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

2.6 In the instance any section, subsection, paragraph, clause, phrase or word within this Bylaw is for any reason held to be invalid by the decision of a Court or a regulatory authority of competent jurisdiction, such decision shall not affect or invalidate the remaining portions of this Bylaw.



2.7 The Schedules listed here and as attached form a part of this Bylaw:

- (a) Schedule 'A': Cemetery Fees
- (b) Schedule 'B': Interment Rights and Specifications
- (c) Schedule 'C': Memorial Specifications

### 3.0 DEFINITIONS

3.1 In this Bylaw terms defined in the "*Cremation, Interment and Funeral Services Act* [SBC 2004] C. 35" and the "*Business Practices and Consumer Protection Act* [SBC 2004] C.2' and all regulations made thereto shall have the meaning ascribed to them unless expressly defined otherwise in this Bylaw.

3.2 In this Bylaw unless context otherwise requires:

"**applicant**" means an individual who has made petition to the City of Salmon Arm for a right of interment, an interment or a memorial installation;

"**at-need**" means at the time of death or after a death has occurred;

"**burial permit**" means the legal document acknowledging the registration of a death in the province of B.C. and issued under the *Vital Statistics Act* [RSBC 1996] C. 479;

"**Bylaw**" means the '*City of Salmon Arm Cemetery Management Bylaw*' and all rules, regulations and schedules made thereto, as amended, revised, consolidated or repealed and replaced from time to time;

"**care fund**" means a fund for the care and maintenance of a City of Salmon Arm cemetery established, held and administered in accordance with cemetery legislation and this Bylaw;

"**casket**" (or "**container**") means a casket or alternative form of container, including a shroud, used to enclose human remains for interment but does not include a grave liner or an urn;

"**cemetery legislation**" means the "*Cremation, Interment and Funeral Services Act* [SBC 2004] C. 35" and the "*Business Practices and Consumer Protection Act* [SBC 2004] C. 2' and all regulations made thereto and may also mean other legislation that is applicable to the management, operation and maintenance of City cemeteries;

"**City cemetery**" means the "*Mount Ida Cemetery*" and the "*Shuswap Memorial Cemetery*" and the "*Baker (Canoe) Cemetery*" and any other land owned by the City of Salmon Arm that is set apart or used, now or at a date in the future, as a place of interment and includes any incidental or ancillary buildings on the land;

"**child**" means an individual between the ages of two (2) and twelve (12) years of age;

"**City**" means the Corporation of the City of Salmon Arm and together or separately may, as context infers, mean the Mayor and Council of the City, a department of the City, a person or persons employed by the City, or a person or persons authorized by the City to perform work relating to the development, management, operation, or provision of service in and maintenance of a City cemetery;

"**Council**" means the elected Mayor and Council of the City of Salmon Arm;

"**cremated remains**" means the human bone fragments remaining after the cremation of human remains and includes the residue of other materials cremated with the human remains;



**"deceased"** means an individual who has died;

**"disinterment"** means the removal of interred human remains or cremated remains from a lot for the purpose of permanent relocation;

**"exhumation"** means the exposure of interred human remains for the purpose of viewing or examination and further where such viewing or examination may occur in the lot where the remains are interred, or the remains are removed from the lot where they are interred and after the viewing or examination has been completed the remains are re-interred into the lot from which they were removed;

**"family member"** means a spouse, a child (natural, adopted or step), a parent or stepparent, a sibling (natural, adopted or step), a grandparent or step grandparent or a grandchild (natural, adopted or step);

**"fee"** means the fees prescribed for City cemeteries as may be set out in this Bylaw;

**"former resident"** means an individual who at the time of death,

- (a) was an owner, as defined in the *"Local Government Act (RSBC 2015) C.1"*, of real property within the City of Salmon Arm or Area 'D' of the Columbia Shuswap Regional District for a continuous period of not less than three (3) years within the period of ten (10) years immediately prior to the date the individual, or their legal representative, makes application for a right of interment or an interment in a City cemetery, or;
- (b) was a resident of the City of Salmon Arm or Area 'D' of the Columbia Shuswap Regional District for a continuous period of not less than three (3) years within the period of ten (10) years immediately prior to the date the individual, or their legal representative, makes application for a right of interment or an interment in a City cemetery, and;
- (c) where said *'former resident'* status referred to under paragraphs (a) and (b) can be verified in a manner prescribed by the City;

**"funeral director"** means an individual licensed by the regulatory authority who, in the course of business, carries out the duties and responsibilities of a funeral director as set out in cemetery legislation;

**"funeral service provider"** means a business, licensed by the regulatory authority, for providing funeral services;

**"grave"** means one type of lot, an in-ground space used or intended to be used for the interment or memorialization of human remains or cremated remains;

**"grave liner"** means a receptacle, constructed of a durable material, that may or may not have a bottom, into which a burial container holding human remains or an urn holding cremated remains is placed to provide reinforcement of a lot as part of an interment and includes a grave vault that may or may not have protective features warrantied by a third-party;

**"green burial"** means a natural form of interment where the interment satisfies criteria set out in this Bylaw for green burial;

**"holiday"** means any day or part of a day as may be proclaimed from time to time as a holiday to be observed by the City;

**"human remains"** means a dead human body in any stage of decomposition, or a body of a stillborn infant in any stage of decomposition, but does not include cremated remains;



**"infant"** means an individual less than two (2) years of age and includes a stillborn infant;

**"interment"** means disposition by:

- (a) burial of human remains or cremated remains in the ground;
- (b) inurnment of cremated remains in the ground or in a columbaria niche;

**"interment authorization"** means a document, set out in a form prescribed by the City, that is completed and signed at-need by the individual having the legal authority to authorize the interment of human remains or cremated remains of a deceased person;

**"interment process"** means the excavation, opening and preparation of a lot for an interment and the closing of a lot after the interment of human remains or cremated remains has been made in the lot;

**"interment right"** means a right of use granted in perpetuity and acquired through purchase, inheritance or permitted transfer:

- (a) for the interment of human remains or cremated remains in a lot at a City cemetery;
- (b) for the installation of a memorial on a lot at a City cemetery;
- (c) and issued in accordance and compliance with cemetery legislation and the Bylaw of a City cemetery;

**"interment rights certificate"** means a document, set out in a form prescribed by the City, that describes a right of interment and the terms and conditions that govern the right of interment for a lot in a City cemetery;

**"legal representative"** means a person who, or an agency that, by order of priority set out in cemetery legislation has the right to control the disposition of the human remains or cremated remains of a deceased person and, as the case may be, may also mean the legal heir or successor of an interment rights holder;

**"lot"** means a designated space in a City cemetery set out in a right of interment to be used or intended to be used for,

- (a) the interment of human remains or cremated remains under a right of interment;
- (b) the installation of a memorial to identify a lot or memorialize a deceased individual or stillborn child, and;
- (c) includes but is not limited to a grave or niche or plot;

**"Mayor"** means the elected Mayor or Deputy Mayor of the City of Salmon Arm;

**"medical health officer"** means a person appointed from time to time under the *Health Act [RSBC 1996] C. 179* as a Medical Health Officer for the City;

**"memorial"** means a product or structure used or intended to be used to identify a lot or to memorialize a deceased person, including but not limited to;

- (a) a flat marker, upright monument, tombstone, plaque or other marker on a lot or;
- (b) other product as may be approved for memorialization at a City cemetery;



**“memorial dealer”** means an individual who or a business that offers for sale or sells or installs memorials;

**“memorialization”** means the selection, purchase, installation or placement of a memorial in remembrance of a deceased person at a lot or a memorial space;

**“non-resident”** means an individual who does not satisfy the definition of a ‘resident’ or a ‘former resident’ set out in this Bylaw;

**“ossuary”** means a fully enclosed vessel into which cremated remains are scattered and where such scattering infers commingling with cremated remains already in or placed into the ossuary in the future;

**“purchase contract”** means a contract in a form prescribed by cemetery legislation and by the City that sets out details relating to:

- (a) the purchase of a right of interment for a lot in a City cemetery;
- (b) the purchase of an interment service and the provision and delivery of other cemetery goods and services needed to complete an interment in a City cemetery;
- (c) the purchase of a memorial or a memorial installation;
- (d) the purchase, provision and delivery of other cemetery services and goods in a City cemetery;

**“regulatory authority”** means the *Consumer Protection Authority of B.C. (CPABC)* and may also mean the *Director* of the CPABC and may also mean any other entity or organization with regulatory jurisdiction in the province of B.C.;

**“resident”** means an individual who at the time of death,

- (a) is an owner, as defined in the *Local Government Act [RSBC 2015] C.1*, of real property within the City of Salmon Arm or Area ‘D’ of the Columbia Shuswap Regional District or;
- (b) is an individual who, at the time of their death, has been a resident of the City of Salmon Arm or Area ‘D’ of the Columbia Shuswap Regional District for not less than ninety (90) days, and;
- (c) where said ‘resident’ status referred to under paragraphs (a) and (b) above can be verified in a manner prescribed by the City;

**“reserve”** means the purchase of an interment right before death and held for future use;

**“rights holder”** means a person who:

- (a) has purchased a right of interment for a lot registered in the records of the cemetery to be held in their name;
- (b) has a right of interment registered in their name but is not the original purchaser of the right of interment;
- (c) is the legal representative of a deceased individual who has control of a right of interment held in the deceased’s name;
- (d) is an individual who has, in compliance with the bylaws of the cemetery, had a right of interment transferred to be held in their name;
- (e) is an individual who is an heir or successor of a deceased interment rights holder and, by demonstration of a right of legal succession, may be entitled to inherit a deceased rights holder’s right of interment;



**"scatter"** (or **"scattering"**) means the irreversible disposition of cremated human remains by scattering onto or under the surface of the ground or into an ossuary or other form of scattering vessel;

**"trustees"** means the Mayor and Council of the City of Salmon Arm acting as the Board of Cemetery Trustees for the City cemeteries;

**"urn"** means any form of container used or intended to be used for the containment and interment of cremated remains;

**"without prior notice"** means the City, as may be applicable, has no obligation to make or provide, in any form or manner, advance notice of an action occurring or to be taken in a City Cemetery to an interment rights holder, the legal representative of a deceased or their heirs or successors;

**"working day"** means every day of the year that is not a Sunday, or a holiday as defined in this Bylaw or as may be observed by the City.

#### 4.0 **PURPOSE & APPLICATION OF BYLAW**

4.1 The following described real properties are set aside, held, laid out, developed, improved, used and maintained, as City cemeteries and are dedicated for that use, and shall continue to be used, operated, and maintained for that purpose and shall not be used for any other purpose;

(a) Mount Ida Cemetery, legally described as Parcel Identifier 011-292-695, Lot 2, Plan 1999, Township 20, Range 10, W6M, KDYD and Parcel Identifier 014-066-017, Parcel C, Plan DD15451F, Township 20, Range 10, W6M, KDYD and Parcel Identifier 011-292-709, Lot 3, Plan 1999, Township 20, Range 10, W6M, KDYD, and;

(i) also described as being located at the civic address: 2290, 2270 and 2160 Foothill Road SW, Salmon Arm, B.C., and;

(b) Shuswap Memorial Cemetery, the following lands shall be set aside for future cemetery use, and are legally described as Parcel Identifier 014-072-491 The East ½ of the Southeast ¼ of Section 12, Township 20, Range 10, W6M, KDYD;

(i) also described as being located at the civic address: 2700 - 20 Avenue SE, Salmon Arm, B.C., and;

(c) Baker (Canoe) Cemetery, legally described as Parcel Identifier 008-817-928, Lot 2, Plan 15500, Section 32, Township 20, Range 9, W6M, KDYD

(d) and;

(i) also described as being located at the civic address: 6730 Trans-Canada Highway NE, Salmon Arm, B.C., and;

4.2 Every City cemetery is acquired, established and laid out for the purpose of making interment rights, interment, memorialization and goods required for or arising from the provision of interment rights, interment and memorialization available to all persons, irrespective of race, faith, orientation or any other form of categorization, and are established more specifically to provide:

(a) suitable in-ground space for the interment of human remains;

(b) suitable in-ground and above-ground space for the interment of cremated human remains;



- (c) suitable space for memorials;
  - (d) such additional features, facilities, services and goods as may be approved from time to time by the City that may ordinarily arise from the sale of interment rights, interments, memorialization or bereavement rites or ceremonies at a City cemetery.
- 4.3 The development, administration, operation and maintenance of every City cemetery and the provision of services therein and the application and administration of this Bylaw and the establishment of fees and charges for every City cemetery shall be conducted in accordance with cemetery legislation and all other applicable legislation of British Columbia or Canada, as the case may be.
- 4.4 This Bylaw establishes the Mayor and Council of the City of Salmon Arm as the Board of Cemetery Trustees of all City cemeteries as currently exist or may exist in the future.
- 4.5 The City shall have the full and complete control and management over the land, buildings, plantings, roads, utilities, books and records of the City's cemeteries and shall have the authority to amend, establish, administer and enforce any Bylaw established for a City cemetery.
- 4.6 The City shall have the right to manage, maintain or alter the interment areas, sections, memorials, roads and pathways, buildings, utilities infrastructure, change or remove plantings, grade, alter in shape or size, or otherwise to change all or any part of a City cemetery as deemed necessary for the effective, safe and sustainable operation of City cemeteries and subject only to compliance with applicable requirements of cemetery legislation.
- 4.7 The City shall establish and maintain Schedules forming a part of the '*Cemetery Management Bylaw*' that shall set out the fees, interment rights and specifications and memorial specifications that will apply to all City cemeteries.
- 4.8 The City shall be responsible for:
  - (a) the supervision, control and charge of the City cemeteries and the services and goods provided therein;
  - (b) the direction of all workers employed or contracted from time to time by the City to perform work within the limits of a City cemetery;
  - (c) refusing admission or expelling from a City cemetery any individual or persons if such action is warranted;
  - (d) refusing the admission of and, without prior notice, ordering the removal of any unauthorized product, material, tree, shrub, plant or floral tribute brought into or placed at a lot or in a City cemetery in contravention of this Bylaw.
- 4.9 The City shall have the authority, at its cost and in a timely manner, to correct any error that may be made by it in making an interment, disinterment or in the description of a lot or the transfer or conveyance of a right of interment and grant in lieu thereof, a right of interment or a lot of equal value and location so far as is reasonably possible. In the instance an error may involve the interment or disinterment of human remains the City shall correct the error in compliance with and under such terms as may be set through cemetery legislation.
- 4.10 The City shall have the authority to establish a client service program or enter into a client service agency agreement, an interment services agreement, a maintenance and operations agreement or other such agreements with a business, organization or



individual of their choosing and under such terms and conditions they deem appropriate for the conduct of the business of the Cemetery.

- 4.11 Subject to the authority of Council, the Director of Corporate Services or their designate shall, in an at-need emergent or extraordinary circumstance, have the authority to waive the application or enforcement of this Bylaw where such action shall not contravene or violate cemetery legislation.

## 5.0 GENERAL PROVISIONS & REGULATIONS

- 5.1 The days and hours of operation of the City cemeteries and the Cemetery office shall, for the following purposes, be;
- (a) **Cemetery Visiting:** open every day of the year at 7:00 a.m. and closed every day at 8:00 p.m.;
  - (b) **Interment Services:** subject to and upon satisfying terms and conditions set-out in this Bylaw, interments may occur any day of the week between 8:00 a.m. and 3:30 p.m.;
  - (c) **Cemetery Office:** located at City of Salmon Arm Municipal Hall, 500 – 2 Ave NE, Salmon Arm and open Monday through Friday, from 8:30 a.m. to 4:00 p.m. and closed on weekends and holidays observed by the City.
- 5.2 No person shall be in a City cemetery between 8:00 p.m. and 7:00 a.m. the following morning, without the express permission of the City. A person who is in City cemetery between the hours noted shall be deemed in violation of this Bylaw and shall be liable to a penalty set out in this Bylaw in 'Section 14.0 Penalty for Infractions'.
- 5.3 The City shall have the authority to suspend or cancel interment services at and limit or prohibit public access to part or all of a City cemetery when severe weather, road or grounds conditions or other emergent circumstance may warrant or pose a hazard to the public, City personnel or make the movement and operation of vehicles or equipment unsafe.
- 5.4 The City, so as to ensure that cemetery operations can be performed in a safe, efficient and timely manner, shall at all times have a right of passage in any manner it sees fit over every lot in and the entire land of every City cemetery.
- 5.5 Floral tributes may be placed at a City cemetery in accordance with the following schedule;
- (a) on the day of an interment and for a period of seven (7) days following an interment, any type of floral tribute is permitted;
  - (b) from March 15 to October 15, only fresh cut flowers may be placed on a lot. Potted plants, wreaths and artificial floral tributes of any type are prohibited during this period;
  - (c) from October 16 to March 14, in addition to fresh cut flowers, potted plants, wreaths, artificial floral tributes and seasonal floral tributes may be placed on a lot;
  - (d) potted plants, wreaths, artificial floral tributes and seasonal floral tributes placed between October 16 to March 14 shall, without prior notice, be removed when the first cemetery grounds clean-up is carried out in the spring of each year;
  - (e) the City shall have the right, without prior notice, to remove or order removed any floral tribute that is determined to be deteriorated,



withered, is otherwise unsightly, detracts from or infringes on an adjacent lot or from the general aesthetic of the Cemetery or that, for the purposes of grounds maintenance, may pose a safety risk or that may otherwise contravene this Bylaw.

- 5.6 The placement of any form of decoration, adornment, personal memento or other extraneous object, except as may be permitted elsewhere in this Bylaw, is not permitted. Unauthorized items placed on a lot or in any City cemetery may, without prior notice, be removed or ordered removed by the City. This includes, but is not limited to, photographs, pictures, frames, boxes, shells, toys, wire screens, decorative rock, arbours, trellises and floral tripods.
- 5.7 No open flame, candle, or burning of any substance or other material may take place inside a City cemetery without prior authorization given by the City and, if authorized, conducted under the direct supervision of the City.
- 5.8 The City shall not be liable for the deterioration, damage or loss of flowers, decorations or any other article attached to or placed on a lot or at a memorial site. Flowers, decorations or other articles that become unsightly, broken or deteriorated may, without prior notice, be removed at the discretion of the City.
- 5.9 Except as may specifically be provided for elsewhere in this Bylaw, no lot or other part of a City cemetery may be decorated or adorned in any manner by any person other than the City without the express written consent of the City where the exercise of such consent shall be within the sole discretion and authority of the City.
- 5.10 No tree, shrub, plant, bulb, flower or other decorative plant feature may be planted, pruned, cut down, removed or otherwise altered on a lot or anywhere within the limits of a City cemetery without the express consent of the City.
- 5.11 Cemetery roadways are for the exclusive use of interment processions, cemetery patrons, City grounds personnel or other persons as may be approved by the City and no vehicle shall exceed fifteen (15) kilometers per hour and every operator of a vehicle shall always obey cemetery signage and any directions and orders of the City.
- 5.12 No person shall drive or park a vehicle over any lawn, garden or flower bed without express permission of and subject to the supervision of the City.
- 5.13 Every person, including those in funeral processions, upon entering and while within a City cemetery, shall follow every instruction of the City. Any person not behaving with proper decorum within a cemetery or who disturbs the peace, quiet and good order of the Cemetery may be evicted by the City and in addition, shall be guilty of an infraction of this Bylaw and liable to a penalty as set out in this Bylaw in '*Section 14.0 Penalty for Infractions*'.
- 5.14 No person shall, within the limits of a City cemetery:
  - (a) scatter, dispose of, or inter any cremated remains or human remains except in compliance with this Bylaw and cemetery legislation;
  - (b) define or delineate any lot or group of lots by a fence, railing, coping, hedge or by any other marking except as may be permitted in the Memorial provisions of this Bylaw;
  - (c) willfully or negligently destroy, mutilate, deface, damage, injure or remove anything from a City cemetery, including and without limitation, any memorial, plant, flower, tree, rock or other item located in a City cemetery;



- (d) carry out any activity other than attendance at an interment or memorial service or, the visitation of a lot for the purpose of paying respect to the dead;
  - (e) conduct them self in a manner so as to disturb the peace, quiet and good order of the City cemetery or an interment or memorial service being conducted therein;
  - (f) discharge any firearm other than at a military funeral for which a firearm salute has been authorized by the City and is conducted under the direct command of an officer in charge and only during an interment or memorial service being conducted therein;
  - (g) bring into or dump any rubbish, debris or other offensive item or matter or make an unauthorized removal of any cemetery refuse, waste or rubbish;
  - (h) allow a child or children under the age of sixteen (16) years in a cemetery that is not accompanied by a parent, guardian or an adult supervisor;
  - (i) play any manner of sports game or sport activity;
  - (j) operate any form of recreational vehicle;
  - (k) otherwise violate any provision of this Bylaw or cemetery legislation.
- 5.15 In the instance where an individual or a group of individuals through their immediate behavior, or a pattern of behavior tracked over time, contravenes this Bylaw then the City may take such steps to expel the individual or group of individuals from a City cemetery and the individual or individuals expelled may be subject to application of further penalty as set out in this Bylaw in '*Section 14.0 Penalty for Infractions*'.
- 5.16 No gratuity or extraordinary consideration shall be paid to or accepted by an employee or agent of the City for any service rendered or good provided in connection with a City cemetery.
- 5.17 All work within City cemeteries shall be performed by the City, employees of the City or authorized agents of the City.
- 5.18 Prior to commencement of any work within the limits of a City cemetery an individual or contractor other than an authorized worker of the City who intends to perform work in a City cemetery, including an individual or contractor that performs work on behalf of a rights holder or legal representative of a deceased shall supply to the City, in a form prescribed by the City, proof of the contractor's B.C. Workers Compensation Insurance, Public Liability Insurance and Motor Vehicle Insurance coverage, in a form and amount acceptable to the City,
- 5.19 The behavior of a contract worker including a contractor performing work on behalf of a rights holder or legal representative of a deceased within a City cemetery shall be subject to the supervision and control of the City.
- 5.20 A contract worker working in a City cemetery shall cease work in the immediate vicinity of any interment or memorial service until the conclusion of the service and those persons attending the service have left the area where the service was being conducted.
- 5.21 No work may be performed at a City cemetery except during the regular hours of the City and/or a City cemetery except where work outside of regular hours has been authorized and approved by the City.
- 5.22 Notwithstanding article 5.14(d) of this Bylaw the City shall have the authority to conduct or permit to be conducted public or private events within a City cemetery that



are, in the opinion of the City, deemed appropriate for and in keeping with the dignity and purpose of a City cemetery.

## 6.0 INTERMENT RIGHTS

6.1 The City, subject to payment of an established fee and any terms further set out in this Bylaw, may grant an interment right for a vacant lot in a City cemetery on an at-need or a reserve basis.

6.2 Possession of an interment right:

- (a) confers to a rights holder, a right in perpetuity to use, in compliance with this Bylaw, a lot for the interment and/ or memorialization of human remains or cremated remains of an individual or individuals named on an Interment Rights Certificate;
- (b) does not confer to a rights holder any title to, ownership of, or interest in the land of a City cemetery or of a lot therein or any other special privilege over any land of a City cemetery;
- (c) does not entitle a rights holder to require the City to perform an interment of human remains or cremated remains into a lot until the rights holder or their legal representative complies in all other respects with this Bylaw as it relates to the interment of human remains or cremated remains or the purchase and placement of a memorial, including and without limitation the payment of all fees.

6.3 The City shall issue, to an applicant paying in full the fee for an at-need or a reserve interment right in *Bylaw Schedule A: Cemetery Fees* an 'Interment Rights Certificate', in a form prescribed by the City, which sets out the rights of use conferred to the purchaser identified on the certificate.

6.4 An interment rights holder shall have the authority to designate who, other than themselves, may be authorized to control the exercise of an interment right registered in their name.

6.5 An interment rights holder, at the time of purchase, shall reserve the right to use a lot they have purchased for themselves or assign the right or any secondary rights to a lot to another person to which the interment right refers where an assignee so named shall be a family member of the rights holder.

6.6 No interment right may be assigned to a 'former resident' or 'non-resident' without the express consent and agreement of the City and payment in full to the City of any difference between the 'resident', 'former resident' or 'non-resident' fees set out in *Bylaw Schedule 'A': Cemetery Fees*.

6.7 Subject to at-need lot demand, the City shall have the right to limit or suspend the reserve sale of interment rights in a City cemetery at any time. The City shall never sell, on a reserve basis, more than fifty percent (50%) of the developed lots available at any given time in a City cemetery.

6.8 An interment rights holder may only designate one lot for their own use.

6.9 The exercise of an interment right, every interment or every other form of disposition of human remains or of cremated remains or installation of a memorial within the limits of a City cemetery is subject to:

- (a) all provisions of this Bylaw as is now or may be in the future be in effect;



- (b) the terms, conditions, design, lot plan, interment and memorial parameters, standards of operation and maintenance established by the City for the City cemeteries;
  - (c) payment in full of all applicable fees set out in *Bylaw Schedule 'A': Cemetery Fees* as is now or may in the future be in effect;
  - (d) payment of all fees shall be made at the time of or in advance of the provision of Cemetery right of an interment or a Cemetery service or a good being provided.
- 6.10 In the instance evidence of a clear line of assignment, transfer, inheritance, succession or authority over an interment right that survives an original rights holder is not provided by the legal representative of the original rights holder or a deceased then the City shall have the authority to;
  - (a) determine, through a process of due diligence prescribed by the City, the individual who may exercise any surviving right of use and under what terms and conditions a surviving right of use may be exercised or;
  - (b) where a clear and distinct right of succession cannot, through a process of due diligence prescribed by the City, be reasonably ascertained prohibit the use of surviving interment rights in a lot.
- 6.11 The interment rights and interment specifications for lots in a City cemetery shall be those set out in *Bylaw Schedule 'B': Interment Rights & Specifications* and as may be current at the time of purchase or use.
- 6.12 An applicant may, on an at-need or a reserve basis and upon payment in full for the fee set out in *Bylaw Schedule A: Cemetery Fees*, purchase the interment rights for:
  - (a) not more than two (2) human remains lots;
  - (b) not more than four (4) cremated remains lots.
- 6.13 Every interment into and every placement of a memorial on a lot in a City cemetery shall be made in compliance with this Bylaw and *Bylaw Schedule 'B': Interment Rights and Specifications* and *Bylaw Schedule 'C': Memorial Specifications*.
- 6.14 The City shall have the authority to establish, amend or otherwise set out interment rights for other lots in a City cemetery that have the same classification and interment capacity as existing lots or that may have a different classification and interment capacity.
- 6.15 The City may, in an at-need emergent circumstance, sell the interment rights for more than two (2) human remains lots or four (4) cremated remains lots but never more than ten (10) lots of any type to an individual or an organization under such terms and conditions as the City deems appropriate.
- 6.16 The City may, by special agreement, with a society, faith group or other organization, reserve or sell interment rights for a block of contiguous lots in a section of a City cemetery under such terms and conditions as the City deems appropriate and where such section shall be used exclusively for the interment of deceased members of the society, faith group or other organization. Upon such an agreement being made no individual shall be provided an interment in the reserved section, unless an application for interment is accompanied by a certificate from the society, faith group or organization, stating that the individual is entitled to interment in the reserved section. The City, under this provision, shall never sell or reserve more than ten (10%) percent of the developed lots available at any given time in a City cemetery.



- 6.17 Interment rights sold, reserved or issued under articles 6.15 and 6.16 of this Bylaw and all services rendered by the City under such agreements shall be subject to payment at the regular rates set out in *Bylaw Schedule 'A': Cemetery Fees*.

## 7.0 **TRANSFERS & RECLAMATION**

- 7.1 An interment right for an unused lot may only be transferred back to the City.
- 7.2 The private sale or transfer of an interment right, to which the City is not a party, is prohibited. In the instance a private sale or transfer of an interment right is made without the City's knowledge, participation or approval, then the City shall have no obligation to honour an interment right acquired under such a transaction and subsequently presented to the City for use or surrender.
- 7.3 An interment right may be surrendered to the City and a refund paid where:
- (a) there are no interments in or memorials on a lot being surrendered;
  - (b) the original interment rights holder or their legal representative has made written application to the City, in a form prescribed by the City, stating their desire to surrender the interment right;
  - (c) the original Interment Rights Certificate is surrendered to the City, and;
  - (d) an administration fee for the surrender, as set out in *Bylaw Schedule 'A': Cemetery Fees*, is paid to the City;
  - (e) if the surrender occurs within thirty (30) days of the date of purchase, one hundred percent (100%) of the fees paid for the right of interment shall be refunded;
  - (f) if the surrender occurs thirty-one (31) or more days after the date of purchase, a right of interment may be refunded at a value up to the greater of the following two calculations;
    - (i) not more than one hundred percent (100%) of the original price paid LESS the care fund contribution portion of the fees collected at the time of purchase, or;
    - (ii) not more than fifty percent (50%) of the current price of a comparable lot in the cemetery LESS the care fund contribution portion of the selling price of the comparable right of interment.
- 7.4 Subject to cemetery legislation, and upon approval from the regulatory authority, an interment right for an unused lot may be reclaimed by the City if all of the following have occurred;
- (a) the interment rights holder would be at least ninety (90) years of age, and;
  - (b) a minimum period of fifty (50) years has elapsed from the date of purchase, and;
  - (c) a minimum of ninety (90) days has passed since notice of the intent to reclaim the interment right has been sent to last known address on record for the interment rights holder;
  - (d) the City has made a reasonable and diligent attempt to contact the interment rights holder.
- 7.5 In the instance an interment right for a lot has been reclaimed and resold under article 7.4 of this Bylaw and the reclaimed interment right is subsequently required for use by the original rights holder or their legal representative, the City shall provide another interment right of equal or greater value that has been chosen from the available lots of the cemetery by the original interment rights holder or their legal representative.



## 8.0 INTERMENT, DISINTERMENT & EXHUMATION

- 8.1 Every interment of human remains or cremated remains into a lot shall be consistent with this Bylaw and *Bylaw Schedule 'B': Interment Rights and Specifications'*.
- 8.2 Only human remains or cremated human remains may be interred in a City cemetery.
- 8.3 The interment of human remains or cremated remains in a City cemetery shall be conducted in a manner consistent with the dignity of adjacent lots, the cemetery and general community standards.
- 8.4 No interment, disinterment or exhumation of human remains or cremated remains at a City cemetery shall be permitted until:
  - (a) the legal representative of a deceased completes, signs and delivers to the City an interment authorization, in a form prescribed by the City;
  - (b) it is ascertained a deceased holds an interment right at a City cemetery or a rights holder provides authorization for a deceased's human remains or cremated remains to be interred in a lot for which the deceased held an interment right;
  - (c) all outstanding indebtedness to the City relating to an interment right to be exercised, the interment fee and the fee for any other service provided or product supplied by the City to facilitate the interment, has been paid in full to the City;
  - (d) proper notice, in a manner prescribed by the City, is provided to the City;
  - (e) for human remains interment, a *B.C. Burial Permit* has been surrendered to the City;
  - (f) for cremated remains interment or scattering, a *Certificate of Cremation* has been surrendered to the City;
  - (g) where a death has occurred in a jurisdiction other than the province of B.C., a disposition document for interment or scattering, deemed acceptable by the City, has been surrendered to the City.
- 8.5 The City, through an agency agreement, may authorize a funeral service provider or a funeral director or other qualified person or organization to assume responsibility to qualify an interment rights holders and/or a legal representative of a deceased and acquire all necessary information to complete a City cemetery interment authorization and collect payment for an interment and deliver all documents, authorizations and payment prior to an interment, to the City, in a form prescribed by the City.
- 8.6 Reasonable notice of an interment is required. Normally notice and all documents and fees related to an interment booking shall be delivered to the City:
  - (a) between March 15 and October 15, at least twenty-four (24) hours advance notice for an interment service is provided to the City;
  - (b) between October 16 and March 14, at least forty-eight (48) hours advance notice for an interment service is provided to the City;
  - (c) where an interment is requested in a period shorter than the notice required under (a) and (b) above then, at the discretion of the City, an interment may be accommodated but shall be subject to payment of an administrative fee (*short notice*) set out in *Bylaw Schedule 'A': Cemetery Fees*.
- 8.7 All cemetery appointments, interment bookings and payments for cemetery services shall be transacted under the terms set out in this Bylaw at Salmon Arm City Hall on the days and hours of operation of the City set out here for cemetery purposes:



- (a) Monday through Friday from 8:30 a.m. to 4:00 p.m.;
  - (b) this office shall be closed and no calls or appointments will be accepted or processed on a weekend or a holiday observed by the City;
  - (c) the City shall have the right, from time to time, to establish an interment services schedule that may control, limit or restrict the types and numbers of interments that may occur in a City Cemetery on a given day;
  - (d) the failure to provide all due and proper notice to the City may result in an interment service booking being denied;
  - (e) no booking or notice for an interment will be accepted by the City more than sixty (60) days in advance of a proposed date of interment;
  - (f) the City, at its sole discretion, shall have the right to vary, alter or waive its established interment services schedule, advance notice requirements and booking limitations as deemed appropriate or as circumstances may warrant.
- 8.8 Upon provision of proper notice and authorization being delivered to the satisfaction of the City an interment of human remains or cremated remains:
  - (a) may take place on any day of the week;
  - (b) shall take place at a time arranged with and set by the City and conclude within one (1) hour of that time;
  - (c) an interment occurring on a Saturday, Sunday or a holiday observed by the City shall be subject to payment of an overtime fee as set out in *Bylaw Schedule 'A': Cemetery Fees*;
  - (d) an interment that does not conclude within the regular interment hours of a City cemetery or a time frame established by the City shall be subject to payment of an overtime fee as set out in *Bylaw Schedule 'A': Cemetery Fees*.
- 8.9 In the instance an interment is directed by a medical health officer, written instructions with respect to all procedures to be followed on the interment, to protect the health and safety of all persons who may come into contact with the burial container bearing the human remains, shall be provided to the City by the medical health officer in advance of the interment. The City shall convey the instructions of the medical health officer to every City employee or their authorized agent participating in the interment and the City shall take such steps necessary to ensure the instructions are carried out throughout the course of the interment. The City shall be obligated to accommodate an interment directed by the medical health officer as and when so ordered.
- 8.10 The City shall have the authority to suspend or cancel interment services at, and limit or prohibit public access to part or all of a City cemetery where weather, road or grounds conditions or other extraordinary circumstance may warrant or pose a hazard to the public, City personnel or their agents.
- 8.11 An individual, family or a group of people, may be allowed to witness the closing of a lot subject to the following criteria:
  - (a) the request to witness the lot closing is delivered to the City as part of the notice for and authorization of an interment;
  - (b) the City may, for safety purposes, limit the number of people allowed to witness a lot closing;



- (c) all proceedings at a lot closing shall be under the direction of the City and every witness present shall be obligated to follow every instruction given by the personnel directing the interment;
  - (d) a 'witness lot closing' may be subject to an administrative fee set out in the *Bylaw Schedule 'A': Cemetery Fees* and said fee shall be paid in full to the City prior to the interment service;
  - (e) witnesses to a lot closing may be required to sign a waiver exempting the City from responsibility for any emotional, psychological or physical injury that may arise from witnessing an interment.
- 8.12 Only the City, or a contractor or an individual authorized by the City, shall excavate or open and close and set-up and remove graveside equipment at a lot in a City cemetery.
  - 8.13 Every interment service in a City cemetery shall be conducted, performed or supervised by the City or a contractor or an individual authorized by the City.
  - 8.14 For every grave designated as a double-depth lot the first interment of human remains into the lot shall be made in the grave at the deepest interment depth and any subsequent interment of human remains shall be made over the first and each of the interments in the grave shall conform to any further specifications established by the City relating to interment depths and coverage.
  - 8.15 For every interment, human remains shall be enclosed in a casket or container that complies with cemetery legislation and this Bylaw.
  - 8.16 Every interment of human remains shall be made into a grave liner of a design established and supplied by the City at the expense of an interment rights holder or the legal representative of a deceased. The only permitted exception to the requirement for a grave liner is for the interment of an infant or child or for a green burial.
  - 8.17 Where a grave liner, that meets in every way the standard established by the City, is proposed to be supplied by an individual or business other than the City then only the City shall install the grave liner into the lot or the City may require the supplier of the grave liner to install the grave liner they are supplying under the supervision of the City and any installation shall be made at the supplier's expense and at a day and time of the City's choosing. The installation of a grave liner supplied by an individual or business other than the City shall be subject to a fee set out in *Bylaw Schedule 'A': Cemetery Fees* and the fee shall be paid in full to the City prior to the delivery of the grave liner to a City cemetery or the installation of the grave liner into a lot at City cemetery.
  - 8.18 An interment rights holder or the legal representative of a deceased shall be deemed to retain custody of human remains or cremated remains for interment until the remains are delivered to the City's representative at an interment lot. Prior to accepting custody of remains at a lot the City shall not be liable for any delay in an interment service and, after accepting custody, the City shall not be liable for any delay in an interment arising from circumstances outside of the City's control.
  - 8.19 It is the responsibility of an interment rights holder or the legal representative of a deceased, or their agent or funeral service provider to provide sufficient persons and means to transfer human remains to an interment lot for interment.
  - 8.20 Cremated remains for interment into a Cemetery lot shall be enclosed in an urn of a design, size and material approved by the City.



- 8.21 The City may make provision for and permit the scattering of cremated remains within a City cemetery where scattering will be limited to and permitted only in designated areas or scattering features of a City cemetery.
- 8.22 Only City personnel, or an individual authorized by the City, shall place cremated remains into a cemetery lot or perform a scattering of cremated remains at a City cemetery.
- 8.23 The City, its employees and authorized agents of the City providing cemetery services shall exercise due care and attention in making an interment or a scattering but shall not be responsible for any emotional, psychological or physical injury that may occur to a living person or any injury to human remains or cremated remains or damage to any casket, urn or any other form of container sustained as part of an interment, scattering, disinterment or exhumation except where such injury or damage is caused by the negligence of the City, its employees or its agents.

**Disinterment & Exhumation**

- 8.24 The exhumation or disinterment of human remains or cremated remains in a City cemetery shall be conducted in compliance with cemetery legislation and in a manner consistent with the dignity of adjacent lots, the City and general community standards.
- 8.25 No disinterment or exhumation shall be allowed until;
- (a) the legal representative of the deceased who has the right to authorize the disinterment of the deceased person's human remains has acquired, completed, duly signed and provided to the City a disinterment authorization, in a form prescribed by the City;
  - (b) a disinterment/exhumation permit, as circumstance may require under cemetery legislation, has been delivered to the City;
  - (c) in the instance where the legal representative of the deceased to be disinterred is not the rights holder for the lot from which the disinterment/exhumation is being made then written authorization from the rights holder to open their lot for the disinterment/exhumation shall be provided to the City, in a form prescribed by the City;
  - (d) all outstanding indebtedness to the City relating to a right of interment, the exercise of the disinterment/exhumation right from the lot, and any other service provided or product supplied by City to facilitate a disinterment/exhumation has been paid in full, where the fees for disinterment and exhumation are set out in *Bylaw Schedule 'A': Cemetery Fees*;
  - (e) for disinterment, a copy of the transport permit, as circumstance may require under the cemetery legislation and issued by the regulatory authority has been delivered to the City.
- 8.26 In the instance a rights holder makes a request for the discretionary disinterment of human remains or cremated remains from a lot under their control then the rights holder making the request shall first provide in writing to the City at their expense and in a form prescribed by the City, a document setting out;
- (a) such proof as the City may request, up to and including sworn affidavits, to establish the identity and the legal right and authority of the person to make such a request;
  - (b) such other information as the City may reasonably request as to the purpose and reason for the disinterment;



- (c) and the provision of such information shall not bind the City to permit the discretionary disinterment and the City shall have the right to require the person making the discretionary disinterment request to acquire, at their expense, a Court order that compels the City to make the disinterment requested.
- 8.27 No disinterment or exhumation of human remains or cremated remains shall be permitted from a green burial lot except where the City shall be obligated to perform such disinterment or exhumation when ordered by a Court of competent jurisdiction.
- 8.28 Except where ordered by a Court of competent jurisdiction or a Medical Health Officer, no person other than City employees or authorized agents of the City along with a duly contracted funeral director shall be permitted to be present at the disinterment or exhumation of human remains or cremated remains from a lot in a City cemetery.
- 8.29 The City's responsibility in the performance of a disinterment/exhumation shall be limited to;
  - (a) the excavation of soil from or opening of a lot to permit access to the human or cremated remains interred in the lot;
  - (b) the closure of the lot when the disinterment/exhumation is complete.
- 8.30 The physical removal of exposed human remains and their transfer into a container that fully encloses the disinterred human remains shall be performed by a funeral director authorized by and employed at the expense of the individual requesting the disinterment. No employee or agent of the City shall be compelled or required to handle or participate in the removal of exposed human remains from a lot.
- 8.31 The City shall exercise due care and attention in making a disinterment or exhumation but shall not be responsible for any physical injury to human remains or damage sustained to any burial casket, urn, other form of burial container or grave liner as part of the disinterment or exhumation process.
- 8.32 Other than the recovery of the human remains or cremated remains readily apparent and present in a lot opened for a disinterment the City shall make no representation or warranty as to any additional material, personal effect or other extraneous item that may possibly be recovered from a disinterment or exhumation.
- 8.33 The authorization of a disinterment/exhumation shall grant the City sole and discretionary authority to dispose of, in a safe, environmentally sensitive and dignified manner, all extraneous materials that may incidentally be removed from a lot as part of a disinterment or exhumation process, including but not limited to remnants of a burial casket, urn, other form of burial container or a grave liner or burial vault present from the date of the original interment.
- 8.34 A disinterment or exhumation in a City cemetery shall, without exception, be performed on a day and at a time of the City's choosing.
- 8.35 The re-interment of disinterred human remains or cremated remains into another lot within a City cemetery shall comply with this Bylaw in every way and as circumstance may warrant.
- 9.0 GREEN BURIAL**
- 9.1 The City shall have the authority to designate areas within a City cemetery where the green burial of human remains and cremated remains may be accommodated.



- 9.2 This Bylaw in its entirety together with the articles that follow here shall apply to the provision of green burial rights of interment, green burial interment of human remains or cremated remains in a green burial area, memorialization, planting and visitation in a green burial area in a City cemetery.
- 9.3 Interment Rights in a green burial area may be purchased on an at-need or a reserve basis.
- 9.4 Lot assignment in a green burial area shall only be made at the time a lot is required for an interment of human remains or cremated remains.
- 9.5 The City shall have the authority to control a green burial area and the assignment of lots to be used for interment where assignment shall be subject to the lot use, planting and eco-system management plan established by the City for the green burial area where a lot is located.
- 9.6 Human remains and cremated remains interred in a green burial lot shall be considered non-recoverable from the date of interment. The City shall have no obligation, except where ordered to do so under legislation, regulation or as ordered by a Court of competent jurisdiction to disinter, exhume or otherwise recover human remains or cremated remains from a green burial lot or section.
- 9.7 Human remains proposed for interment in a green burial lot shall:
  - (a) be in a natural state and shall not be embalmed;
  - (b) be clothed, wrapped or shrouded in a natural, biodegradable fiber or material;
  - (c) be enclosed in a shroud, casket or alternative container that is approved by the City for use in a green burial lot;
  - (d) be enclosed in a shroud, casket or alternative container with a rigid base that permits the dignified transport and safe handling of the human remains by all persons so charged.
- 9.8 An interment rights holder and / or the legal representative of a deceased person to be interred in a green burial lot shall;
  - (a) ensure a shroud, casket or alternative container proposed for interment in a green burial lot is a City approved container, and;
  - (b) arrange for the dignified transfer of the human remains to a gravesite.
- 9.9 A shroud, casket or alternative container proposed for green burial interment shall;
  - (a) comply with any provision set out for caskets or containers set out in any legislation or regulation;
  - (b) be approved for use in a green burial area of the cemetery by the City prior to a scheduled interment service;
  - (c) be primarily constructed of fully biodegradable and environmentally sustainable materials;
  - (d) have interior finishing primarily fabricated of fully biodegradable and environmentally sustainable materials and natural fibers;
  - (e) have, as a function of their design, a safe and secure means with which to facilitate the dignified transfer of the human remains enclosed to the interment site and lowered into the excavated lot;



- (f) except for minimally necessary structural hinges, nails and screws, not have any extraneous part, fixture or decoration attached that is made of plastic, metal, or other non-biodegradable material;
  - (g) not have a high gloss or polish finish achieved through the application of any synthetic or environmentally hazardous, toxic or non-biodegradable chemical or agent;
  - (h) not be constructed with the use of any synthetic or environmentally hazardous, toxic or non-biodegradable glue, epoxy or other form of bonding agent;
  - (i) not have any interior liner, shroud, bag or other lining that is fabricated from a non-biodegradable material;
  - (j) not have any non-biodegradable personal item, memento or article placed inside the space occupied by the human remains.
- 9.10 Shrouds, caskets or alternative containers that are constructed from fibre-board, particleboard, plywood, non-sustainable or exotic wood or hardwood, metal, bleached or non-recycled cardboard or other form of non-sustainable, non-biodegradable or artificial material are prohibited from interment in a green burial lot.
- 9.11 The City shall have the right to accept, or refuse to accept for burial, any shroud, casket or alternative container proposed for interment in a green burial lot.
- 9.12 The interment of humans remains in a green burial lot shall be made at a depth deemed sufficient to achieve effective natural decomposition of the human remains interred while also ensuring the interred human remains will not be disturbed by wildlife.
- 9.13 No form of exterior grave liner is permitted in a green burial interment lot.
- 9.14 The City, or a contractor or individual authorized by the City, shall have the right to use such equipment, including motorized equipment, to open and close a green burial lot as it deems necessary to protect the safety of all personnel, and any person participating in and attending the interment service and to permit for the safe and dignified interment of the human remains into the lot, and shall make every reasonable effort to replace soil in a grave occupied by human remains in as sensitive a manner as is practical.
- 9.15 The City makes no warranty of protection nor bears any liability for the aesthetic, structural or physical impacts made to a casket or alternative container and the enclosed human remains that may arise from the replacement of gravesite soil into a green burial lot.
- 9.16 The interment or scattering of cremated remains in a green burial area shall be considered non-recoverable from the date of interment. The City shall have no obligation and shall have no means to recover cremated remains interred or scattered from a green burial lot or in a green burial area.
- 9.17 Where an interment right has been purchased and assigned for a green burial lot with the intent of interring cremated remains in the lot, the disposition of cremated remains shall not be made until the permitted interment of human remains have been made into the assigned lot.
- 9.18 Cremated human remains proposed for disposition in a green burial area shall be enclosed in an urn or container that;
- (a) is approved for use by the City, prior to a scheduled interment service, in a green burial area;
  - (b) is made of a fully biodegradable material which may include recycled and unbleached paper or cardboard;



- (c) shall not have any interior plastic, metal or other form of permanent or semi-permanent liner, container or bag.
- 9.19 Witnessing the interment of human remains or cremated remains in a green burial area shall be subject to:
- (a) a request to witness the interment being provided to the City at the time the interment arrangements are made;
  - (b) the City for safety reasons may, at its discretion, limit the number of persons permitted within close proximity to the site where the interment is taking place;
  - (c) all proceedings within the green burial area shall be under the sole direction of the City;
  - (d) all persons attending a witness service shall comply with the supervision of and instructions given by the City.
- 9.20 Upon provision of advance notice to the City, family members and / or friends of a deceased may be permitted to participate in the closing of a green burial lot. In the instance where persons other than City personnel participate in the closing of a lot, said persons shall:
- (a) be subject to supervision by the City;
  - (b) follow all instructions issued them by the City;
  - (c) be of sound physical condition and be capable of the participation intended;
  - (d) assume personal liability for any injury arising as a result of their voluntary participation in the lot closing process.
- 9.21 Witness services may be subject to a fee set out in *Bylaw Schedule 'A': Cemetery Fees* and shall be paid in full to the City prior to the witness service.
- 9.22 The City shall install communal memorials of a design of their choosing for the purpose of making approved memorial inscriptions to commemorate green burial interments and scatterings.
- 9.23 Other than City installed memorials no other memorial marker, monument, edging, grave cap or other stone, vase, ornament or any other decoration, adornment or structure shall be placed on, in or around any lot in a green burial area.
- 9.24 The City shall have the right to determine when inscriptions are made on a green burial memorial and shall make new inscriptions as they may accumulate at a minimum of two (2) times in each calendar year.
- 9.25 There is no obligation to have a memorial inscription made on a green burial memorial after a green burial interment or scattering is made in a green burial area
- 9.26 The City shall have the right to maintain, reposition, move, relocate or otherwise change a green burial memorial as deemed necessary and subject only to compliance with any requirement of cemetery legislation.
- 9.27 The City shall have the right, without prior notice, to remove and dispose of any unauthorized memorial product, object, decoration, adornment or memento from a green burial lot or a green burial area.
- 9.28 Floral tributes that accompany human remains or cremated human remains as part of an interment service shall be permitted to remain on an interment site for a maximum of



- two (2) weeks. After two (2) weeks the City shall have the right, without prior notice, to remove and dispose of the floral tributes.
- 9.29 Except for floral tributes accompanying an interment service no other floral tributes, artificial flowers, unauthorized planting, memorial, vase or decoration of any form or type may be placed on a green burial lot. The City shall have the right, without prior notice, to remove and dispose of any unauthorized object, flower or plant on a green burial lot.
- 9.30 To maintain a balance of planting species in green burial areas all plantings shall be made according to the pre-established planting plan for a green burial area.
- 9.31 Only locally indigenous trees, bushes, shrubs, groundcover and wildflowers native to and typical of those found in the City's climate zone shall be planted in a green burial area.
- 9.32 Planting in a green burial area shall only be done as is seasonally recommended for the type of planting to be made.
- 9.33 Only the City shall make or supervise all planting in a green burial area.
- 9.34 The City shall make every reasonable effort to ensure the longevity of any memorial planting but does not offer any guarantee in this respect.
- 9.35 The City shall have the right to manage, maintain and alter the interment areas, memorials, roads and pathways, change or remove plantings, grade, alter in shape or size, or otherwise to change all or any part of a green burial area as they deem necessary and subject only to compliance with any applicable requirements of cemetery legislation.
- 9.36 Visitors shall be permitted to visit green burial areas during the regular visiting hours of the City cemetery.
- 9.37 The City shall establish and maintain pedestrian pathways to and visitation zones around green burial communal memorials to facilitate visitation.
- 9.38 To protect and maintain the health and integrity of green burial area plantings and eco-systems the City shall have the right to limit, restrict or prohibit the visitation of individual graves in any green burial area in a City cemetery.
- 9.39 The City shall have the right to limit, restrict or prohibit vehicle access to any green burial area in a City cemetery.

## **10.0 MEMORIALS**

- 10.1 Every installation of a memorial onto a lot in a City cemetery shall be consistent with this Bylaw and *Bylaw Schedule 'C': Memorial Specifications*.
- 10.2 For this section of the Bylaw '*applicant*' means an interment rights holder, the legal representative of a deceased, their heirs or successors, or a memorial supplier acting as an agent of an interment rights holder or the legal representative of a deceased, or their heirs or successors.
- 10.3 It is the responsibility of an interment rights holder or the legal representative of a deceased to make arrangements for the supply and installation of a memorial on a City cemetery lot. The City shall have no responsibility or obligation to place or install at the City's expense any form of temporary or permanent memorial at an interment lot or a remembrance site.



- 10.4 No memorial may be placed on a lot or in a City cemetery until evidence proving the person memorialized is deceased and where such evidence shall be provided in a form acceptable to the City.
- 10.5 Every memorial and the installation thereof shall conform to the plan established for the lot and the section of the City cemetery in which the memorial is proposed to be installed specifically, and to the plan of the City cemetery generally.
- 10.6 Every memorial shall be constructed of granite, or bronze on a granite base, or another material of permanent and durable material approved by the City that conforms to this Bylaw and all other specifications established by the City for the City cemetery in which the memorial is proposed to be installed.
- 10.7 The City shall create, maintain and keep current a schedule of memorial specifications that sets out the details of permitted design, construction, inscription, location and installation of memorials for each type of lot or memorial option offered in a City cemetery and the schedule shall form a part of this Bylaw.
- 10.8 No memorial, inscription, engraving, or ornamentation or combination thereof that, in the opinion of the City, is inconsistent with the dignity of adjacent lots, the cemetery or community standards shall be placed on any memorial.
- 10.9 No memorial shall be installed on a lot in a City Cemetery until:
  - (a) plans and specifications are submitted to the City by an applicant, in a form prescribed by the City, where the plans and specifications shall describe fully a memorial's proposed size, design, material, inscription and location;
  - (b) it is determined the memorial described on the application complies in every way with the specifications set out for memorial placement on a City cemetery lot where installation is proposed;
  - (c) the applicable memorial permit and installation fee and memorial care fund contribution set out in *Bylaw Schedule 'A': Cemetery Fees* is paid in full to the City;
  - (d) all outstanding indebtedness as may relate to the lot interment rights and any interments has been paid in full to the City;
  - (e) upon satisfying all the above, a memorial permit is issued by the City to authorize installation of the memorial.
- 10.10 Where an applicant is a memorial supplier other than the City, it is the responsibility of the memorial supplier to confirm the correct location for a memorial proposed for installation and, for a companion memorial, to further confirm the correct layout for a companion inscription on the memorial. The City shall have no responsibility or financial liability for a memorial where it can be shown these tasks were not performed by an applicant or outside memorial supplier.
- 10.11 The City shall have the authority to refuse to issue a memorial permit to an applicant if the applicant has failed to comply with the requirements of this Bylaw or any requirement established by the City governing memorials at City cemeteries. In the instance a refusal occurs, the City shall inform the applicant of what is not compliant about the memorial application and the steps that must be taken to resolve the deficiency.
- 10.12 The City shall have the authority to reject a memorial, despite the prior issuance of a memorial permit, when the memorial delivered for installation does not match the



specifications described in the memorial permit application or does not comply with the requirements of this Bylaw or any requirement established by the City governing memorials at City cemeteries or, the memorial, inscription, engraving, or ornamentation or combination thereof is, in the judgement of the City is inconsistent with the dignity of adjacent lots, the cemetery or community standards. In the instance a refusal occurs, the City shall inform the applicant of what is not compliant about the memorial delivered for installation and the steps that must be taken to resolve the deficiency.

- 10.13 Where a memorial design includes a photograph or emblem then the photograph or emblem shall be an integral part of the memorial that is either cast bronze, sand-blasted, laser-etched or otherwise securely attached to the memorial in a manner approved by the City.
- 10.14 Every memorial shall conform to this Bylaw and any further requirements established by the City for a particular form of lot at a City cemetery at the time the memorial is placed or installed, not at the time a right of interment, an interment or a memorial is purchased or at the time of death.
- 10.15 Every memorial at a City cemetery shall be placed, installed, relocated or removed by the City or by a contractor or individual authorized and supervised by the City.
- 10.16 The installation of memorials shall occur during the regular operating hours of the City. Memorial installation may be delayed or deferred depending on cemetery services, weather and ground conditions.
- 10.17 The City shall be responsible to maintain the land of a lot on which a memorial is placed or installed but is not be responsible for the maintenance of any memorial on a lot and shall not be liable for, or obligated to repair, any scratch, breakage or damage to a memorial in a City cemetery except where it can be shown the damage has been caused by the negligence of the City, its employees or its agents.
- 10.18 A rights holder or the legal representative of a deceased is required to keep in good repair, at their expense and to the satisfaction of the City, all memorials on their lot. In the instance a memorial is placed, or installed, on a lot in a City cemetery and then subsequently falls into a state of disrepair, the City will document the condition of the memorial and shall have the authority, without prior notice, to have the memorial removed from the lot and from the City cemetery, in each case at the expense of rights holder, the legal representative of a deceased, their heirs or successors.
- 10.19 Where it is determined a memorial or its installation do not comply with this Bylaw or any further memorial requirements established by the City for a City cemetery then the non-compliant memorial may, without prior notice, be moved, reinstalled or permanently removed and placed in safekeeping by the City at the expense of a rights holder, the legal representative of a deceased, their heir or successor, or their memorial supplier.
- 10.20 At the time of an interment the City may permit a temporary marker of a design and size approved by the City to be placed on a lot where the temporary marker shall be limited to placement on the lot for a period of not more than one (1) calendar year from the date of interment. The City shall have the authority to remove and dispose of, without prior notice, any temporary marker remaining on a lot after one (1) calendar year has elapsed from the date of interment. After removal of a temporary marker a lot will remain unmarked until a permanent memorial is installed, at the expense of an applicant, on the lot.



- 10.21 The donation and dedication of a memorial planting, memorial bench or other form of custom memorial feature at a City cemetery may be permitted subject to the approval of the City and the following criteria:
- (a) an application, in a form prescribed by the City, shall be made to the City giving the proposed specifications, design and materials of the proposed memorial and must be approved in writing by the City before any delivery or installation can proceed;
  - (b) site selection shall conform to the plan of the City cemetery as determined by the City;
  - (c) installation, if not performed by the City, shall be under the supervision of the City and the cost of installation shall be borne by the applicant;
  - (d) the placement of a dedicated item or custom memorial does not entitle a donor or an applicant to any privilege or right over the land upon which the memorial may be situated.
- 10.22 A memorial planting, memorial bench or any other form of custom memorial shall only be installed, removed or modified in a City cemetery when a person requesting a memorial planting, memorial bench or any other form of custom memorial has made application to the City as an applicant and subject to the terms and conditions, as may be applicable, set out in articles 10.10 and 10.22 of this Bylaw.
- 10.23 The memorial standards and specifications for any interment right purchased or assigned or interment made on or after the date of adoption of this Bylaw and its Schedules shall, without exception, be those set out in this Bylaw.
- 10.24 For an interment right or a lot purchased or interment made prior to the date of the adoption of this Bylaw and its Schedules and subject only to the discretion of the City previously existing memorial standards and specifications may be permitted to be used but only for matching existing memorials on a grave site or permitting the restoration of deteriorated historical memorials.
- 10.25 Notwithstanding any previous memorial standard permitted under article 10.25 the City shall have the authority to, without prior notice, remove and restore the surface of any grave in a City cemetery with soil and turf and dispose of any curbing, grave cover, coping, fence, railing, memorial or flower vase that is in an advanced state of disrepair, has created an unsafe ground condition, become a safety hazard to persons using, visiting or working in the Cemetery or that has otherwise deteriorated to a state that is inconsistent with the dignity of adjacent graves and the general aesthetic of a City cemetery.

## **11.0 CEMETERY ADMINISTRATION**

- 11.1 The Council, as trustees of the City cemeteries are responsible for;
- (a) the development, management, operation and maintenance of the City cemeteries in accordance with all applicable legislation of British Columbia or Canada as the case may be, and regulations made thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw of the City as amended, revised, consolidated or replaced from time to time;
  - (b) the administration, interpretation and enforcement of this Bylaw where said administration, interpretation and enforcement shall be conducted in a consistent, fair and equitable manner in every case and circumstance



with every user of a City cemetery, and;

- (c) ensuring all records, maps and information for the management, administration, operation and maintenance of the City cemeteries are created, collected and retained as required under legislation;
- (d) ensuring all rights of interment, permits and contracts are issued as required by and in compliance with cemetery legislation and as authorized by this Bylaw;
- (e) designating and empowering employees of the City and engaging and authorizing such agents of its choosing as it deems necessary to administer the City cemeteries and to develop, manage, operate and maintain the City cemeteries in the name of the City.

11.2 The Council may appoint a Cemetery caretaker whose duties shall include but are not limited to;

- (a) excavate, prepare and close, or cause to be excavated, prepared and closed, all interment lots as ordered by the Director of Corporate Services or their designate, and;
- (b) supervise the installation of all memorial foundations and memorials, and;
- (c) perform, or cause to be performed, the general care and maintenance of the Cemetery grounds, facilities, equipment and other physical assets of the City cemetery to ensure public and worker safety and a high standard of aesthetic appearance is maintained at all times, and;
- (d) maintain records as required and when requested submit reports to the Cemetery administrator, and;
- (e) perform and complete, or cause to be performed and completed, such other work as directed by the Director of Corporate Services or the designate.

## 12.0 CEMETERY FEES

12.1 The City shall from time to time and on a regular basis review, establish, add, amend or delete fees to be charged at City cemeteries for the provision of interment rights, interment services, memorials, memorial installations and such other services or goods ancillary to the provision of interment rights, interment or scattering services, operation and maintenance of the City cemeteries.

12.2 The fees established for City cemeteries shall as and where required under cemetery legislation include mandatory contribution to the City's *Cemetery Care Fund* at rates that are consistent with or exceed the minimum contribution rates set out for care fund contributions in cemetery legislation.

12.3 The fees established for City cemeteries under article 12.1 and 12.2 of this Bylaw shall be set out in *Bylaw Schedule 'A': Cemetery Fees* which shall form a part of this Bylaw and this schedule shall be made available to the public upon request.

## 13.0 CEMETERY CARE FUND

13.1 A fund for the maintenance and care of the City cemeteries and the lots therein is established, set aside and maintained and all monies in the Cemetery Care Fund shall be held and invested as trust funds by the City and in accordance with the requirements of the cemetery legislation.



13.2 The Cemetery Care Fund shall be maintained with the City's financial institution in an account to be designated as the "Cemetery Care Fund". The City is responsible for all deposits to the account and for ensuring that:

- (a) the account and all deposits comply with all applicable provisions of cemetery legislation;
- (b) the investment of monies in the Cemetery Care Fund is carried out as permitted and in compliance with cemetery legislation, the *Local Government Act (British Columbia)*, the *Community Charter (British Columbia)* and this Bylaw;
- (c) the income earned on investments of the Cemetery Care Fund, including any appreciation thereof, shall be used only for the maintenance and care of the City cemeteries in the year in which the income and appreciation is earned, or may be retained in the Cemetery Care Fund to increase the principal sum of the fund;
- (d) the principal of the Cemetery Care Fund shall not be reduced other than in accordance with an order from the regulatory authority and pursuant to cemetery legislation.

13.3 The City may accept contribution in the form of a donation to the Cemetery Care Fund from any individual or organization.

#### 14.0 PENALTY FOR INFRACTIONS

14.1 An individual or individuals who contravenes violate or fail to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Hundred Thousand Dollars (\$200,000.00) for each day or part thereof during which any infraction has taken place together with the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter (British Columbia)* or the *Offence Act (British Columbia)* as amended from time to time. Each violation against this bylaw shall be deemed to be a separate and distinct offence.

#### 15.0 COMMENCEMENT OF TRANSITIONAL PROVISIONS

15.1 This Bylaw shall come into force upon adoption.



**16.0 REPEAL**

- 16.1 "The Corporation of the City of Salmon Arm Bylaw No. 2126" and all previous versions, consolidations and amendments made thereto are repealed upon adoption of this Bylaw.

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_ 2018

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_ 2018

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_ 2018

ADOPTED BY COUNCIL THIS \_\_\_\_\_ day of \_\_\_\_\_ 2018

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MAYOR

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CORPORATE OFFICER



**BYLAW NO. 4280  
SCHEDULE "A"  
CEMETERY FEES**

<i>Grave Plots</i>	<i>Description</i>	<i>Rates</i>	<i>Care Fund</i>	<i>Total</i>
Adult	Resident	415.00	139.00	554.00
	Non-Resident	548.00	183.00	731.00
Child/Infant	Resident	251.00	84.00	335.00
	Non-Resident	357.00	119.00	476.00
Cremation	Resident	171.00	57.00	228.00
	Non-Resident	231.00	77.00	308.00
Memorial Marker		55.00	18.00	73.00
Grave Liners	Single	483.00	-	-
	Double	483.00	-	-
Cremation Vault			-	-
	Cremation	127.00	-	-
Transfer of Permit		48.00	-	-

<i>Interment [Open/Close]</i>	<i>Rates</i>	<i>Sat/Sun/Holiday</i>		
Adult	521.00	786.00	-	-
Child/Infant	351.00	616.00	-	-
Cremation	233.00	370.00	-	-
Extra Depth	727.00	993.00	-	-
Columbarium Niche	157.00	240.00		

<i>Disinterment [Open/Close]</i>	<i>Rates</i>	<i>Sat/Sun/Holiday</i>		
Adult	799.00	1,064.00	-	-
Child/Infant	597.00	863.00	-	-
Cremation	300.00	435.00	-	-

<i>Columbarium Plot/Niche</i>	<i>Description</i>	<i>Rate</i>	<i>Care Fund</i>	<i>Total</i>
Niche Sale	Resident	1,010.00	337.00	1,347.00
	Non-Resident	1,321.00	441.00	1,762.00
Memorial Marker		55.00	18.00	73.00

All Cemetery Charges are subject to GST at the prescribed rate.



## SCHEDULE 'B': INTERMENT RIGHTS & SPECIFICATIONS

### 1.0 INTERMENT RIGHTS

- 1.1 The City, subject to payment of an established fee may grant an interment right for a vacant lot in a City cemetery on an at-need or a reserve basis.
- 1.2 Possession of an interment right,
  - (a) confers to a rights holder, a right in perpetuity to use, in compliance with the Bylaw, a lot for the interment and/or memorialization of human remains or cremated remains of an individual or individuals named on an Interment Rights Certificate, but;
  - (b) does not confer any title to, ownership of, or interest in the land of a City cemetery or of a lot therein or any other special privilege over any land of a City cemetery, and;
  - (c) does not entitle a rights holder to require the City to perform an interment of human remains or cremated remains into a lot until the rights holder complies in all other respects with this Bylaw as it relates to the interment of human remains or cremated remains or the purchase and placement of a memorial, including and without limitation the payment of all fees.
- 1.3 The City shall issue, to an individual paying in full the fee for an interment right set out in *Bylaw Schedule 'A': Cemetery Fees* an 'Interment Rights Certificate', in a form prescribed by the City, which sets out the rights of use conferred to the purchaser or an assignee of the purchaser identified on the certificate.
- 1.4 An applicant may purchase the interment rights for:
  - (a) not more than two (2) human remains lots;
  - (b) not more than (4) cremated remains lots.
- 1.5 Every interment in and every placement of a memorial on a lot in a City cemetery shall be made in compliance with the City's Cemetery Management Bylaw and *Bylaw Schedule 'B': Interment Rights and Specifications* and *Bylaw Schedule 'C': Memorial Specifications*.
- 1.6 **HUMAN REMAINS LOT:** The interment rights for a City cemetery human remains lot shall be:
  - (a) **Infant / Child Lot:** This form of lot is limited to the interment of the human remains of one (1) infant or child and the secondary interment of the cremated remains of not more than two (2) individuals who shall have a direct and immediate familial relationship and shall be limited to a parent, sibling or grandparent of the interred infant or child;
  - (b) **Single-Depth Adult Lot:** This form of lot is limited to the interment of the human remains of one (1) individual and/or the interment of the cremated remains of not more than three (3) individuals;
  - (c) **Double-Depth Adult Lot:** This form of lot is limited to the interment of the human remains of two (2) individuals and/or the interment of the cremated remains of not more than three (3) individuals;



- (d) **Green Burial Lot:** In addition to the above the purchase of a green burial interment right is subject, in every way, to 'Section 9.0: Green Burial' of the Cemetery Management Bylaw;

**1.7 CREMATED REMAINS LOT:** The interment rights for a City cemetery cremated remains lot shall be:

- (a) **Standard Cremation Lot:** This form of lot is limited to the interment of the cremated remains of not more than two (2) individuals;
- (b) **Family Estate Cremation Lot:** This form of lot is limited to the interment of the cremated remains of not more than six (6) individuals
- (c) **Family Vessel Cremation Lot:** This form of lot is limited to the interment of the cremated remains of not more than eight (8) individuals enclosed in soft-sided urns that are of a size that can be placed in the vessel;
- (d) **Family Ossuary Cremation Lot:** This form of lot is limited to the interment of the cremated remains of not more than sixteen (16) individuals where the cremated remains shall be 'scattered' and comingled into the ossuary vessel;
- (e) **Green Burial Cremation Lot:** This form of lot is limited to the interment of the cremated remains of not more than two (2) individuals and the use of a green burial lot is subject, in every way, to 'Section 9.0: Green Burial' of the Cemetery Management Bylaw;
- (f) **Columbaria Niche Lot:** This form of lot is limited to the interment of the cremated remains of not more than two (2) individuals

**2.0 LOT SIZES**

**2.1 HUMAN REMAINS LOT:** Generally, lots designed, laid out and designated for the interment of human remains shall be the following size:

- (a) **Infant / Child Human Remains Lot:** Shall not exceed, but may be less than, three (3') feet (0.9 m) wide by five (5') feet (1.5 m) long;
- (b) **Adult Human Remains Lot** (includes green burial lots): Shall not exceed four (4') feet (1.2 m) wide by nine (9') feet (2.7 m) long, and;

**2.2 CREMATED REMAINS LOT:** Generally, lots designed, laid out and designated for the interment of cremated remains shall be the following size:

- (a) **Standard Cremation Lot** (including green burial lots): Shall not exceed two (2') feet six (6") inches (76 cm) wide by two (2') feet six (6") inches (76 cm) long;
- (b) **Family Estate / Vessel / Ossuary Cremation Lot:** Shall not exceed five (5') feet (1.5 m) wide by six (6') feet (1.8 cm) long;
- (c) **Columbaria Niche Lot:** The dimensions of a niche, which may vary in size depending on a columbarium design and layout, shall be those that are designed for and provided to the City by a columbarium / niche supplier.

**2.3** Lots may be laid out separately, in combinations or in combination of one lot type with another lot type.

**2.4** Human remains interment lots may permit for the secondary interment of cremated remains above interred human remains.



- 2.5 In every instance, the official dimensions of any lot in a City cemetery shall be those set-out in the design plan and subsequent lot survey completed for the cemetery in which they are located.
- 2.6 The City shall have the authority to vary the dimensions of a lot or group of lots as circumstances may dictate or as it deems appropriate for the operation and maintenance of the Cemetery.
- 2.7 The design, layout, dimensions, location of interments and placement of memorials for every lot type in a City cemetery shall be those set out in these specifications.

### 3.0 INTERMENT

- 3.1 Generally, the following specifications shall be followed in making an interment of human remains or cremated remains into a lot or scattering of cremated remains in a City cemetery.

#### 3.2 **HUMAN REMAINS:** For every interment of human remains in a:

- (a) **Single-Depth Lot:** interment shall be made at a depth that is sufficient to ensure there is, when filled and closed, not less than thirty-six (36") inches (91.4 cm) of soil between the finished surface of the lot and the uppermost surface of the grave liner, casket or container enclosing the human remains resting in the lot;
- (b) **Double-Depth Lot:** the first interment shall be made at the lowest depth of the lot and shall be at a depth that is sufficient to permit a future second interment of human remains, separated by not less than two (2') feet (60.9 cm) of soil between the first and second interment, and where, after any future second interment in the lot, when filled and closed, shall have not less than thirty-six (36") inches (91.4 cm) of soil between the finished surface of the lot and the uppermost surface of the grave liner, casket or container enclosing the human remains resting in the upper level of the lot;
- (c) **Green Burial Lot:** in addition to complying with 3.2 (a) and (b) above, no form of grave liner or vault shall be used in a green burial lot.

#### 3.3 **CREMATED REMAINS:** For every interment of cremated remains in a:

- (a) **Cremation Lot,** the in-ground interment of cremated remains shall be made in an excavation which, when filled and closed, provides not less than twenty-four (24") inches (60.9 cm) of earth between the finished surface level of the lot and the uppermost surface of the urn enclosing the cremated remains resting in the lot;
- (b) **Green Burial Lot,** in addition to complying with 3.3 (a) above, no form of grave liner or vault or non-biodegradable urn or container may be used in a green burial lot.

### 4.0 MEMORIALS

- 4.1 The installation of a memorial on any lot in a City cemetery shall comply with *Bylaw Schedule 'C': Memorial Specifications of the Cemetery Management Bylaw* as may currently be in force or as may be amended or repealed and replaced from time to time in the future.



## SCHEDULE 'C': MEMORIAL SPECIFICATIONS

### 1.0 GENERAL RULES

- 1.1 Every memorial and the installation of every memorial in a City cemetery shall conform to the plan established for the lot and the section of the City cemetery in which the memorial is proposed to be installed.
- 1.2 Every memorial shall be constructed of granite, or bronze on a granite base or another material of permanent and durable material approved by the City.
- 1.3 No memorial, inscription, engraving, ornamentation or combination thereof that, in the opinion of the City, is inconsistent with the dignity of adjacent lots, the cemetery or community standards shall be placed on any memorial.
- 1.4 No memorial shall be installed on a lot in a City Cemetery until:
  - (a) plans and specifications are submitted to the City by an applicant, in a form prescribed by the City, where the plans and specifications shall describe fully a memorial's proposed size, design, material, inscription and location;
  - (b) it is determined the memorial described on the application complies in every way with the specifications set out for memorial placement on a City cemetery lot where installation is proposed;
  - (c) the applicable memorial permit and installation fee and memorial care fund contribution set out in *Bylaw Schedule 'A': Cemetery Fees* is paid in full to the City;
  - (d) all outstanding indebtedness as may relate to the lot interment rights and any interments has been paid in full to the City;
  - (e) upon satisfying all the above, a memorial permit is issued by the City to authorize installation of the memorial.
- 1.5 Where a memorial design includes a photograph or emblem then the photograph or emblem shall be an integral part of the memorial that is either cast bronze, sand-blasted, laser-etched or otherwise securely attached to the memorial in a manner approved by the City.
- 1.6 The type and design of a memorial and, the maximum width, depth and thickness of a memorial and, the form and style of a memorial inscription is conditional on the type of lot or lots on which it is being installed.
- 1.7 No memorial may be placed on a lot prior to the interment of human remains or cremated remains into the lot except;
  - (a) where a memorial is installed that provides for the memorialization of two (2) or more individuals and where one (1) individual has predeceased the other and has been interred;
  - (b) where a lot has been purchased for the sole intent and purpose of memorialization and the interment rights purchaser has indicated in writing that no interment will be made in the lot on which the memorial is to be installed.
- 1.8 Every memorial shall conform to the specifications set out in this Schedule and any further requirement that may be established by the City for a lot at a City cemetery at the time the memorial is placed or installed, not at the time the memorial is purchased or at the time of a death.



- 1.9 Every memorial at a City cemetery shall be placed, installed, relocated or removed by the City or a contractor or an individual authorized by the City.
- 1.10 The design, layout, dimensions, location of interments and placement of memorials for every lot type in a City cemetery shall be those set out in this Schedule.
- 1.11 No form of flower vase may be installed in or on any lot or attached to any memorial installed at a City cemetery.
- 1.12 Except for lots embellished prior to the adoption date of this Bylaw the surface of every grave in a City cemetery shall be soil and turf grass.
- 1.13 No lot, plot or grave space shall be defined by any form of curb, grave cover, coping, fence or railing. The City shall have the authority to, without prior notice, remove and restore the surface of a grave with soil and turf grass, and dispose of any curbing, grave cover, coping, fence or railing that is in an advanced state of disrepair, has created an unsafe ground condition, become a safety hazard to persons using, visiting or working in the Cemetery or that has otherwise deteriorated to a state that is inconsistent with the dignity of adjacent graves and the general aesthetic of the Cemetery.

## 2.0 MEMORIALS

- 2.1 Except for the thickness of a flat memorial installed flush with the ground, which shall never be less than three (3") inches (7.6 cm) thick, memorial dimensions set out in this Schedule may have a variance of not more than one-half (1/2") inch (1.2 cm).
- 2.2 Every flat marker memorial shall be installed, at an applicant's expense, on a lot where the installation shall consist of:
  - (a) excavation and preparation of the installation site, and;
  - (b) placement and compaction of sufficient consolidated aggregate materials to ensure stable and level, vertical and horizontal installation of the flat marker is made where the upper surface of the memorial when installed is flush with the ground level of the lot.
- 2.3 Every upright monument memorial shall be installed, at an applicant's expense, on a lot where the installation shall consist of:
  - (a) excavation and preparation of the installation site;
  - (b) placement and compaction of sufficient consolidated aggregate materials, to ensure a stable and level, vertical and horizontal installation of the upright monument base above the surface level of the lot is achieved.
- 2.4 Every foundation for a flat marker or an upright monument memorial shall be installed to a standard, established by the City, that will minimize the potential settlement of or any effect of frost heave on an installed memorial. The City shall have the authority to revise or add additional installation requirements for memorial markers as it deems necessary.
- 2.5 No form of decorative rock, gravel or other form of material may be placed at or around a memorial in a City Cemetery. Only materials approved or used by the City for the installation and maintenance of memorials is permitted at or around memorials or gravesites.
- 2.6 **Flat Marker Memorial:** A memorial taking the form of a flat marker to be installed flush with the ground shall have:



- (a) a foundation, installed at the applicant's expense, that conforms to Article 2.2 of these Memorial Specifications and to any other requirement that may be issued by the City for a gravesite where a flat memorial marker is proposed for installation;
- (b) a granite memorial that is smooth sawn on the bottom and its sides and the side surfaces shall be true and perpendicular with the memorial's top surface and the inscription and design shall be carving, engraving or etching on the face of the memorial, OR;
- (c) a bronze memorial anchored onto a granite base which shall be both wider and longer than the bronze marker with a border of exactly two (2") inches (5 cm) of the base surface exposed on all sides and, the base top, bottom and sides shall be smooth sawn and, the side surfaces shall be true and perpendicular with the base's top surface and, the base shall be not less than three (3") inches (7.6 cm) thick, OR;
- (d) a bronze memorial anchored onto a reinforced concrete base which will have a border of not more than two (2") inches (5 cm) of exposed concrete exposed on all sides, and further;
  - i. the concrete base shall consist of one (1) mat of No. 3 steel reinforcing bar placed in the centre of the three (3") inch (7.6 cm) slab and protected from the edges with one and one-half (1.5") inches (3.8 cm) of concrete. This form of mat shall have not less than two (2) pieces of reinforcing bar running the width of the base and three shorter pieces running the length of base, or;
  - ii. the concrete base may consist of not less than two (2) layers of No. 9 wire reinforcing mesh placed in the centre of the slab and spaced 0.4" inches (1cm) to 0.8" inches (2 cm) apart from the other, and;
  - iii. the concrete base for a bronze memorial shall be not less than three (3") inches (7.6 cm) thick, and;
  - iv. a bronze memorial mounted on a concrete base shall not exceed the maximum permitted size of a memorial that may be permitted on a lot, and;
  - v. the scrolls, letters, figures or other design elements of the memorial shall not be raised more than one-half (0.5") inch (1.2 cm) above the finished surface of the memorial.

**2.7 Upright Monument Memorial:** A memorial taking the form an upright monument installed above the ground level of a lot shall have:

- (a) a foundation, installed at the applicant's expense, that conforms to article 2.3 of these *Memorial Specifications* and to any other requirement that may be issued by the City for a gravesite where an upright monument is proposed for installation;
- (b) a monument base that is made of granite that shall first be installed and secured to its foundation in a manner approved by the City and the bottom of the granite base shall be smooth sawn and unpolished so as to permit effective placement of the base on its foundation;
- (c) base side surfaces that are true and perpendicular with the base top surface and may be smooth sawn or rock pitch and may be polished or unpolished;



- (d) a base that is wider and longer than the monument tablet to provide a minimum border of two (2") inches (5 cm) to a maximum border of four (4") inches (10.1 cm) of the base surface exposed on all sides, and;
  - (e) a monument tablet constructed of granite that is attached to the monument base with dowel pins and / or an adhesive epoxy compound approved by the City and, in the instance where dowels are mandated by the City, the dowels shall be made of a non-corrosive material, be centered on the base, be not less than six (6") inches (15.2 cm) in length and evenly extended into both the tablet and the base, and installed in a 'dry' mode;
  - (f) a monument tablet that is no thicker than a dimension that leaves not less than a two (2") inch (5.0 cm) to a maximum of not more than four (4") inch (10.1 cm) border of the monument base surface exposed on all sides;
  - (g) a monument tablet inscription and design that is carving, engraving or etching on the face of the tablet, or a bronze plaque securely anchored to the face of the tablet with non-corrosive fasteners and / or an adhesive epoxy approved by the City.
- 2.8 No inscription, lettering, plaque or other form of adornment or decoration shall be placed on the back or any side of an upright monument base or monument tablet.
- 2.9 No upright monument shall be installed to extend over the space where a lot has been or may be opened to accommodate an interment of human remains.
- 2.10 An upright monument with a design feature that is an integral part of a monument tablet may be permitted so long as the monument and design feature conform to the size specifications set out in these specifications.
- 2.11 An upright monument in the form of a freestanding design shall not be permitted.
- 2.12 No upright monument shall have any uncovered vertical joint.
- 2.13 No form of candleholder, vase, lantern or other form of fixture may be attached in any manner to a memorial or placed adjacent to where a memorial is installed in a City cemetery.
- 2.14 **Columbaria Niches:** A memorial taking the form of a columbaria niche plate shall, subject to the niche plate size, have an inscription carved or engraved on the surface of the niche plate that is made in a font style, font size, layout and content that is consistent with adjacent niches and with the overall design established by the City for the columbarium of which the niches are a part.
- 2.15 **Cremation Vessel (Ossuary):** A memorial taking the form of a cremation vessel (ossuary) shall, subject to the vessel (ossuary) size, have an inscription carved or engraved on its surface in a font style, size and layout that is consistent with adjacent niches and with the overall design established by the City for vessels (ossuaries) in a City cemetery.
- 3.0 LOT TYPES & PERMITTED MEMORIALS**
- 3.1 Interment into any form of lot in a City cemetery shall comply with *Bylaw Schedule 'B': Interment Rights and Specifications* as may be in force at the time an interment is made.
- 3.2 **HUMAN REMAINS - SINGLE LOT:** The following specifications shall constitute the number and type of memorials permitted on a human remains single lot as they may be designated and laid-out in a City cemetery:



- (a) **Infant / Child Lot:** This form of lot may have not more than two (2) flat markers installed flushed with the ground that are twelve (12") inches (30.4 cm) deep by twenty (20") inches (50.8 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than three (3) individuals.
- (b) **Single Adult Lot with Flat Markers:** This form of lot may have not more than four (4) flat markers installed flush with the ground that are twelve (12") inches (30.4 cm) deep by twenty (20") inches (50.8 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than one (1) individual each except where the lot has or will be used for the double-depth interment of human remains and then one (1) of the permitted markers may be (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than two (2) individuals.
- (c) **Single Adult Lot with Upright Monument:** This form of lot may, as its primary form of memorial, have one (1) upright monument with a base that is twelve (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by four (4") inches (10.1 cm) high WITH a monument tablet that is six (6) inches (15.2 cm) thick by twenty (20) inches (50.8 cm) wide by not more than twenty-four (24") inches (60.9 cm) high and memorializing not more than one (1) individual except where the lot has or will be used for the double-depth interment of human remains and then the upright monument may memorialize not more than two (2) individuals, AND:
  - (i) may also have not more than three (3) additional flat markers installed flush with the ground that are twelve (12") inches (30.4 cm) deep by twenty (20") inches (50.8 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than one (1) individual each.

3.3 **HUMAN REMAINS - 'FAMILY' LOTS:** The following specifications shall constitute the number and type of memorials permitted on lots purchased in a side-by-side 'family' configuration as may be designated, laid-out and permitted in a City cemetery:

- (d) **Side-by-Side Adult Lots with Flat Markers:** This form of lot may, as its primary form of memorial, have one (1) large flat marker installed flush with the ground over the center line of two (2) adjoining lots, that is eighteen (18") inches (45.7 cm) deep by thirty (30") inches (76.2 cm) wide by not less than three (3") inches (7.6 cm) thick memorializing not more than two (2) individuals or where the lot has or will be used for the double-depth interment of human remains then the large flat marker may memorialize not more than four (4) individuals; AND;
  - (i) may also have not more than six (6) flat markers installed flush with the ground with three (3) markers on each of the adjoining lots that are twelve (12") inches (30.4 cm) deep by twenty (20") inches (50.8 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than one (1) individual each.
- (e) **Side-by-Side Adult Lots with Upright Monument:** This form of lot may, as its primary form of memorial, have one (1) large upright monument, installed over the center line of two (2) adjoining lots, that has a base that



is sixteen (16") inches (40.6 cm) deep by thirty-two (32") inches (81.2 cm) wide by six (6") inches (15.2 cm) high WITH a monument tablet that is twelve (12") inches (30.4 cm) thick by twenty-eight (28") inches (71.1 cm) wide by not more than twenty-four (24") inches (60.9 cm) high and memorializing not more than two (2) individuals except where the lot has or will be used for the double-depth interment of human remains and then the large upright monument may memorialize not more than four (4) individuals; AND;

- (i) may also have not more than six (6) flat markers installed flush with the ground with three (3) markers on each of the two (2) adjoining lots that are twelve (12") inches (30.4 cm) deep by twenty (20") inches (50.8 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than one (1) individual each.

3.4 **CREMATED REMAINS LOTS:** The following specifications shall constitute the number and type of memorials permitted on a cremated remains lot as they may be designated and laid-out in a City cemetery:

- (a) **Standard Cremation Lot - Single Interment:** This form of lot may have one (1) flat marker installed flush with the ground that is twelve (12") inches (30.4 cm) deep by twenty (20") inches (50.8 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than one (1) individual;
- (b) **Standard Cremation Lot - Companion Interment:** This form of lot may have one (1) flat marker installed flush with the ground that is twelve (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than two (2) individuals;
- (c) **Family Estate Cremation Lot with Flat Markers only:** This form of lot may have three (3) flat markers installed flush with the ground that are twelve (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than two (2) individuals each;
- (d) **Family Estate Cremation Lot with Upright Monument:** This form of lot may, as its primary form of memorial, have one (1) upright monument with a base that is twelve (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by four (4") inches (10.1 cm) high WITH a monument tablet that is six (6) inches (15.2 cm) thick by twenty (20) inches (50.8 cm) wide by not more than twenty-four (24") inches (60.9 cm) high and memorializing not more than two (2) individuals AND an additional two (2) flat markers installed flush with the ground that are twelve (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by not less than three (3") inches (7.6 cm) thick memorializing not more than two (2) individuals each;
- (e) **Family Vessel / Ossuary Cremation Lot:** This form of lot shall, as its primary form of memorial, have one (1) cremation vessel (ossuary) of a size and design established and supplied by the City and installed onto a granite base that is thirty-three (33") inches square and not less



than three (3") inches (7.6 cm) thick and may incorporate an inscription approved by the City and engraved into the surface of the vessel in a font, size and depth approved by the City and along with the vessel (ossuary) the lot may have up to four (4) flat markers installed flush with the ground that are twelve (12") inches (30.4 cm) deep by twenty-four (24") inches (60.9 cm) wide by not less than three (3") inches (7.6 cm) thick and memorializing not more than eight (8) individuals where 'vessel' interments are made or not more than sixteen (16) individuals where only 'ossuary' scatterings are made;

- (f) **Columbaria Niche Lot:** This form of lot shall have as its primary form of memorial an inscription made on the face of the niche plate in a design, font style, size and layout established by the City that is consistent with adjacent niches and the overall design established by the City for the columbarium of which the niche is a part.

3.5 **GREEN BURIAL LOTS:** The following specifications shall constitute the form of memorial and memorialization permitted for green burials as and where they may be designated and laid-out in a City cemetery:

- (a) Other than City installed communal memorials no other memorial marker, monument, edging, grave cap or other stone, vase, ornament or any other decoration, adornment or structure shall be placed on, in or around any green burial lot or in a green burial area.
- (b) No inscription shall be made on a green burial memorial until;
  - (i) the inscription is approved by the City;
  - (ii) all outstanding indebtedness to the City relating to a right of interment for a lot, interment, scattering and the engraving of the inscription has been paid in full.
- (c) For every memorial inscription made on a green burial memorial the inscription shall be;
  - (i) placed on the memorial designated for the lot or group of lots where a green burial was made;
  - (ii) recorded sequentially on the memorial as interments occur;
  - (iii) composed on one line, as space may permit, of an inscription limited to the given name(s) and/or initial(s) and the surname of a deceased and the year of birth and the year of death of a deceased.
  - (iv) engraved to a standard depth and in a standard font established by the City for the memorial where the inscription is being made, and;
  - (v) made by the City or an approved agent or supplier of the City.
- (d) No inscription that deviates from the content and specifications set out in Article 3.5(c) of this Bylaw or that is inconsistent with the dignity of adjacent inscriptions, lots, the City cemetery or community standards shall be placed on any green burial memorial.



- (e) The City shall have the right to determine when inscriptions are made on a green burial memorial and shall make new inscriptions as they may accumulate at a minimum of two (2) times in each calendar year.
- (f) There is no obligation to have a memorial inscription made on a green burial memorial after a green burial interment or scattering is made in a green burial area
- (g) The City shall have the right to maintain, reposition, move, relocate or otherwise change a green burial memorial as deemed necessary and subject only to compliance with requirements of cemetery legislation.

#### 4.0 MEMORIAL PLAQUES

- 4.1 The City shall have the authority to establish and install in any City cemetery such structures and features of a design and standard established by the City that facilitate the installation of memorial plaques for individuals or families or that may provide special recognition for individuals or organizations that, in the opinion of and at the discretion of the City, have made a special contribution to the City.
- 4.2 Memorial plaques shall, at the expense of an applicant, be supplied and installed by the City and when installed shall be considered as property of the City cemetery.
- 4.3 Memorial plaques shall be constructed of bronze, individually cast in a size, font and design established by the City and each:
  - (a) **Individual Plaque** shall be nine and one-half (9.5") inches (24.5 cm) high and sixteen and one-half (16.5") inches (42 cm) wide and memorializing one (1) individual;
  - (b) **Family Plaque** shall be sixteen and one-half (16.5") inches (42 cm) high and sixteen and one-half (16.5") inches (42 cm) wide and memorializing up to (4) individuals;
  - (c) **Community Recognition Plaque** shall be twenty-four (24") inches high by thirty (30") inches high and shall have an inscription of recognition that is approved by the City and is consistent with the dignity of adjacent lots, the cemetery and community standards.



Item 9.1

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled City of Salmon Arm Road Closure Bylaw No. 4266 be read a final time.

[Bickle, J. & J./Morgan, R. & M./Taylor, S. & E; Portion of 25 Avenue SW]

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



## CITY OF SALMON ARM

### BYLAW NO. 4266

Being a Bylaw to Close to Traffic, Remove the Dedication as Highway and Dispose of a Portion of 25 Avenue SW, Plan 18056, Section 10, Township 20, Range 10, W6M, KDYD

---

WHEREAS, pursuant to Section 40 of the Community Charter, SBC, 2003 Chapter 26, and amendments thereto, Council may, by bylaw, close a portion of highway to traffic and remove the dedication of a highway, if prior to adopting the bylaw, Council publishes notice of its intention in a newspaper and posts the notice in public notice posting place, and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Provincial Government's right of resumption under Section 35(8) of the Community Charter, SBC, 2003, Chapter 26 and amendments thereto, in relation to a highway or portion of a highway that was vested in a municipality pursuant to Section 35(1) of this Act, is cancelled if the Corporate Officer of the municipality files with the Land Title Office a statement certifying that the highway closure and removal of dedication complies with the Regulation of the Minister of Transportation B.C. Regulation 245/2004 (June 4, 2004) as amended by B.C. Regulation 18/2008 (January 25, 2005), made under the authority of the Community Charter, Section 35(10)(b);

AND WHEREAS the Council deems it expedient to close to traffic, remove the dedication of highway and dispose of that portion of 25 Avenue SW, comprising 0.101 ha dedicated at the Kamloops Land Title Office by Plan 18056, Section 10, Township 20, Range 10, W6M, KDYD which is shown outlined in bold black ("Closed Road") on the Reference Plan prepared by Joseph Charles Johnson, BCLS, Browne Johnson Land Surveyors, on May 26, 2017, a reduced copy of which is attached hereto (the "Plan");

AND WHEREAS notices of the Council's intention to close the portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place;

AND WHEREAS the Council does not consider that the closure of the portion of highway will affect the transmission or distribution facilities or works of utility operators;

AND WHEREAS the disposition of Closed Road will be to the owners of Lot 1, Plan EPP73141, Lot 7, Plan KAP84775 and Lot 8, Plan KAP84775, all of Section 10, Township 20, Range 10, W6M, KDYD.



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

1. Attached to this Bylaw, as Schedule "A" and forming part of this Bylaw is a reduced copy of the Reference Plan (the "Plan").
2. The City of Salmon Arm is hereby authorized to dispose of and convey the Closed Road to the owners of Lot 1, Plan EPP73141, Lot 7, Plan KAP84775 and Lot 8, Plan KAP84775, all of Section 10, Township 20, Range 10, W6M, KDYD.
3. The City of Salmon Arm hereby authorizes the closure to traffic and removal of the highway dedication of that portion of 25 Avenue SW, comprising 0.101 ha dedicated at the Kamloops Land title Office by Plan 18056, Section 10, Township 20, Range 10, W6M, KDYD which is shown outlined in bold black ("Closed Road") on the Plan.
4. On deposit of the Plan and all other applicable documentation for the removal of the highway dedication, in the Kamloops Land Title Office, the highway dedication of that portion of the road is cancelled.
5. The Mayor and Corporate Officer are hereby authorized to execute such conveyances, deeds, maps, plans, receipts and documents on behalf of the City of Salmon Arm as may be necessary for the purposes aforesaid and to affix the Corporate Seal of the City of Salmon Arm thereto.
6. The Council shall, before adopting this Bylaw, cause public notice of its intention to do so to be given by advertisement once each week for two consecutive weeks in a newspaper published or circulated in the City of Salmon Arm, and has provided an opportunity for persons who consider they are affected by the closure and disposition of the Closed Road to make representations to Council.

#### SEVERABILITY

7. 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 remaining portions of this bylaw.

#### ENACTMENTS

8. 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.

#### EFFECTIVE DATE

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



CITATION

11. This Bylaw may be cited for all purposes as the "City of Salmon Arm Highway Closure Bylaw No. 4266".

READ A FIRST TIME THIS 27th DAY OF August , 2018

READ A SECOND TIME THIS 27th DAY OF August , 2018

READ A THIRD TIME THIS 27th DAY OF August , 2018

PUBLIC NOTICE OF INTENTION TO PROCEED ADVERTISED IN THE SALMON ARM OBSERVER ON THE 12th AND THE 19th DAY OF SEPTEMBER, 2018.

PUBLIC INPUT PROVIDED ON THIS DAY OF , 2018

ADOPTED BY COUNCIL THIS DAY OF , 2018

\_\_\_\_\_  
MAYOR

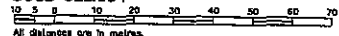
\_\_\_\_\_  
CORPORATE OFFICER



Reference Plan to Accompany  
City of Salmon Arm Road Closure Bylaw Number 4266  
of a Portion of 25 Avenue SW, Plan 18056,  
Sec 10, Tp 20, R 10, W6M, KDYD

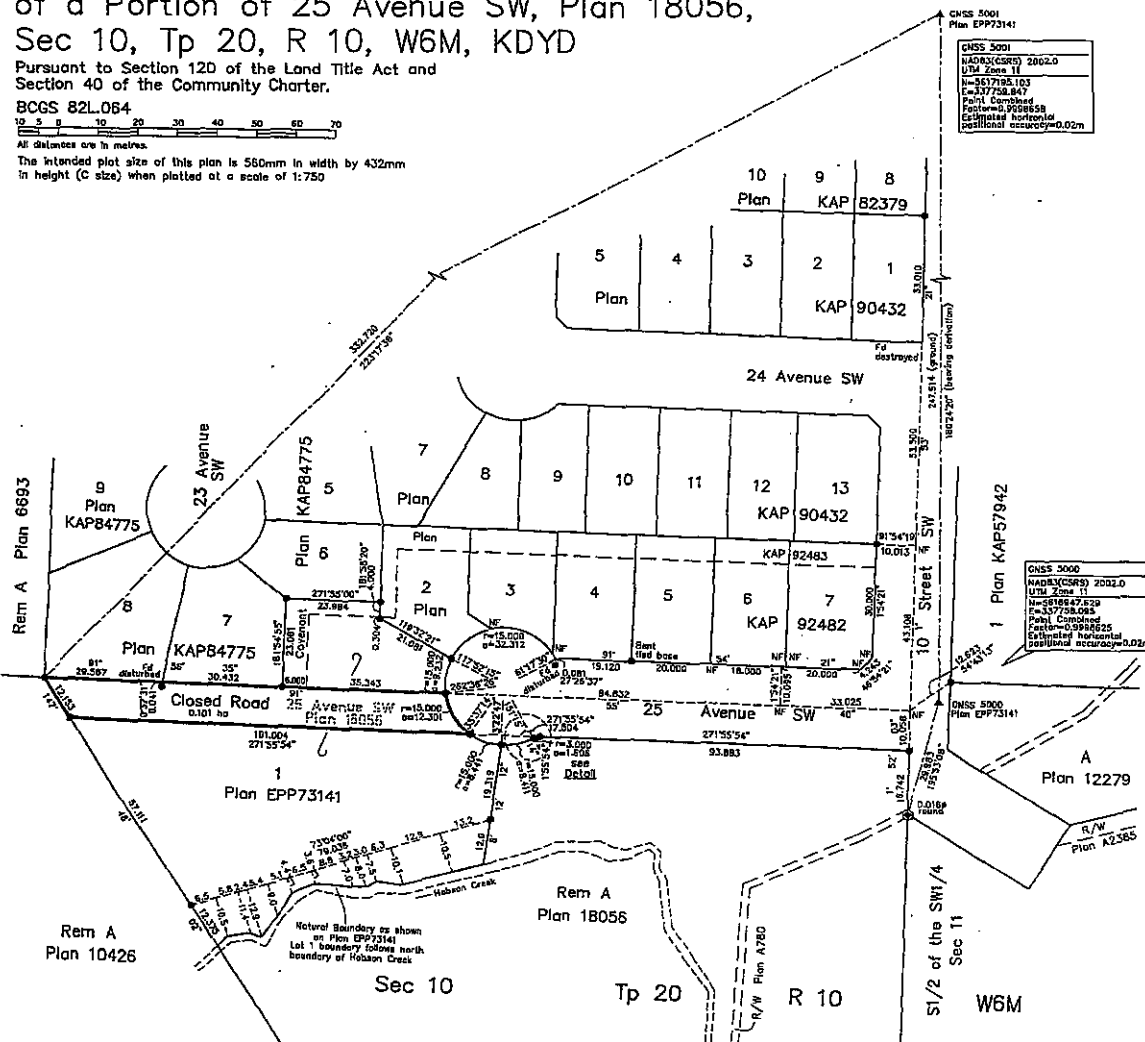
Pursuant to Section 120 of the Land Title Act and  
Section 40 of the Community Charter.

BCGS 82L084

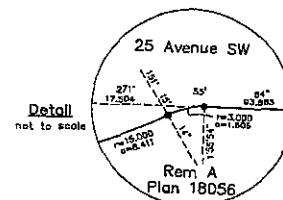


All distances are in metres.

The intended plot size of this plan is 560mm in width by 432mm  
in height (C size) when plotted at a scale of 1:750



PLAN EPP81980



LEGEND

Grid bearings are derived from differential  
dual frequency GNSS observations and are  
referred to the central meridian of UTM  
Zone 11.

This plan shows horizontal ground-level  
distances, unless otherwise specified. To  
compute grid distances, multiply ground-  
level distances by the average combined  
factor of 0.9998841. The average combined  
factor has been determined based on an  
ellipsoidal elevation of 377.3 metres.

The UTM coordinates and estimated horizontal  
positional accuracy achieved are derived from  
differential dual frequency GNSS observations  
post processed using the Natural Resources  
Canada Precise Point Positioning Service.

- Standard Iron Post Found
- ⊙ Non-Standard Iron Post Found
- ▲ Inverse Hub Found
- NF Denotes Nothing Found
- Fd Denotes Found
- Rem Denotes Remainder

This plan lies within the Columbia Shuswap  
Regional District

The field survey represented by this plan was  
completed on the 26th day of May, 2017  
Joseph Charles Johnson, BCLS (604)

BROWNE JOHNSON LAND SURVEYORS  
B.C. AND CANADA LANDS  
SALMON ARM, B.C. 250-832-9701  
FIR: 152-18 Fd. 518 p. 51, 59  
376-15 raw





**City of Salmon Arm**  
**Development Services Department Memorandum**

TO: Her Worship Mayor Cooper and Council

FROM: Development Services Department

DATE: August 9, 2018

SUBJECT: Highway Closure Bylaw No. 4266  
Portion of 25 Avenue SW, Plan 18056 Sec. 10, Tp. 20, R. 10, W6M, KDYD  
Applicants: J.L. & J.M. Bickle; R.D. & M.L. Morgan; and S.H. & E.A. Taylor  
Agent: Browne Johnson Land Surveyors

**Motion for Consideration**

THAT:

City of Salmon Arm Highway Closure Bylaw No. 4266 proceed to first, second and third readings;

AND THAT:

Authorization be granted for the sale of Closed Road, Plan EPP81980, Sec. 10, Tp. 20, R. 10, W6M, KDYD, as shown in Appendix 3, to J.L. & J.M. Bickle, R.D. & M.L. Morgan and S.H. & E.A. Taylor for the total sum of \$ 64,000.00.

AND FURTHER THAT:

The sale of the above lands be subject to the following:

- i) Compliance with Section 26 (Notice of Proposed Property Disposition) and Section 94 (Requirements for Public Notice) of the Community Charter and Policy 3.16 (Notification);
- ii) The lands being consolidated with the applicant's properties as shown on Appendix 6; and
- iii) All associated costs being the responsibility of the applicants.

**Staff Recommendation**

THAT: The Motion for Consideration be adopted.

**Proposal**

The subject roadway is located along the south boundary of the Ridge Subdivision off Foothill Road SW.



The roadway is unconstructed and the applicants are requesting that it be closed and the land sold to them for consolidation with their properties. A location map showing the subject roadway, an ortho photo and a copy of Bylaw No. 4266 are attached as Appendices 1 through 3. A second location map showing the applicant's properties, an ortho photo and a sketch plan showing the proposed land consolidations are attached as Appendices 4 through 6.

## **Background**

The subject roadway was dedicated in 1968 and is approximately 10.0 metres in width. Construction of the Ridge Subdivision commenced in 2006 and, at that time, it was determined that the subject roadway would not be required for future development in the area and 25 Avenue SW was terminated with a cul-de-sac at the east boundary of the proposed road closure.

As most road closures often involve relatively narrow, small portions of land, it is only the adjacent landowners that can usually make use of the land. With this proposal, the applicants own all the properties adjacent to the roadway and they have all expressed interest in obtaining and consolidating portions of the land with their properties: Lot 1, Plan EPP73141 is hooked across the subject roadway and is owned by J.L. & J.M. Bickle and Lots 7 and 8, Plan KAP84775 are adjacent to the north boundary of the subject roadway and are owned by R.D. & M.L. Morgan and S.H. & E.A. Taylor respectively.

In 2016, the portion of existing Lot 1, Plan EPP73141 on the south side of the subject roadway was rezoned from A-2 (Rural Holding) to R-9 (Estate Residential) to permit this parcel to be created as a hooked lot (ZON-1049/Chun & Bickle). At that time, Council and City staff discussed a proposed Greenway identified on Map 11.2 of the Official Community Plan that is located within the subject roadway. It was noted that this Greenway would only be beneficial if it connected to either Foothill Road SW or to properties to the south and eventually to the lower slopes of Mt. Ida. As properties to the west have limited development potential, obtaining a connection to Foothill Road SW may not become available and the property under application for rezoning was not suitable for a linkage to the south due to topography and the location of Hobson Creek. There are other locations in this area that could provide a more suitable trail network and staff will be recommending that the proposed Greenway in the subject roadway be removed from the O.C.P. in conjunction with the next O.C.P. review. A copy of O.C.P. Map 11.2 is attached as Appendix 7.

At its In-Camera Meeting of April 9, 2018, Council authorized staff to proceed with the proposed closure and disposition to the applicants for the amount of \$64,000.00 subject to compliance with the requirements of the Community Charter and all costs being borne by the purchasers.

## **Discussion**

Staff and outside agencies have reviewed the proposal and provide the following:

### BC Hydro

No concerns.

### FortisBC

No concerns.

### Telus

No concerns.



Building Department

No concerns.

Fire Department

No concerns.

Engineering Department

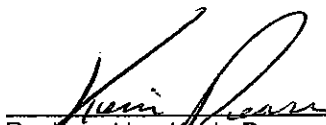
See Appendix 7.

Planning Department

Staff support the proposal:

- i) The closed road will be consolidated with all adjacent properties.
- ii) The sale price of the land to be disposed of will provide fair compensation to the City;
- iii) As of this writing, no objections or concerns have been received from outside agencies;
- iv) Although the Official Community Plan identifies a potential greenway within the subject roadway, the Greenways Strategy identifies it as only a future consideration and notes that its alignment is strictly conceptual. It was also determined during the rezoning of Lot 1, Plan EPP73142 in 2016 that subject roadway is likely not a practical location for a greenway in this area. The proposed Greenways identified in the O.C.P. do not compel the City to proceed their construction and as the suitability of this particular greenway is questionable, a more detailed review of greenways in this area will be undertaken in conjunction with the next O.C.P. review and in consultation with the Greenways Committee; and
- v) As noted in the Motion for Consideration, further public notification will be provided in accordance with Sections 26 and 94 of the Community Charter and City Policy 3.16. Copies of Sections 26 and 94 and Policy 3.16 are provided in Appendix 8.

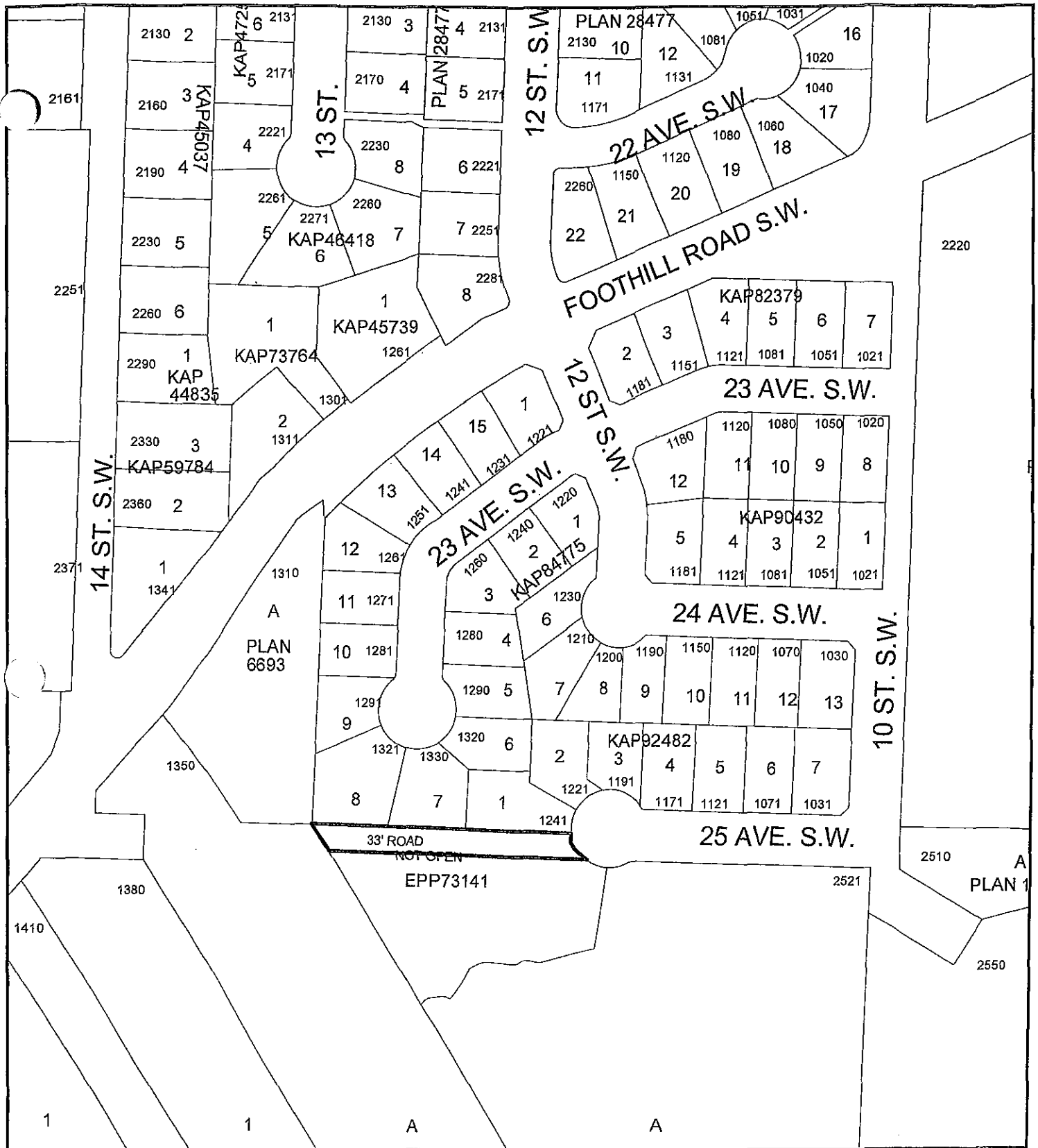
  
Prepared by: Jon Turlock  
Planning & Development Officer

  
Reviewed by: Kevin Pearson, MCIP  
Director of Development Services

**Appendices**

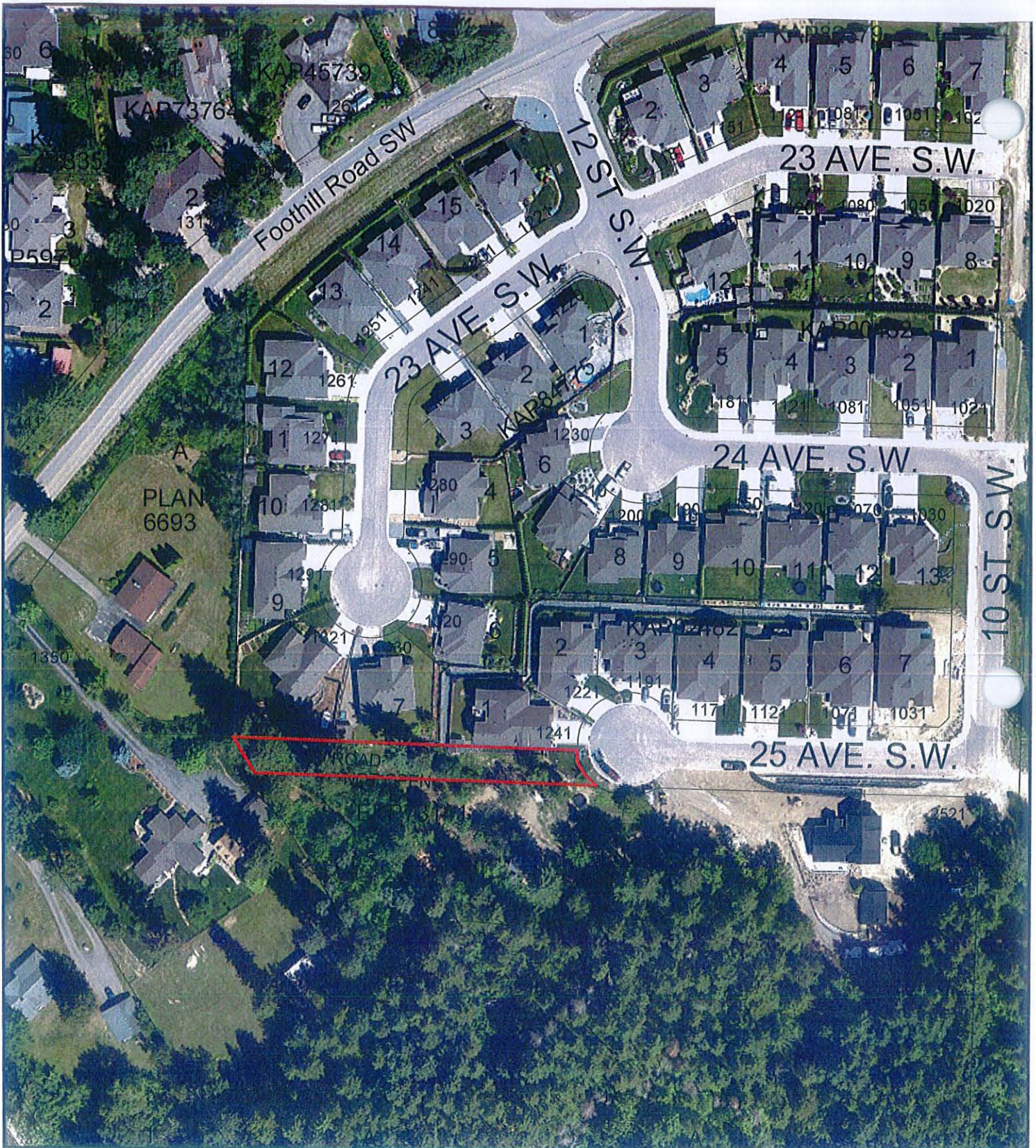
- 1. Location Map 1 - Proposed Road Closure
- 2. Ortho photo
- 3. Bylaw No. 4266
- 4. Location Map 2 - Subject Properties
- 5. Ortho photo
- 6. Sketch plan of proposed subdivision (land consolidations)
- 7. O.C.P. Map 11.2
- 8. Engineering Dept. comments
- 9. Sections 26 & 94 of Community Charter & Policy 3.16





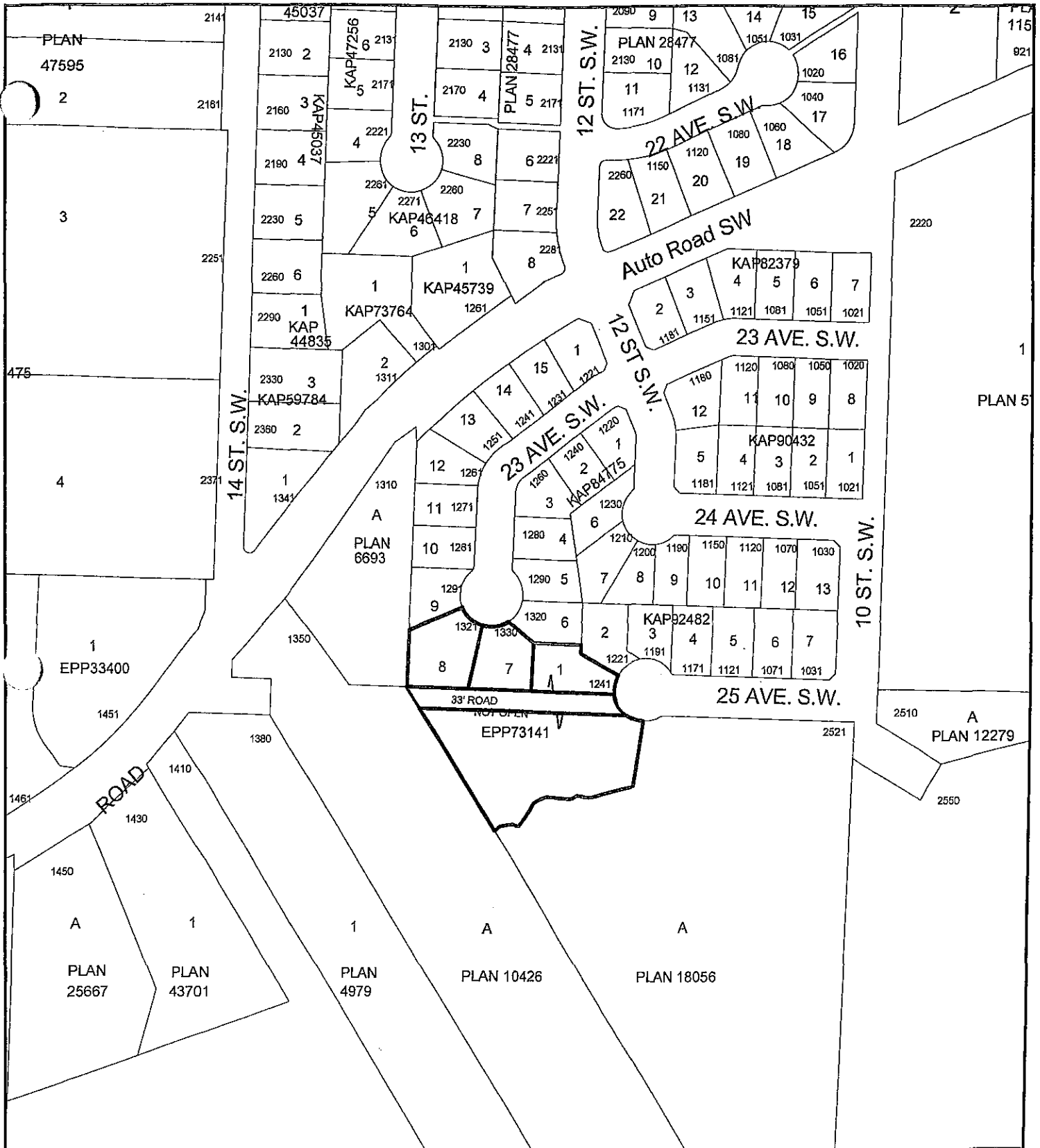
Location Map 1



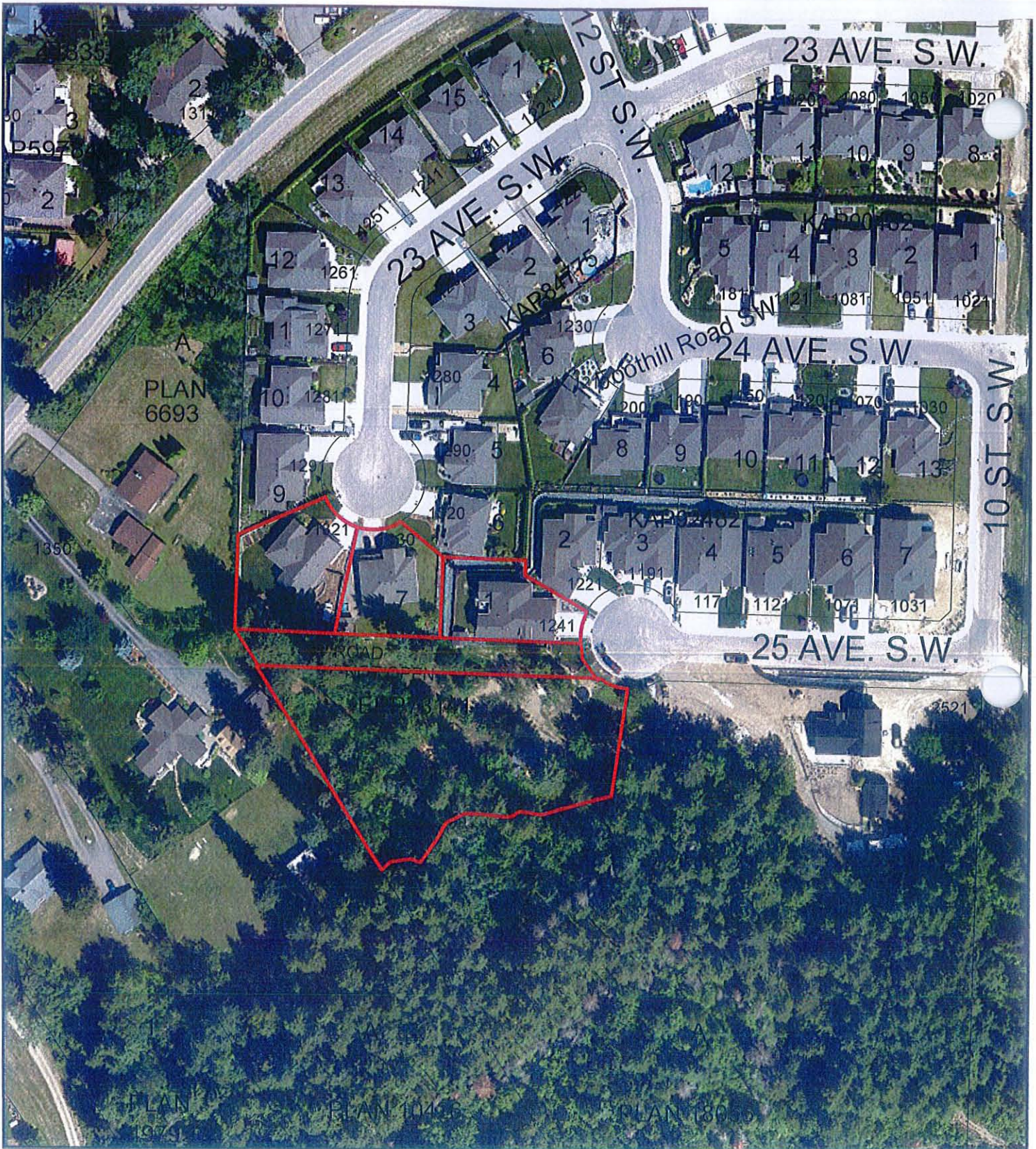


Proposed Road Closure









Subject Properties



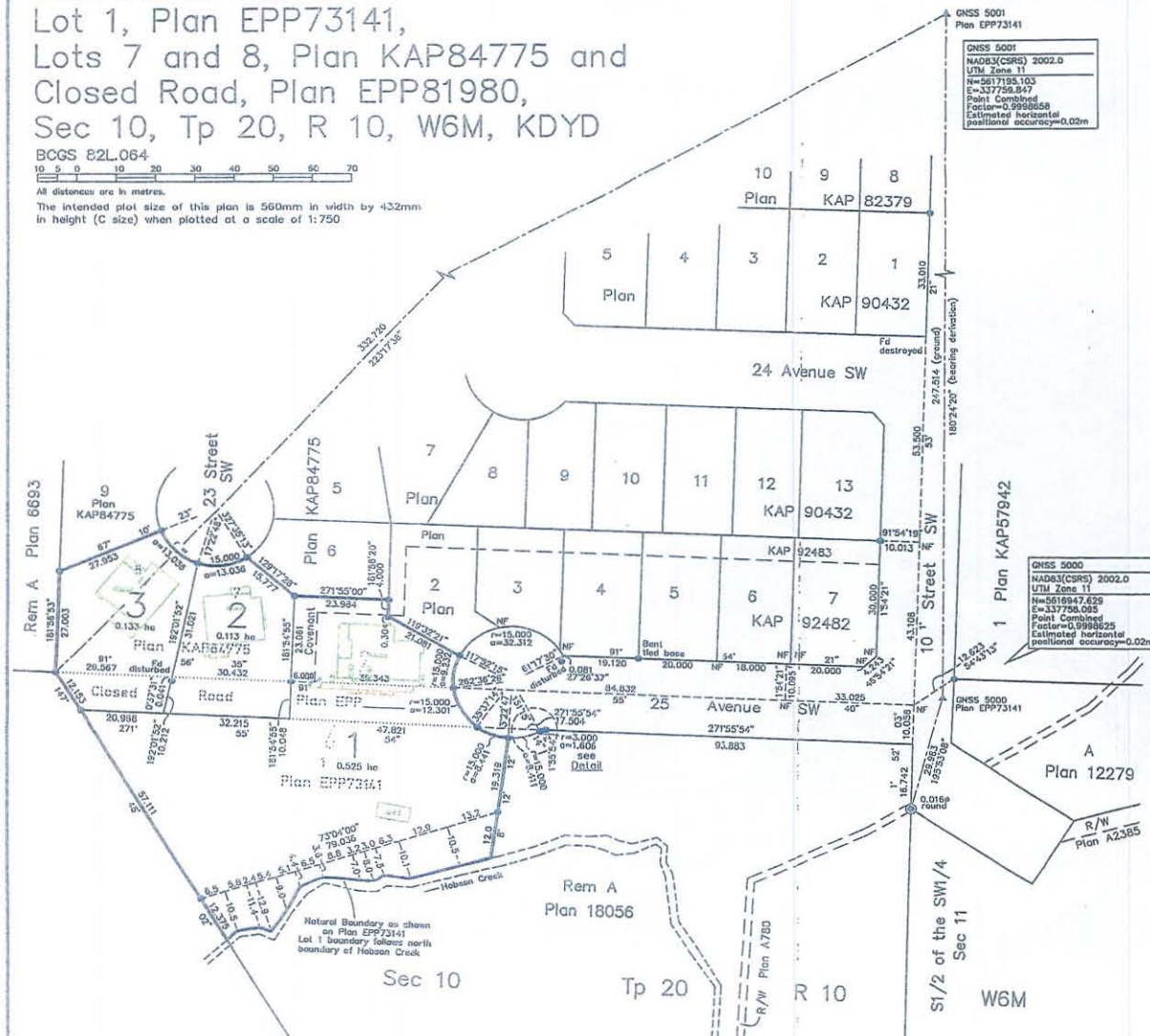
Sketch Plan of Proposed  
Subdivision Plan of  
Lot 1, Plan EPP73141,  
Lots 7 and 8, Plan KAP84775 and  
Closed Road, Plan EPP81980,  
Sec 10, Tp 20, R 10, W6M, KDYD

BOGS 82L064

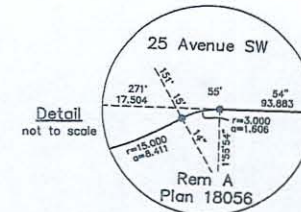


All distances are in metres.

The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:750



PLAN EPP



LEGEND

Grid bearings are derived from differential dual frequency GNSS observations and are referred to the central meridian of UTM Zone 11.

This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9998541. The average combined factor has been determined based on an ellipsoidal elevation of 377.3 metres.

The UTM coordinates and estimated horizontal positional accuracy achieved are derived from differential dual frequency GNSS observations post processed using the Natural Resources Canada Precise Point Positioning Service.

- Standard Iron Post Found
- Standard Iron Post Placed
- ⊙ Non-Standard Iron Post Found
- △ Traverse Hub Found

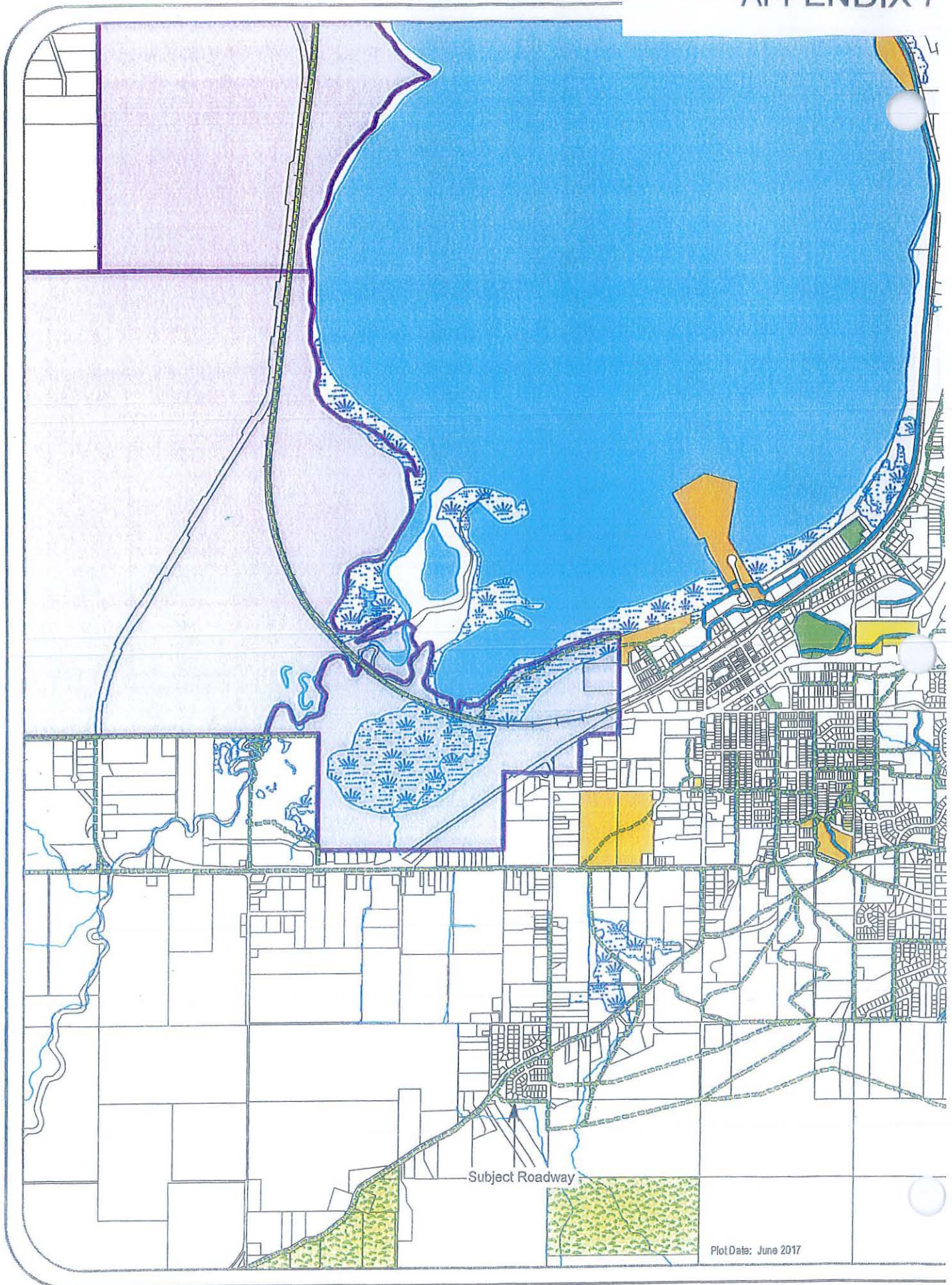
This plan lies within the jurisdiction of the Approving Officer for the City of Salmon Arm

This plan lies within the Columbia Shuswap Regional District

The field survey represented by this plan was completed on the day of April, 2018  
Brad G. Cooper, BCLS (988)

BROWNE JOHNSON LAND SURVEYORS  
B.C. AND CANADA LANDS  
SALMON ARM, B.C. 250-832-9701  
File: 153-18 Pb. 518 p. 61, 69  
376-15. raw









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

---

TO: Kevin Pearson, Director of Development Services  
DATE: 20 June 2018  
PREPARED BY: Chris Moore, Engineering Assistant  
APPLICANT: **J & J Bickle, R & M Morgan, S & E Taylor**  
SUBJECT: **SUBDIVISION APPLICATION NO. 18-19**  
LEGAL: Part of 25 Ave SE, Plan 18056; and Lot 1, Plan EPP73141 and Lots 7 & 8,  
Plan KAP84775, all of Sec. 10, Tp.20,R.10,W6M,KDYD  
CIVIC: **1241 25 Ave SW and 1321-1330 23 Ave SW**

---

Further to your referral dated 5 June 2018, we provide the following servicing information.

The section of road that is proposed to be disposed of has little engineering value to the City. During development of "The Ridge" subdivision it was clearly decided that 25 Avenue SW would not link through to the west as only 10m of Right of Way was taken.

The grade of this land is steep (currently 12%) making it very difficult to construct a road and since the current cul-de-sac is at the crest of the hill, extending storm and sani services to the west would not be possible.

Since the land to the south of 25 Avenue SW is outside of the Urban Containment Area, it is therefore unlikely to be further developed.

For the above reasons, the Engineering Department has no objections to closing this section of 25 Avenue and consolidating with the adjacent properties.

**Chris Moore**  
Engineering Assistant

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



## **Community Charter**

---

### **Notice of proposed property disposition**

**26** (1) Before a council disposes of land or improvements, it must publish notice of the proposed disposition in accordance with section 94 [*public notice*].

(2) In the case of property that is available to the public for acquisition, notice under this section must include the following:

- (a) a description of the land or improvements;
- (b) the nature and, if applicable, the term of the proposed disposition;
- (c) the process by which the land or improvements may be acquired.

(3) In the case of property that is not available to the public for acquisition, notice under this section must include the following:

- (a) a description of the land or improvements;
- (b) the person or public authority who is to acquire the property under the proposed disposition;
- (c) the nature and, if applicable, the term of the proposed disposition;
- (d) the consideration to be received by the municipality for the disposition.

### **Requirements for public notice**

**94** (1) If this section applies, the applicable notice must be

- (a) posted in the public notice posting places, and
  - (b) published in accordance with this section.
- (2) Subject to subsection (4), publication under subsection (1) (b)
- (a) must be in a newspaper that is distributed at least weekly
    - (i) in the area affected by the subject matter of the notice, and
    - (ii) if the area affected is not in the municipality, also in the municipality, and
  - (b) unless otherwise provided, must be once each week for 2 consecutive weeks.

(3) The obligation under subsection (2) may be met by publication of the notice in more than one newspaper, if this is in accordance with that subsection when the publications are considered together.



(4) If publication under subsection (2) is not practicable, the notice may be given in the areas by alternative means as long as the notice

(a) is given within the same time period as required for publication,

(b) is given with the same frequency as required for publication, and

(c) provides notice that the council considers is reasonably equivalent to that which would be provided by newspaper publication if it were practicable.

(5) As an exception, subsection (4) (b) does not apply in relation to an area if the alternative means is by individual distribution to the persons resident in the area.

(6) If the same matter is subject to 2 or more requirements for publication in accordance with this section, the notices may be combined so long as the requirements of all applicable provisions are met.

(7) A council may provide any additional notice respecting a matter that it considers appropriate, including by the Internet or other electronic means.



**DISTRICT OF SALMON ARM****POLICY NO. 3.16**

**TOPIC:** Notification for Disposition of Publicly-Owned Land.

**PURPOSE:** To establish policy and procedure for informing the public of the Municipality's intent to dispose of publicly owned land.

**POLICY AND PROCEDURE:**

1. The Municipality will publish in one issue of the Salmon Arm Observer and the Shuswap Sun, a display advertisement that contains the following information:
  - a) That the Municipality is considering the disposition of a certain parcel of land.
  - b) Legal description of the parcel.
  - c) Area (size) of the parcel.
  - d) Civic address of the parcel.
  - e) Description of general location of the parcel, including a map.
  - f) Statement of notice that, subject to approval by District of Salmon Arm Council, the said parcel will be disposed of for a specified sum, when applicable.
  - g) Date and time that offer of disposition will expire.
  - h) Date of the notice.
2. The Clerk will post a copy of the notice, including a location map, on a board accessible to the public at District Hall for the period the offer to sell is in effect.

Prepared by: Development Services Department	Date: January 26, 1999
Approved by Council:	Date: March 9, 1999
Amended or Replaced:	Date:



Item 9.2

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the bylaw entitled City of Salmon Arm Council Procedure Bylaw No. 4276 be read a final time.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





**City of Salmon Arm**  
*Memorandum from the Chief Election Officer*

TO: Her Worship Mayor Cooper and Council

DATE: August 5, 2018

SUBJECT: Council Procedure Bylaw No. 4276

**RECOMMENDATION:**

**THAT:** the bylaw entitled Council Procedure Bylaw No. 4276, be read a first, second and third time;

**AND THAT:** final reading be withheld subject to notification in accordance with section 94 of the Community Charter.

**BACKGROUND:**

Pursuant to section 124 of the Community Charter, Council must, by bylaw, establish general procedures that are to be followed by Council and Council Committees in conducting their business. The bylaw must address the following:

- rules of procedure for Council Meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted;
- rules of procedure for Council Committees;
- the taking of minutes in Council Meetings and Committee Meetings, including requiring certification of those minutes;
- provision for public notice regarding the time, place and date of Council and Committee Meetings and procedures for giving that notice;
- identify places that are to be used as public notice posting places for the purpose of section 94 [public notice];
- the procedure for designating a person to act in the place of the Mayor (in accordance with section 130); and
- the first regular Council Meeting following a general local election.

A bylaw under section 124 must not be amended or repealed and replaced unless notice is given in accordance with section 94. Once Council has given Council Procedure Bylaw No. 4276 three readings, notice will be placed in two (2) consecutive weeks of the Salmon Arm Observer, posted



in the lobby at City Hall and on the City's website prior to being brought back to Council for consideration of final reading.

The primary reason for review of the current procedure bylaw was to address the date of the first meeting following a general local election. Council Procedure Bylaw No. 3331 specifies that the inaugural meeting of Council must be held on the first Monday in December in the year of the election. Due to legislative changes, the first Regular Council Meeting following the general local election must be held within the first 10 days of November.

While the bylaw has remained largely the same, staff have taken this opportunity to make the following revisions:

- Update all references of 'District' to 'City';
- Update the edition of Roberts Rules of Order to also include subsequent releases;
- Add Columbia Shuswap Regional District Update to the Order of proceedings and business section;
- Remove all reference to 'Committee of the Whole';
- Update Local Government Act sections;
- Add Electronic Meetings;
- Add Notice of Motion;
- Renumber sections and reformat where applicable; and
- Change the inaugural meeting to the first Monday in November following a general local election.

Committee of the Whole has been removed from the new bylaw because it is not used in the City at present nor is it defined in the Local Government Act or Community Charter (though it was once was). While the Development and Planning Services Committee (D&PSC) is effectively a committee comprised of the whole of Council it is not a true Committee of the Whole (which operates with modified procedures in a much less formal fashion than the D&PSC).

When the Council Chambers A/V system was recently upgraded, electronic meeting capabilities were included in the plans. The current telephone systems are slated for upgrade in 2019 and this will allow for two (2) lines to accommodate electronic participation in Council meetings. Many local governments (including the CSRD) allow for electronic participation at meetings and there will likely become more of an expectation of this over time.

The current bylaw is silent regarding Notice of Motion, however, it has been increasingly utilized by Council and it is appropriate to include it in the new bylaw.

It is recommended that Council Procedure Bylaw No. 4276 be given three readings. Staff will then conduct the required public notice prior to bringing it back for adoption.

Respectfully submitted,



Erin Jackson  
Director of Corporate Services



## Council Procedure Bylaw No. 4276

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## COUNCIL PROCEDURE BYLAW

### BYLAW NO. 4276

The Municipal Council of the City of Salmon Arm enacts as follows:

#### PART 1 - INTRODUCTION

##### Title

1. This Bylaw may be cited as **"City of Salmon Arm Council Procedure Bylaw No. 4276 "**

##### Definitions

2. In this Bylaw,

"Committee" means a standing, select, or other committee of Council;

"Corporate Officer" means the Corporate Officer for the City;

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

"City" means the City of Salmon Arm;

"City Hall" means the City of Salmon Arm located at 500 - 2 Avenue NE;

"City Web Site" means the information resource found at an internet address provided by the City" ([www.salmonarm.ca](http://www.salmonarm.ca));

"Mayor" means the Mayor of the City;

"Public Notice Posting Places" means the notice board at the City Hall and the City Website;

##### Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, and all committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, Robert's Rules of Order, 11<sup>th</sup> Edition, 2011 (or subsequent releases thereafter) apply to the proceedings of Council, and Council committees to the extent that those Rules are:
  - (a) applicable in the circumstances, and



- (b) not inconsistent with provisions of this Bylaw or the Community Charter.

## **PART 2 - COUNCIL MEETINGS**

### **Inaugural Meeting**

- 4. (1) Following a general local election, the first Council meeting must be held on the first Monday in November in the year of the election.
- (2) The Council shall consist of a Mayor and six Councillors and the quorum for the City shall be four (4) members of Council.
- (3) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

### **Time and location of meetings**

- 5. (1) All Council meetings must take place within the City Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must:
  - (a) be held on the second and fourth Monday of each month;
  - (b) begin at 1:30 p.m.;
  - (c) be adjourned by 11:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 27; and
  - (d) when such meeting falls on a statutory holiday, be held on the next day City Hall is open.

### **Annual Meeting**

- (3) The Corporate Officer must give notice of the Council meeting or other public meeting in respect of which Council has resolved to consider:
  - (a) the annual report prepared under Section 98 of the *Community Charter*; and
  - (b) submissions and questions from the public, by giving public



notice by:

- (i) posting notice of the date, time and place of the annual meeting in the posting locations, and
- (ii) publishing notice of the date, time and place of the annual meeting in accordance with Section 94 of the *Community Charter*.

### **Electronic Meetings**

6. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met,

(a) a special Council meeting may be conducted by means of visual and audio electronic or other communication facilities if:

- (i) the Mayor requires;
- (ii) the Council requires; or

(b) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting, as applicable, may participate in the meeting by means of visual and audio electronic or other communication facilities, if:

- (i) the meeting is a regular, special and/or committee meeting; and
- (ii) the member is unable to attend because of other commitments.

(2) The member presiding at a special Council or Council committee meeting must not participate electronically.

(3) No more than two (2) members of Council at one time may participate at a Council meeting under section 6(1)(b).

(4) No more than two (2) members of a Council Committee at one time may participate at a Council Committee meeting under section 6(1)(b);

### **Notice of Council Meetings**

7. (1) In accordance with section 127 of the *Community Charter*, Council must:

(a) prepare annually, on or before December 1<sup>st</sup>, a schedule of the dates, times and places of Regular Council meetings for the



following year and must make the schedule available to the public by posting it at the Public Notice Posting Places; and

(b) give notice annually, on or before December 1<sup>st</sup>, of the availability of the schedule of Regular Council meetings, in accordance with section 94 of the *Community Charter*.

- (2) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

### **Notice of Special Meetings**

8. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter* a notice of the day, hour, and place of a special Council meeting must be given at least 24 hours before time of meeting, by:
- (a) posting a copy of the notice in the Council Chamber at City Hall,
  - (b) posting a copy of the notice at the Public Notice Posting Places,
  - (c) leaving one copy of the notice for each Council member in the Council member's mailbox at City Hall, and
  - (d) providing notice to all members of Council electronically or by telephone.
- (2) The notice under section 8(1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

### **PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

9. (1) Annually, Council must designate a Councillor, or Councillors, as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) Each Councillor, or Councillors, designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.



- (3) If both the Mayor and the member designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation to the applicable matter.
- (5) If the mayor desires to leave the chair for the purpose of taking part in the debate or otherwise, he/she shall call on the Deputy Mayor, or in his/her absence, another Councillor to take his/her place until he/she resumes the chair.

#### **PART 4 - COUNCIL PROCEEDINGS**

##### **Attendance of Public at Meetings**

- 10. (1) Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) Council Committees;
  - (b) standing and select committees;
  - (c) parcel tax review panel; and
  - (d) board of variance.
- (4) Despite subsection 10(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 20(8).

##### **Minutes of meetings to be maintained and available to public**

- 11. (1) Minutes of the proceedings of Council must be:



- (a) legibly recorded;
  - (b) certified as correct by the Corporate Officer; and
  - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) Subject to subsection 11 (3), and in accordance with section 97(1) (b) of the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (3) Subsection 11(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

#### **Calling meeting to order**

12. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order; however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 9 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 8 do not attend within 15 minutes of the scheduled time for a Council meeting:
  - (a) the Corporate Officer must call to order the members present; and
  - (b) the members present must choose a member to preside at the meeting.

#### **Adjourning meeting where no quorum**

13. If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:
  - (a) record the names of the members present, and those absent;



and

- (b) adjourn the meeting until the next scheduled meeting.

### **Agenda**

14. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda must be 1:00 p.m. on the Monday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public no later than the Friday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 16.

### **Order of proceedings and business**

15. (1) The agenda for all Regular Council meetings contains the following matters in the order in which they are listed below:
- (a) Call to Order
  - (b) In-Camera Session
  - (c) Adoption of Agenda
  - (d) Disclosure of Interest
  - (e) Reports/Presentations
  - (f) Confirmation of Minutes
  - (g) Committee Reports
  - (h) Introduction of Bylaws
  - (i) Reconsideration of Bylaws
  - (j) Correspondence
    - Informational Correspondence
  - (k) Staff Reports
  - (l) New Business
  - (m) Council Statements
  - (n) Columbia Shuswap Regional District Update
  - (o) Notice of Motions



- (p) Unfinished Business & Tabled Items
  - (q) Other Competent Business
  - (r) Question and Answer Period
  - (s) Hearings
  - (t) Public Hearings
  - (u) Question and Answer Period
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

### **Late Items**

16. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is unanimously approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 16 (1), information pertaining to late items must be distributed to the members.

### **Voting at meetings**

17. (1) The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:  
"Those in favour raise your hands.", and then  
"Those opposed raise your hands."
  - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not:
    - (i) cross or leave the room;
    - (ii) make a noise or other disturbance; or
  - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order.
  - (d) after the presiding member finally puts the question to a vote



under paragraph (b), a member must not speak to the question or make a motion concerning it;

- (e) the presiding member's decision about whether a question has been finally put is conclusive;
- (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
- (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

### **Delegations**

18. (1) The Council may allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application on a prescribed form has been received by the Corporate Officer by 1:00 p.m. on the Monday prior to the meeting. Each address must be limited to 5 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (2) Where written application has not been received by the Corporate Officer as prescribed in section 18(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (4) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (5) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.



## **Points of order**

19. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter*, the presiding member must apply the correct procedure to a motion:
  - (a) if the motion is contrary to the rules of procedure in this bylaw; and
  - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order:
  - (a) the presiding member must cite the applicable rule or authority if requested by another Council member;
  - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2) (a); and
  - (c) the presiding member may reserve the decision until the next Council meeting.

## **Conduct and debate**

20. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Members must address other non-presiding members by the title Councillor.
- (4) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.



- (6) Members who are called to order by the presiding member:
  - (a) must immediately stop speaking;
  - (b) may explain their position on the point of order; and
  - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
- (7) Members speaking at a Council meeting:
  - (a) must use respectful language;
  - (b) must not use offensive gestures or signs;
  - (c) must speak only in connection with the matter being debated;
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded; and
  - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7) (e), the presiding member may order the member to leave the member's seat, and:
  - (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat; and
  - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
  - (a) a member may speak more than twice in connection with the



same question only

- (i) with the permission of Council; or
  - (ii) if the member is explaining a material part of a previous speech without introducing a new matter.
- (b) a member who has made a substantive motion to the Council may reply to the debate; and
- (c) a member may speak to a question, or may speak in reply, for longer than a total time of 5 minutes only with the permission of Council.
- (11) After a motion is finally put by the Mayor, no member shall speak to the motion, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor as to whether the motion has been finally put shall be conclusive.

### **Motions generally**

21. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) A motion that deals with a matter that is not on the Agenda of the Council meeting at which the motion is introduced may be introduced with Council's unanimous permission.
- (3) A Council member may make only the following motions, when the Council is considering a question:
- (a) to refer to committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely;
  - (e) to defer to a certain time; and
  - (f) to adjourn.
- (4) A motion made under subsections (3) (c) to (f) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council



member.

### **Notice of Motion**

22. During the Notice of Motion portion of a regular or special meeting of the Council, any Council member may give a "Notice of Motion" respecting an item which that member intends to present at a future meeting, upon the member being acknowledged by the Presiding Member and the Notice of Motion being read to the meeting. A written copy of the motion presented under section 22 shall be provided to the Corporate Officer for inclusion in the Minutes of that meeting as a "Notice of Motion". The Corporate Officer shall place the motion on the Agenda of the next regular or special council meeting, or other future meeting designated by the member bringing forward the Notice of Motion, for consideration.

### **Motion to commit**

23. Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

### **Motion for the main question**

24. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
  - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question.

### **Amendments generally**

25. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.



- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that has been negatived by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive; and
  - (c) the main question.

### **Reconsideration by Council Member**

- 26. (1) Subject to section 131 of the *Community Charter*, the Mayor may, at the next Council meeting:
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted on the prevailing side of a resolution may at any time move to reconsider that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.



- (5) Council may only reconsider a matter that has not:
  - (a) had the assent of the electors;
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter*; or
  - (c) been acted on by an officer, employee, or agent of the City.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its reconsideration under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

### **Privilege**

- 27. (1) In this section, a matter of privilege refers to any of the following motions:
  - (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of the Council; or
  - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

### **Adjournment**

- 28. (1) A Council may continue a Council meeting after 11:00 p.m. only by an affirmative vote of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that



meeting by the same motion.

- (3) Subsection (2) does not apply to either of the following motions:
  - (a) a motion to adjourn to a specific day; or
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## **PART 5 - BYLAWS**

### **Copies of proposed bylaws to Council members**

- 29. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of Bylaws**

- 30. A bylaw introduced at a Council meeting must:
  - (a) be printed;
  - (b) have a distinguishing name;
  - (c) have a distinguishing number;
  - (d) contain an introductory statement of purpose; and
  - (e) be divided into sections.

### **Bylaws to be considered separately or jointly**

- 31. Council must consider a proposed bylaw at a Council meeting either:
  - (a) separately when directed by the presiding member or requested by another Council member; or
  - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.



## Reading and adopting bylaws

32. (1) The presiding member of a Council meeting may:
- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws; and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 477(2)(a) of the *Local Government Act* each reading of a proposed official community plan bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (6) Despite section 135(3) of the *Community Charter*, and in accordance with sections 477(6) and 480 of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

## Bylaws must be signed

33. After a bylaw is adopted and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must place it in the City's records for safekeeping.

## PART 6 - RESOLUTIONS

### Copies of resolutions to Council members

34. A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.



### **Form of resolution**

35. A resolution introduced at a Council meeting must be printed and have a distinguishing number.

### **Introducing resolutions**

36. (1) The presiding member of a Council meeting may:
- (a) have the Corporate Officer read the resolution; and
  - (b) request a motion that the resolution be introduced.

## **PART 7 - COMMITTEES**

### **Duties of standing committees**

37. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- (a) matters that are related to the general subject indicated by the name of the committee; or
  - (b) matters that are assigned by Council; matters that are assigned by the Mayor,
    - (i) as required by Council or the Mayor, or
    - (ii) at the next Council meeting if the Council or Mayor does not specify a time.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
- (a) in accordance with the schedule of the committee's meetings; and
  - (b) on matters that are assigned by Council or the Mayor,
    - (i) as required by Council or the Mayor, or
    - (ii) at the next Council meeting if the Council or Mayor



does not specify a time.

### **Duties of select committees**

38. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

### **Schedule of committee meetings**

39. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

### **Notice of committee meetings**

40. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
  - (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 40(2) to be given to all members of the committee at least 48 hours before the time of the meeting.



### **Attendance at Committee meetings**

41. (1) Council members who are not members of a committee may attend the meetings of the committee.

### **Minutes of committee meetings to be maintained and available to public**

42. (1) Minutes of the proceedings of a committee must be:
- (a) legibly recorded;
  - (b) certified by the Corporate Officer;
  - (c) signed by the chair or member presiding at the meeting; and
  - (d) open for public inspection in accordance with section 97(1) of the *Community Charter*.

### **Quorum**

43. The quorum for a committee is a majority of all of its members.

### **Conduct and debate**

44. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.

### **Voting at meetings**

45. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

## **PART 9 - GENERAL**

46. If any section, subsection or clause of this bylaw is for any reason held to be



invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

47. All meetings shall be recessed for a 10 minute break after 3 hours of continuous session.
48. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.
49. Upon adoption of this bylaw, "City of Salmon Arm Council Procedures Bylaw No. 3331" and amendments thereto are hereby repealed.

READ A FIRST TIME THIS      13      DAY OF      August      2018

READ A SECOND TIME THIS      13      DAY OF      August      2018

READ A THIRD TIME THIS      13      DAY OF      August      2018

ADOPTED BY COUNCIL THIS      DAY OF      2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



Item 9.3

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: the bylaw entitled City of Salmon Arm Fee for Service Amendment Bylaw No. 4278 be read a final time.

[Cannabis Retail Processing Fee]

### Vote Record

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



# CITY OF SALMON ARM

## BYLAW NO. 4278

A bylaw to amend "District of Salmon Arm Fee for Service Bylaw No. 2498"

WHEREAS it is deemed desirable and expedient to alter the fees imposed by "District of Salmon Arm Fee for Service Bylaw No. 2498";

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

1. Schedule "B" - Business Licence Fees for Business Categories and Fees Payable for the Licensing Period of "District of Salmon Arm Fee for Service Bylaw No. 2498" is hereby amended by the addition of:

Cannabis Retail Processing Fee (Non-Refundable)	\$1,000.00
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2. 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.

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.



City of Salmon Arm Fee For Service  
Amendment Bylaw No. 4278

5. CITATION

This bylaw may be cited as **"City of Salmon Arm Fee for Service Amendment Bylaw No. 4278"**.

READ A FIRST TIME THIS	27th	DAY OF	August	2018
READ A SECOND TIME THIS	27th	DAY OF	August	2018
READ A THIRD TIME THIS	27th	DAY OF	August	2018
ADOPTED BY COUNCIL THIS		DAY OF		2018

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MAYOR

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CORPORATE OFFICER





## Report from the Director of Development Services

TO: Her Worship Mayor Cooper and Members of Council

DATE: August 10, 2018

SUBJECT: Proposed Policy and Application Procedures for Cannabis Retail Stores

### MOTION FOR CONSIDERATION

THAT: The "Cannabis Retail Stores - Policy 3.20" attached to this report be adopted;

AND THAT: A Bylaw be prepared for Council's consideration, adoption of which would amend Schedule "B" of Fee for Service Bylaw No. 2498 - "Business Licence Fees for Business Categories and Fees Payable for the Licensing Period":

<u>Add Category:</u>	<u>Add Fee:</u>
Cannabis Retail Processing Fee (Non-Refundable)	\$1000.00

### PROPOSAL

The proposed "Cannabis Retail Stores - Policy 3.20" (the Policy) is attached as APPENDIX 1. The Policy is intended to serve as guide to Council, staff and cannabis retailers as to how the City will evaluate Provincial cannabis retail licence referrals, as well as to outline the procedures involved in related Business Licensing applications to the City.

### BACKGROUND

In March 2018 Council reviewed a staff report outlining options for the City to regulate retail stores intending to sell legal, non-medicinal cannabis. With that report, and after significant public consultation, Council appeared to be comfortable with the "moderately regulated approach" option recommended by staff. With that option, a cannabis retail store is considered to be the same land use as any other store selling retail items; a land use permitted in most commercial zones of the City. No specialized zoning regulations, new zones, or zoning bylaw amendments are necessary with this option.

With the moderate option some on Council expressed a desire to have limitations and control on the precise locations and number of cannabis retail stores in Salmon Arm. The March, 13 2018 staff report described several scenarios involving minimum distances of stores from schools, daycares and from other cannabis retail stores. The desire for limitations also surfaced during the public input and open house process; although, almost equally, there were suggestions for a wide-open cannabis retail market with minimal municipal barriers.

The above has coincided with the Provincial government's introduction of the draft *Cannabis Control and Licensing Act*, and with the Federal government's proposed *Cannabis Act* anticipated for passage in October 2018. The Provincial government's delegated role as the primary regulatory and licensing body for cannabis retail stores has been confirmed by the Federal government. In turn, the Province through its Liquor and Cannabis Regulation Branch (LCRB) has granted authority to local governments to regulate and licence cannabis retail stores, even to the extent of banning them outright.



The new Provincial regulations and licensing scheme provide the City with significant control and latitude in its review of Provincial applications. The latest Provincial bulletin “Local Government’s Role in Licensing Non-Medical Cannabis” is attached as APPENDIX 2. The proposed City Policy is intended to merge with the Provincial application referral process by addressing the procedures involved for a City business licence application related to a Provincial referral, including steps for application review, staff involvement, public notification, public input and the garnering of a Council resolution.

The process is somewhat similar to the handling a Provincial liquor licence referral, except for that the onus will be on the City to undertake a public notification and input process. The staff time and notification requirements involved with processing a Provincial application will therefore involve a fee for service which is alluded to in the Policy and discussed further in this report.

### PUBLIC INPUT

On April 16, 2018 a well attended open house was held at the Prestige Inn to garner public opinion on the matter of cannabis retail sales in the City. Staff presented the March 13, 2018 report to those in attendance. The report and a survey were made available on the City’s website over a month long period, and a number of agencies and organizations were asked to provide feedback. Staff believes the Policy is balanced and reasonably consistent with what the majority of those who responded would desire. The minutes from the open house, survey results and input received are attached as APPENDIX 3.

### LOCATION CRITERIA

The Policy provides basic expectations with respect to location criteria. The commercial land use designations of the Official Community Plan – those being the “City Centre” and Highway Service Commercial” areas - are used as a basis for the two maps attached to the Policy. Of note, cannabis retail stores are not encouraged on commercial designated properties east of the core commercial area. The reason being is the majority of that land is situated within 500 m of a school, which is a proximity that Council and the public seem comfortable with.

Assuming Council wishes to limit the number of cannabis retail stores in the City Centre, the Policy suggests no more than four (4) stores should be located within the core commercial area delineated on Map 1A. With the Policy being flexible, however, Council may approve more or less than four stores at its discretion. It is not recommended that a minimum distance between stores criterion be included in the Policy for a number of reasons. The main one being that practical locations and buildings suitable for cannabis retail sales could be deemed unattainable for no other reason than an arbitrary measurement.

The Policy refers to the small commercial node at 50 Street / Canoe Beach Drive NE as being a potentially suitable area in Canoe for a cannabis retail store. Neighbourhood commercial zoning (C-1) and the CD-16 zone (property of The Hive) would allow this use, subject to Council’s endorsement of a Provincial application.

Mixed-use buildings containing upper floor dwellings units may or may not be compatible with a cannabis retail store occupying the same building. The Policy’s location criterion recommends that a cannabis retail store should not be located in a building containing dwelling units. Odor from unpackaged cannabis product may or may not infiltrate building walls and air circulation systems. Staff has not received odor complaints from tenants occupying units adjacent to the cannabis retail businesses presently operating in the City. The cannabis packaging required by the LCRB is expected to be sufficient in mitigating odor migration. The Policy does not contemplate the City’s inspection services taking on the duty of inspecting premises for odor prevention and mitigation measures.

Store operations and layout, marketing features, product lines, and consumer restrictions are some of the aspects of a cannabis retail business that should be regulated, monitored and enforced by the Provincial licensing inspectors, similar to liquor stores. City inspectors from the Building and Fire Departments will continue, through the City’s Business Licence process, to inspect premises for adherence to BC Building and Fire Codes.




BUSINESS LICENSING FEES

The application required by the City for a cannabis retail store is proposed to be for a Business Licence (BL). Normally for a retail store, the BL fee ranges from \$200 - \$400 annually depending on floor area. The Fee for Service Bylaw amendment proposed in the Motion for Consideration is to add a non-refundable surcharge of \$1,000 which would cover the newspaper ad cost for public notification along with a portion of the staff time involved in processing the application.

TIMING

It appears the LCRB is ready to start referring Provincial cannabis retail store applications to local governments for recommendations. It is assumed the LCRB will hold off its final approvals of the Provincial applications until after Royal Assent is granted to Federal *Cannabis Act*. If the City has its Policy adopted sooner rather than later, it will be well positioned to handle the Provincial referrals and related BL applications. The proposed Policy may be adopted at a single Council meeting.

  
Kevin Pearson, MCIP, RPP  
Director of Development Services





CITY OF SALMON ARM

POLICY NO. 3.20

A) TOPIC: Cannabis Retail Stores – Policy and Application Procedures

B) GENERAL:

1. The City of Salmon Arm recognizes the retail sale of cannabis as being a permissive activity and land use subject to:
  - a) Adherence to Federal and Provincial laws and regulations;
  - b) Provincial licencing approval;
  - c) Adherence to City bylaws and regulations; and
  - d) City business licencing approval.
2. The City's Zoning Bylaw permits the retail sale of goods including cannabis in various commercial zones; however, despite the zoning of a property, the location of a cannabis retail store must be approved by a City Council resolution and Provincial approval.
3. City Council will, at its discretion, consider a recommendation of approval or not of a retail store intending to sell cannabis during its formal review of a cannabis retail licence application referred to the City by the Province of British Columbia.
4. During its review of a Provincial application, City Council may or may not consider the location preference criteria of this policy.
5. This policy is intended to serve merely as guidelines and does not bind Council in its decision making process.
6. Application review procedures for cannabis retail stores are outlined in Section E) of this policy.
7. The City deems the Federal and Provincial governments as being responsible for the monitoring and enforcement of its laws and regulations pertaining to cannabis retail sales.

C) ZONING BYLAW:

The City of Salmon Arm's Zoning Bylaw No. 2303 allows cannabis retail sales under the defined uses *retail store* and *convenience store* as permitted in the following zones:

C-1 Neighbourhood Commercial  
C-2 Town Centre Commercial Zone  
C-3 Service Commercial Zone  
C-6 Tourist/Recreation Commercial Zone  
C-7 Shopping Centre Commercial Zone  
CD-8 Comprehensive Development Zone (*Wal-Mart Smart REIT Site*)  
CD-9 Comprehensive Development Zone (*Askew's Uptown and S.A.S.C.U. Site*)  
CD-16 Comprehensive Development Zone (*The Hive*)

D) LOCATION PREFERENCE CRITERIA:

- The site and location of a cannabis retail store shall be zoned correctly and in accordance with the City's Zoning Bylaw.



- Cannabis retail stores should be located within the boundary of the "Commercial Area" shown on Map 1 attached to this policy.
- No more than four (4) cannabis retail stores should be located within the "Core Commercial Area" shown on Map 1-A.
- The existing commercial area of Canoe in the vicinity of the 50 Street and Canoe Beach Drive NE intersection may be deemed as being appropriate for a cannabis retail store, subject to correct commercial zoning.
- Cannabis retail stores should be located beyond 500 m of a school (measurement determined by City staff).
- Cannabis retail stores should not be located within a building containing residential units.

#### E) CITY APPLICATION REVIEW PROCEDURES:

1. The City will prioritize the review of Provincial cannabis retail store applications in order of the date and time each referral is date stamped received and only after the Business Licence application fees are paid in full to the City.
2. The Business Licence application fees for a cannabis retail store are set out in the City's Fee for Service Bylaw. The fees include a non-refundable surcharge to cover public notification and application processing time.
3. City staff will review the application and provide a brief written report to Council on whether or not the proposed site and location meets the criteria of this policy.
4. City staff will schedule a Hearing on the application that is open for public input on the date of a Regular Council meeting. The applicant is expected to attend the Hearing in order to present the proposal and answer questions from Council and the public.
5. The particulars of the application proposal, the Hearing date, along with time and location of the Regular Council meeting will be advertised one-time in the weekly local newspaper. Notices of the Hearing and application proposal will be delivered to the applicant and to all persons who own, reside or operate a business on property within 30 m of the proposed cannabis retail site. Notices will be delivered at least 10 days prior to a scheduled Hearing.
6. The associated City staff report and public input received will be on the agenda of the Regular Council meeting when the Hearing date is scheduled.
7. City Council will render its recommendation on the Provincial application with a formal resolution after and likely on the same date as the Hearing.
8. Subsequent to the Council meeting, City staff will provide the Province with its recommendation (i.e. the Council resolution), the City staff report, written public input and a record of the input received at the Hearing on the application.
9. Prior to issuance of a Business Licence issuance, City staff from the Building and Fire Departments will inspect the premise to ascertain compliance with BC Building and Fire Codes. Furthermore, approval of the cannabis retail business by way of proof of Province licensing is a key condition for issuance of a City Business Licence.

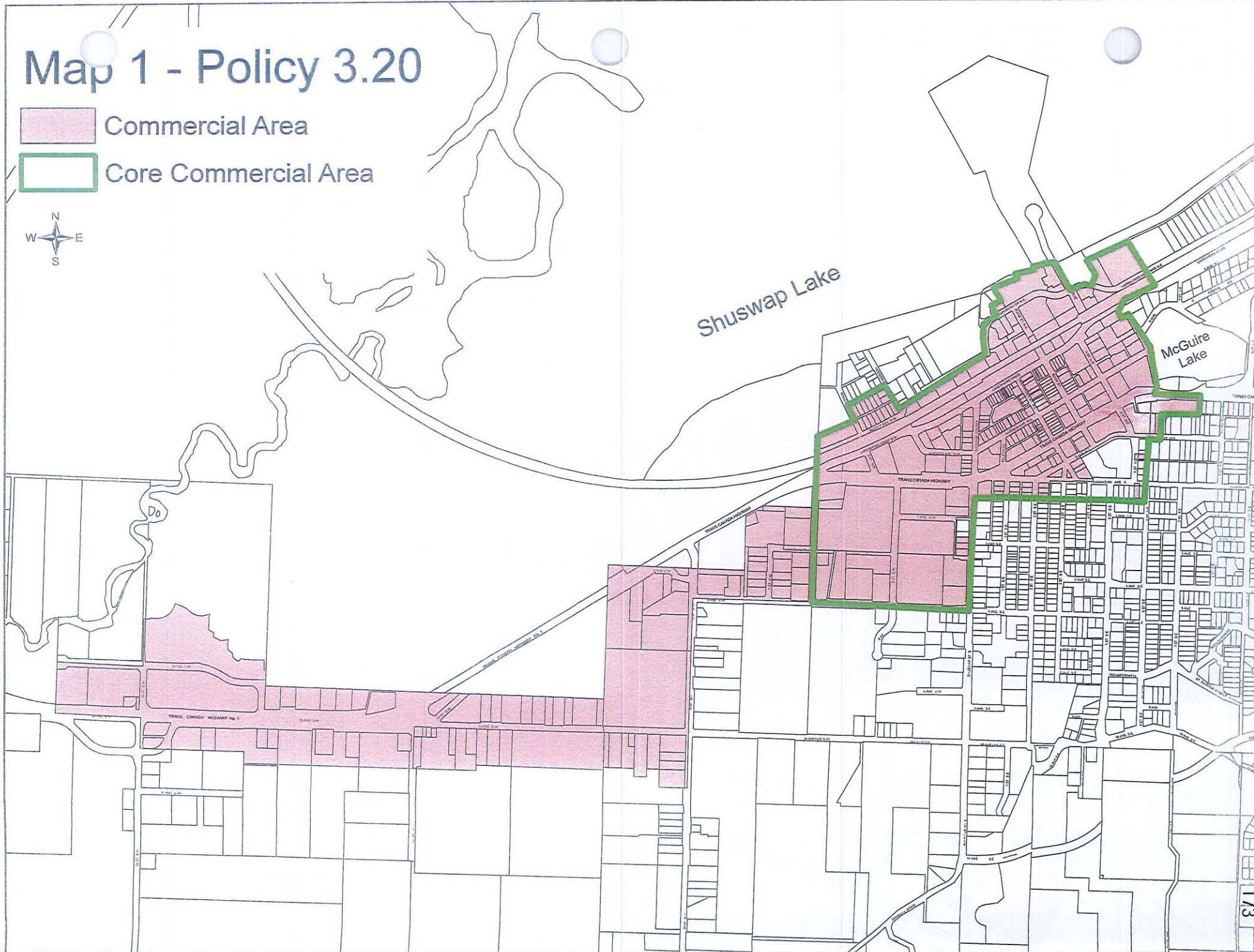
Policy 3.20

Adopted by Council this \_\_\_\_ day of \_\_\_\_\_, 2018.



# Map 1 - Policy 3.20

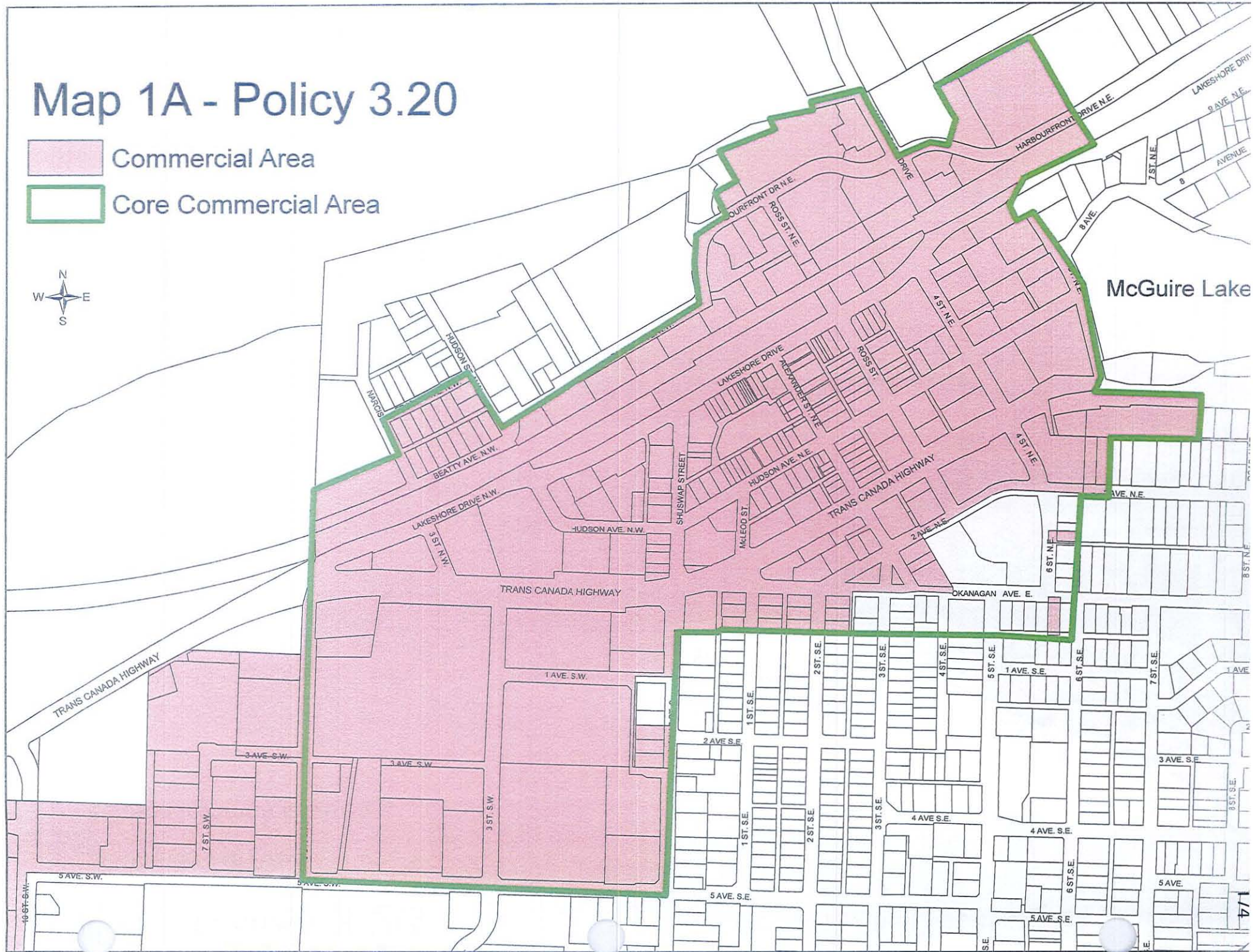
-  Commercial Area
-  Core Commercial Area





# Map 1A - Policy 3.20

-  Commercial Area
-  Core Commercial Area







## Non-Medical Cannabis Retail Licence

The Government of Canada has announced that non-medical cannabis will become legal on October 17<sup>th</sup>, 2018.

## Cannabis Licensing Application Portal

The Liquor and Cannabis Regulation Branch is now accepting applications for the private non-medical cannabis retail store licence.

Applicants must apply through the [cannabis licensing application portal](#).

The portal also contains application guidelines and an interactive tool to help potential applicants understand what they need to do to apply for a licence.

## Associate Forms

Forms for associates will be published on August 16, 2018.

## Further Information

For more information about the retail of non-medical cannabis in B.C. that is not contained within the online application portal, please review our [Frequently Asked Questions](#).

For more information about cannabis regulation in B.C. including wholesale distribution, personal public possession limits, places of use, personal cultivation, drug-impaired driving and more, visit the Ministry of Public Safety and Solicitor General's cannabis regulation in B.C. [web page](#).

## Information for Local Governments and Indigenous Nations

The below guides are intended to help local governments and Indigenous nations understand their role in the cannabis retail store licence application process. Please note that these guides may be updated from time to time.

[Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores](#) *(attached)*

[Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores](#)



## **Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores**

If you have any questions about this document, please contact the Liquor and Cannabis Regulation Branch toll-free at 1-866 209-2111, or email [cannabisregs@gov.bc.ca](mailto:cannabisregs@gov.bc.ca). NOTE: This document will be updated from time to time as additional information surrounding the regulatory framework for cannabis retail sales becomes available.

### **Branch name change**

The Liquor Control and Licensing Branch has been renamed to the Liquor and Cannabis Regulation Branch (LCRB) to represent its new additional responsibility of licensing and monitoring the retail sale of non-medical cannabis in British Columbia.

### **Non-medical cannabis retail licence**

The province will be issuing licences for non-medical cannabis retail stores. A cannabis retail store must be a standalone business. This licence requires input and a positive recommendation from a local government in whose area the proposed store is located.

The province recognizes the importance of ensuring carefully regulated access to non-medical cannabis in all areas of the province, including rural areas.

As a first step, the province will open opportunities to apply for regular retail licences. Once the regional distribution of retail non-medical cannabis stores is known, the province will consider issuing licences to service rural or remote areas that are not sufficiently served by existing retail cannabis stores.

### **The role of local governments in the cannabis retail store licensing process**

Applicants for a non-medical cannabis retail store licence must submit a licence application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the LCRB cannot issue a licence unless the local government gives the LCRB a positive recommendation that the licence be issue)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence. Note that:
  - if the local government chooses to make a comments and recommendation on the licensee's application to the LCRB, it must gather the views of residents



- if it makes a recommendation to deny the application then the LCRB may not issue the licence
- If it makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government's recommendation.

Local Governments (municipalities, regional districts or Islands Trust local trust committees) have some or all of the following regulatory powers in respect of cannabis retail store licences:

- Impose restrictions in its zoning bylaws regarding the location of cannabis retail stores
- Regulation of business (municipalities only): by terms and conditions in its business licensing bylaw, a municipality may limit the hours that cannabis retail stores can operate or impose other conditions such specifications regarding signage
- Charge the applicant fees if choosing to assess an application.

The above process applies to all relocations of existing cannabis retail stores.

## **Gathering residents' views**

If the local government decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. It may gather resident's views by using one or more of the following methods:

- Receiving written comment in response to a public notice of the application
- Conducting a public hearing in respect of the application
- Holding a referendum, or
- Using another method the local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where resident's views must be gathered.

Please note: Gathering the views of residents of the area/providing a recommendation to the LCRB must be unique to each provincial licence application. In other words, past recommendations cannot be used in a new licensing process. Each individual application must be considered separately by the local government.

## **What must the local government's recommendation include?**

The recommendations and comments the local government provides to the LCRB must:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments.



## **What if the local government does not want to provide a recommendation?**

If a local government does not want to accept the notice of application and provide a recommendation for the proposed retail location, they should notify the LCRB. A licence for a cannabis retail store will not be issued without a positive recommendation from a local government. If a response is not received, LCRB will not consider the application any further.

## **What if the recommendation does not meet the regulatory requirements?**

If the recommendation does not meet the regulatory requirements, the LCRB will ask the local government to provide new or amended comments that address outstanding issues.

## **How long does the local government have to provide comments?**

Unlike in the process for liquor licensing, local governments are not required to provide a recommendation on a cannabis retail store application within a specific time period. Please note that delays in the application process can have a significant impact on the applicant. If the applicant is the reason for the delay, please notify the LCRB. If the applicant is not trying to move an application forward, the application can be cancelled.

## **Can the local government recommend approval subject to certain conditions?**

In some circumstances, the local government can recommend that the LCRB approve the application as long as certain restrictions (e.g. hours of operation) are placed on the licence. In these situations, the recommendation should clearly explain the rationale for placing restrictions.

If the local government intends to request that the LCRB impose terms and conditions on a licence, prior to sending such a recommendation the local government should consult with the LCRB so that the LCRB can determine whether it has the authority to impose the requested terms and conditions before finalizing their conditional recommendation.

The local government may also have the ability to impose other operating rules on the proposed store through the terms and conditions of the applicant's business licence, zoning or bylaw. The local government is responsible for enforcing these rules.

## **Floor Plans**

Applicants must submit a floor plan with their licence application for approval so the LCRB can identify store features such as sales, storage and delivery areas. Unlike for some kinds of liquor licence applications, local governments are not required to provide occupant load stamps or approve the applicant's floor plans as part of the provincial licensing process for cannabis retail stores.



## **A municipal council or regional district board can delegate authority to their staff to provide comments and a recommendation to the LCRB**

A municipal council or regional district board may delegate its powers and duties to provide comments and a recommendation to the LCRB regarding a cannabis retail store licence application. If a council or board has delegated this authority, a cannabis retail store applicant may ask for comments and recommendations made by delegated staff to be reconsidered by the local government.

### **Council as defined in the Vancouver Charter:**

A Council, as defined in the Vancouver Charter, choosing to delegate to its staff must establish procedures for a reconsideration of comments and recommendations made by delegated staff, including how a cannabis retail store applicant may apply for reconsideration. In undertaking a reconsideration, the Council will have the same authority as it delegated to staff.

### **Right of reconsideration:**

Delegated local government staff must advise the cannabis retail store licence applicant that the applicant has the right of reconsideration of the staff's recommendation by the council or board.

### **How local governments inform the LCRB of delegation:**

A local government that has delegated authority to staff should send a copy of the delegation to the LCRB at [cannabisregs@gov.bc.ca](mailto:cannabisregs@gov.bc.ca).



## SPECIAL COUNCIL

Minutes of a Special Meeting of Council of the City of Salmon Arm held in the Balmoral Salon at the Prestige Harbourfront Resort., 251 Harbourfront Drive NE, Salmon Arm, British Columbia, on Monday, April 16, 2018.

### PRESENT:

Mayor N. Cooper  
Councillor L. Wallace Richmond  
Councillor A. Harrison  
Councillor C. Eliason  
Councillor K. Flynn  
Councillor A. Harrison  
Councillor K. Jamieson

Chief Administrative Officer C. Bannister  
Corporate Officer E. Jackson  
Director of Engineering & Public Works R. Niewenhuizen  
Director of Development Services K. Pearson

### ABSENT:

#### 1. CALL TO ORDER

Mayor Cooper called the meeting to order at 7:03 p.m.

#### 2. STAFF REPORTS

##### 1. Director of Development Services – Regulating Cannabis Retail Sales

Received for information.

#### 3. PUBLIC INPUT

C. Beadle, EDEN, 7101 – 51 Street NE, Canoe – suggested the moderately regulated option outlined in the staff report and would like a minimum distance between dispensaries. He would also suggest public consumption lounges in Salmon Arm.

S. Smith, Salmon Arm – stated that retail sale of cannabis should not be permitted in the City of Salmon Arm.

B. Neidergard, #19, 141 – 10 Avenue SE, Salmon Arm – shared concerns about the inability to smoke in public and advised that retail dispensaries not be located near schools but should be permitted near seniors centres.



M. Poulton, 1708 Dolphin Avenue, Kelowna – suggested that the retail dispensaries be allowed within the City in standardized retail outlets and should be 500 m from schools and other sensitive areas. He recommended that a policy be in place for variances between locations and that licenses be issued to dispensaries by way of lottery or on a first come first serve basis based on character of the applicant and no criminal background.

C. McMillan, 2592 Alpen Paradies Road, Blind Bay – stated that it is important to have a distance of 250 m to 500 m between dispensaries and schools and that there should not be any distance requirements between dispensaries to give customers a choice. He has in excess of 800 signatures on a petition in support of retail outlets for cannabis.

D. Dunlop, 6500 15 Avenue SW, Salmon Arm – outlined her concerns that dispensaries not be located near an area where addiction services are being offered.

S. McCallum, 220 – 23 Street NE, Salmon Arm – stated that there shouldn't be a requirement for minimum distances between dispensaries and that the market will dictate how many outlets there are in the City. Retail outlets should be 500 m from schools and any addiction services. He inquired about where cannabis could be smoked.

A. Pugh, 2271 – 8 Avenue SE, Salmon Arm – stated that retail outlets should be 500 m from schools and that dispensaries should be allowed in commercial zones and that the City should support local businesses instead of chain/franchise stores.

R. Ganert, 3580 – 8 Avenue SE, Salmon Arm – stated that retail sale of cannabis should not be permitted in the City of Salmon Arm. He would like to see a Referendum and questionnaire to the taxpayers. He expressed concerns as to how much the sale of cannabis in the City will cost the taxpayers.

Q. Foreman, 1671 – 30 Street NE, Salmon Arm – stated that cannabis dispensaries should be allowed in Salmon Arm in commercial zones located 250 m apart and 500 m from sensitive areas, taking into account access and transportation. He said that businesses should be local.

K. Babcock, 3251 30 Street NE, Salmon Arm – spoke regarding proximity concerns.

J. Ohm, Vernon – stated that he is a business owner located in a building with dispensaries and has experienced no negative issues and feels that there should not be a minimum distance requirement between dispensary locations. He suggested a committee be established to evaluate the stores and feels that restricting retail stores could increase illegal sales.

J. Grieve, 1141 20 Avenue SE, Salmon Arm – stated that retail dispensaries should be permitted in Salmon Arm with no restriction as to location.

C. McCoshen, 1451 – 1 Avenue NE, Salmon Arm – believes that retail dispensaries should be permitted in Salmon Arm under the moderately regulated approach. Also, dispensaries should be 1000 m distance from schools, daycares and addiction centres.

D. Allard, 2190 6 Avenue NE, Salmon Arm – stated that retail dispensaries should be permitted in Salmon Arm in commercial zones with no minimum distance between outlets. He stated that retail dispensaries should be 100 m from schools and daycares. He feels that the City should take a position on illegally operated dispensaries.



G. Simms, 1788 Salmon River Road, Salmon Arm - stated that dispensaries should be permitted in Salmon Arm with a distance between retail stores of 300 m and that the sale of cannabis be restricted as to the proximity to schools.

D. Shields, 551 Trans Canada Highway NE, Salmon Arm - stated that dispensaries should be allowed in Salmon Arm in commercial zones with no restrictions on distances between stores and no restrictions as to proximity to schools, daycares and/or residential areas.

#### 4. ADJOURNMENT

0167-2018

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: the Special Council Meeting of April 16, 2018, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:43 p.m.

CERTIFIED CORRECT:

"E. JACKSON"  
CORPORATE OFFICER

Adopted by Council the 23 day of April, 2018.

"N. COOPER"  
MAYOR



## Summary of submissions to the City of Salmon Arm's website from 4/1/2018 - 5/1/2018

### **Should the retail sale of cannabis be permitted in the City of Salmon Arm?**

65 of 65 Answered (100.0%)

No (10 responses, 15.4%)

Yes (55 responses, 84.6%)

### **If yes to question above, where in the City should retail cannabis stores be allowed?**

50 of 65 Answered (76.9%) See results at end as this was long answer.

### **Should there be a minimum distance from cannabis retail stores and the following:**

49 of 65 Answered (75.4%)

Daycares (39 responses, 60.0%)

Health Centres (17 responses, 26.2%)

Liquor Stores (7 responses, 10.8%)

Other cannabis retail stores (13 responses, 20.0%)

Residential Units/Properties (19 responses, 29.2%)

Schools (44 responses, 67.7%)

### **What should the distance be from other cannabis retail stores?**

54 of 65 Answered (83.1%)

1000m - 1500m (2 responses, 3.1%)

100m - 250m (7 responses, 10.8%)

250m - 500m (9 responses, 13.8%)

500m - 750m (9 responses, 13.8%)

50m - 100m (21 responses, 32.3%)

750m - 1000m (2 responses, 3.1%)

Greater than 1500m (4 responses, 6.2%)

### **What should the distance be from schools?**

60 of 65 Answered (92.3%)

1000m - 1500m (6 responses, 9.2%)



100m - 250m (5 responses, 7.7%)  
 250m - 500m (5 responses, 7.7%)  
 500m - 750m (11 responses, 16.9%)  
 50m - 100m (11 responses, 16.9%)  
 750m - 1000m (6 responses, 9.2%)  
 Greater than 1500m (16 responses, 24.6%)

### **What should the distance be from liquor stores?**

45 of 65 Answered (69.2%)

1000m - 1500m (4 responses, 6.2%)  
 100m - 250m (2 responses, 3.1%)  
 250m - 500m (3 responses, 4.6%)  
 500m - 750m (2 responses, 3.1%)  
 50m - 100m (30 responses, 46.2%)  
 750m - 1000m (2 responses, 3.1%)  
 Greater than 1500m (2 responses, 3.1%)

### **What should the distance be from health centres?**

51 of 65 Answered (78.5%)

1000m - 1500m (3 responses, 4.6%)  
 100m - 250m (4 responses, 6.2%)  
 250m - 500m (4 responses, 6.2%)  
 500m - 750m (5 responses, 7.7%)  
 50m - 100m (23 responses, 35.4%)  
 750m - 1000m (3 responses, 4.6%)  
 Greater than 1500m (9 responses, 13.8%)

### **What should the distance be from residential units/properties?**

52 of 65 Answered (80.0%)

1000m - 1500m (3 responses, 4.6%)  
 100m - 250m (2 responses, 3.1%)  
 250m - 500m (6 responses, 9.2%)  
 500m - 750m (5 responses, 7.7%)  
 50m - 100m (23 responses, 35.4%)  
 750m - 1000m (2 responses, 3.1%)  
 Greater than 1500m (11 responses, 16.9%)

### **What should the distance be from daycares?**

57 of 65 Answered (87.7%)



1000m - 1500m (6 responses, 9.2%)  
 100m - 250m (4 responses, 6.2%)  
 250m - 500m (4 responses, 6.2%)  
 500m - 750m (12 responses, 18.5%)  
 50m - 100m (10 responses, 15.4%)  
 750m - 1000m (5 responses, 7.7%)  
 Greater than 1500m (16 responses, 24.6%)

### **where in the City should retail cannabis stores be allowed?**

Long Answer

50 of 65 Answered (76.9%)

- 150 meters from schools, playgrounds , and places children frequent.
- Anywhere
- Anywhere away from schools and daycares
- Anywhere other retail stores are.
- In the C Zone
- Industrial park area
- industrial park. Not close to kids. There are already a "fog forest" by Jackson where kids smoke weed and vape.
- Not close to schools, parks, daycares, or any other area where there would be a large population of children.
- out by the scrap yard - gp
- Where they are
- Any commercial building but well ventilated!
- Anywhere
- Anywhere
- Anywhere away from school
- Anywhere except near Middle/ high schools
- I believe the same laws that apply to alcohol and liquor stores should be the same for cannabis.
- Not close to schools, parks, daycares, or any other area where there would be a large population of children.
- Should run under the same parameters as alcohol
- These stores should be a minimum distance of 500 metres from a public park, so that people are not encouraged to go smoke in a park beside the playground.
- Well populated area. Will be less likely to have break-ins.
- Anywhere as it should be easy for all to access as it is medicine for lots
- Anywhere except near Middle/ high schools
- not near schools and not downtown.
- on private land
- Regular retail areas



- Retail areas
- Retail cannabis stores should be allowed wherever it is zoned for commercial use. There should be no restrictions on distances to other cannabis retail stores or to schools and community organizations. There is very little evidence to suggest that these re
- Should run under the same parameters as alcohol
- The three commercial zones noted in the report.
- These stores should be a minimum distance of 500 metres from a public park, so that people are not encouraged to go smoke in a park beside the playground.
  
- Any where retail stores are allowed. Cannabis shouldn't be treated any different then liquor stores
- anywhere as long as they aren't near schools
- Away from public areas such as parks, retail businesses (malls as well as downtown areas) and obviously away from schools and play grounds. The number of outlets should be limktd to no more than 3, giving the size of our city area and population.
- Everywhere
- industrial park. Not close to kids. There are is already a "fog forest" by Jackson where kids smoke weed and vape.
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- Well populated area. Will be less likely to have break-ins.
  
- Any where retail stores are allowed. Cannabis shouldn't be treated any different then liquor stores
- Anywhere
- anywhere as long as they aren't near schools
- Away from public areas such as parks, retail businesses (malls as well as downtown areas) and obviously away from schools and play grounds. The number of outlets should be limktd to no more than 3, giving the size of our city area and population.
- Everywhere
- on private land
- Retail areas
- Safe locations (well lit, easy to access, no back alleys, etc) but far away from locations where children are commonly present. Far from residential areas or parks/trails to discourage use on public property.
- Where they are now is fine.
- With in city limits only



May 8, 2018

City of Salmon Arm  
PO Box 40  
Salmon Arm BC  
V1E 4N2

Attention: Kevin Pearson  
Director of Development Services

Dear Sir:

**Re: Request for Input – Regulating Cannabis Retail Sales**

At the May 8<sup>th</sup> Board meeting of The Salmon Arm Economic Development Society (SAEDS), the Board of Directors reviewed available information related to Bill C-45, *The Cannabis Act* and passed the following motion regarding City of Salmon Arm regulations:

*“with regard to cannabis retail sales, the SAEDS board supports the moderately regulated approach that has been proposed by the City. Further, as an organization that supports private enterprise, the Board believes the market should be allowed to dictate the number and location of retail outlets, with no cap on total number. Notwithstanding, the SAEDS board respects and supports the establishment of exclusion zones for retail cannabis sales, based on proximity to vulnerable segments of the population, with the understanding that more discussion to clarify the definition of “vulnerable” is necessary, moving forward.” – All in favour, approved.*

We thank you for the opportunity to comment on regulating cannabis retail sales in Salmon Arm.

Sincerely,



William Laird, Chairperson

Salmon Arm Economic Development Society

PO Box 130  
20 Hudson Avenue NE  
Salmon Arm, BC V1E 4N2

Tel: 250 833.0606  
Fax: 250 833.0609  
www.saeds.ca

it's happening  
**here**



# downtown SALMON ARM

Kevin Pearson  
Director of Development Services  
City of Salmon Arm  
PO Box 40, Salmon Arm BC V1E 4N2

April 26, 2018

Dear Kevin

RE: Cannabis Regulations

In response to your request as outlined in an email, April 4, 2018,

*This is an opportunity for your organization to respond to potential municipal regulations and policies regarding the legalization of cannabis retail sales in Salmon Arm. A background report on where things are presently at and various options for City Council is attached, along with a public notice for a meeting on the topic scheduled for April 16<sup>th</sup>. Council has endorsed (in principal only) Option 2 mentioned in the staff report at this time. I will be accepting written responses to the end of this month.*

The Salmon Arm Downtown Improvement Association Board of Directors has provided responses to the following questions. Our responses are highlighted in RED.

- 1) Should the retail sales of cannabis be permitted in the City of Salmon Arm? **YES**
- 2) If yes to question 1) where in the City should retail stores be allowed if the use is permitted in commercial zones? **Anywhere in commercial zones, C2 or C3**
- 3) if yes to question 1), should there be a minimum distance between cannabis retail stores? **NO**
- 4) if yes to question 1), should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **YES, and mental health organizations**
- 5) If yes to questions 3) and 4), what should those distances be? **Same as liquor stores, anywhere from 250m – 1000m**

Other question we pondered:

- 6) Should we cap the number of stores within a geographical boundary (ie. Downtown Salmon Arm)? **NO, laws of supply and demand will prevail**

We thank you for the opportunity to provide feedback.

Respectfully

Lindsay Wong

Manager

DOWNTOWN SALMON ARM  
250 SHUSWAP STREET NE, PO BOX 1928  
SALMON ARM, BRITISH COLUMBIA V1E 4P9



**Denise Ackerman**

---

**From:** Kevin Pearson  
**Sent:** May-01-18 8:48 AM  
**To:** Denise Ackerman  
**Subject:** FW: Chamber Survey Results - Cannabis Retail Sales  
**Attachments:** Chamber Survey - Cannabis Retail Sales - Individual Responses Apr 2018.pdf; Chamber Survey - Cannabis Retail Sales Summary - Apr 2018.pdf

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**From:** Corryn Grayston [<mailto:admin@sachamber.bc.ca>]  
**Sent:** April 30, 2018 9:56 AM  
**To:** Kevin Pearson  
**Cc:** 'Harris, Fiona' ([Fiona.Harris@interiorhealth.ca](mailto:Fiona.Harris@interiorhealth.ca)); Sunrise Business Development  
**Subject:** Chamber Survey Results - Cannabis Retail Sales

Hi Kevin,

As requested earlier, please find attached the results of our membership survey on Cannabis Retail Sales.

We had 38 respondents in total and I've attached 2 .pdf documents (one which shows the yes / no responses and the second reflects the written responses from all 38 surveys). If you need clarification on any of this please don't hesitate to give me a call.

Thanks very much for asking us to collect data and share back to the City – we appreciate being able to assist in this important issue.

Corryn.

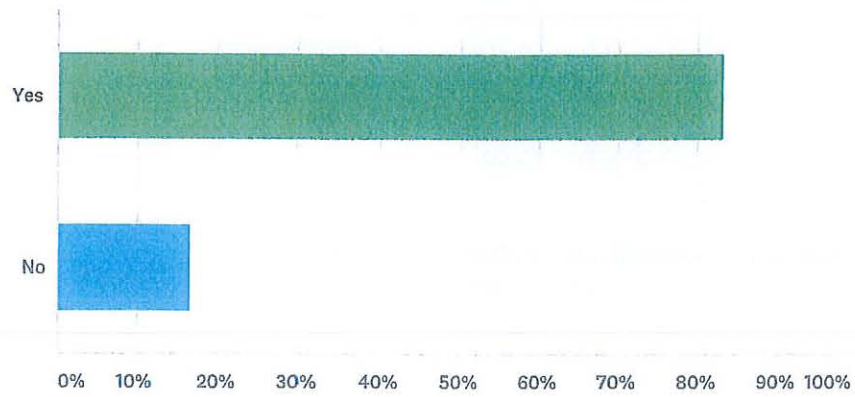
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Corryn Grayston  
General Manager  
Salmon Arm Chamber of Commerce  
(250) 832-6247  
[admin@sachamber.bc.ca](mailto:admin@sachamber.bc.ca)  
[www.sachamber.bc.ca](http://www.sachamber.bc.ca)



# Q1 Should the retail sale of cannabis be permitted in the City of Salmon Arm?

Answered: 36 Skipped: 2



## ANSWER CHOICES

## RESPONSES

Yes	83.33%	30
No	16.67%	6
Total Respondents: 36		



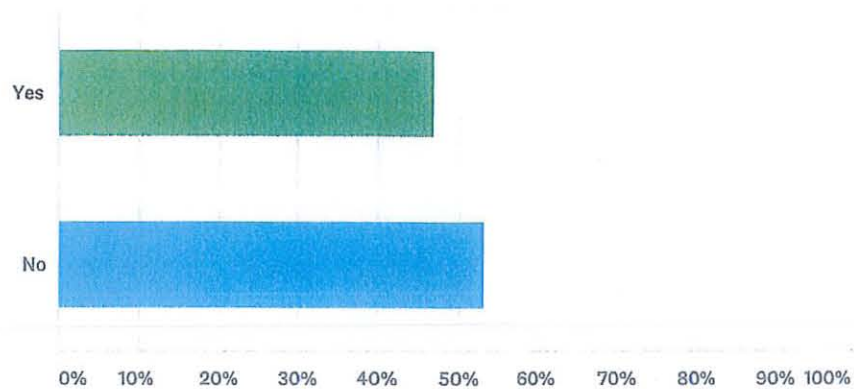
Q2 If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Answered: 33 Skipped: 6



### Q3 If yes to question #1 should there be a minimum distance between cannabis retail stores?

Answered: 32 Skipped: 6

**ANSWER CHOICES**

Yes

No

Total Respondents: 32

**RESPONSES**

46.88%

53.13%

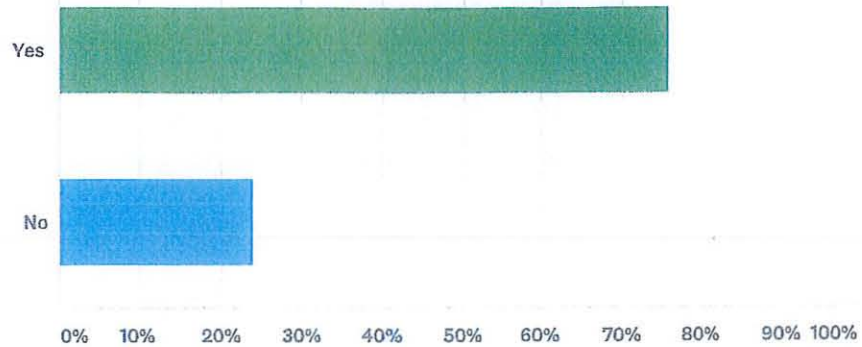
15

17



Q4 If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

Answered: 29 Skipped: 9



ANSWER CHOICES

RESPONSES

Yes	75.86%	22
No	24.14%	7

Total Respondents: 29



Q5 If yes to questions #3 and #4 what should those distances be?

Answered: 20 Skipped: 18



## Q6 Additional Feedback or Comments?

Answered: 20   Skipped: 18



#1



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:14:54 AM  
**Last Modified:** Tuesday, April 17, 2018 10:16:01 AM  
**Time Spent:** 00:01:06  
**IP Address:** 24.71.42.162

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Anywhere

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **No**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#2

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:15:52 AM  
**Last Modified:** Tuesday, April 17, 2018 10:18:11 AM  
**Time Spent:** 00:02:18  
**IP Address:** 24.67.56.20

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

anywhere

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

250m

**Q6** Additional Feedback or Comments?

It is coming our way no matter what. Keep it away from schools. The free market will sort out which stores will survive.



#3

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:13:17 AM  
**Last Modified:** Tuesday, April 17, 2018 10:19:06 AM  
**Time Spent:** 00:05:48  
**IP Address:** 204.239.148.2

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Should only be permitted in commercial zones. Also number of cannabis outlets in Salmon Arm should be restricted to four outlets.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

minimum of 1 kilometre between stores

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

minimum of 1 kilometre between cannabis outlet and schools or daycares and residential units

**Q5** If yes to questions #3 and #4 what should those distances be?

minimum of 1 kilometre

**Q6** Additional Feedback or Comments?

Should be a restriction on the number of cannabis retail outlets in Salmon Arm. Should be restricted to four outlets.



#4



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:18:05 AM  
**Last Modified:** Tuesday, April 17, 2018 10:32:21 AM  
**Time Spent:** 00:14:15  
**IP Address:** 50.98.170.173

#### Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Any where Alcohol is sold should be fine

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

Same rules to where Alcohol is sold should apply

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

As before, you can't have a pub right beside a School so why a Cannabis retail store. Grow op is a different matter, it might be a good way to raise money for the PAC. Small operation, have the students do the cultivation, marketing and sales. Out door learning and Business training all in one subject.

**Q5** If yes to questions #3 and #4 what should those distances be?

Same as Pubs and Alcohol retail outlets

**Q6** Additional Feedback or Comments?

Respondent skipped this question



#5

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:20:51 AM  
**Last Modified:** Tuesday, April 17, 2018 10:36:22 AM  
**Time Spent:** 00:15:31  
**IP Address:** 24.67.48.170

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

away from schools, care centres/drop in for vulnerable people, care homes,

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**No,**

Other (please specify):

most stores will not want to be close together anyways.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

3 km

**Q6** Additional Feedback or Comments?

Respondent skipped this question



#6



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:33:35 AM  
**Last Modified:** Tuesday, April 17, 2018 10:36:40 AM  
**Time Spent:** 00:03:04  
**IP Address:** 24.71.34.173

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

At government liquer stores only

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **No**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments?

Cannabis should follow all the laws of alcohol and gambling. No possession under 19 years of age.



#7

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:36:59 AM  
**Last Modified:** Tuesday, April 17, 2018 10:44:36 AM  
**Time Spent:** 00:07:36  
**IP Address:** 24.67.46.254

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

It is a commercial venture therefore in designated commercial spaces. If a liquor store is allowed in the location then a cannabis retail store should be allowed in the location.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**No,**

Other (please specify):

I do feel they should not be side by side. but a block or 2 difference would be good.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

Other (please specify):

If according to bylaws - a liquor store is allowed to be in the space then I do not see a difference in a cannabis retail store being allowed.

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**

**Q6** Additional Feedback or Comments?

I read the proposed not allowing cannabis retail store on the highway commercial east of town. How does this area differ to the area west of town? If a liquor store is allowed - then what is the difference?



#8

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:39:23 AM  
**Last Modified:** Tuesday, April 17, 2018 10:52:45 AM  
**Time Spent:** 00:13:22  
**IP Address:** 207.194.50.2

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

commercial zones as long as there are no sensitive (rehab) facilities nearby

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

1000 meters min.

**Q6** Additional Feedback or Comments?

If a cannabis store is choosing to open near a school I would seriously question who it is they are targeting and what their intentions are. There are ample choices of where to open in commercial areas away from schools and or sensitive facilities such as a rehab center. There needs to be consultation with First Nation properties to be sure they are on the same side as the City. There is no point in forming policies and regulations if First Nations can circumvent those policies and regulations within our City boundaries. If there is a public safety issue then everyone needs to be aware of them and follow the same rules. They should not be able to open near Day Care and elementary schools. Stores currently selling illegally should not be automatically granted a permit.



#9

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:54:39 AM  
**Last Modified:** Tuesday, April 17, 2018 10:55:02 AM  
**Time Spent:** 00:00:22  
**IP Address:** 24.67.52.225

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **No**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones? **Respondent skipped this question**

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Respondent skipped this question**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Respondent skipped this question**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#10

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:57:53 AM  
**Last Modified:** Tuesday, April 17, 2018 10:59:12 AM  
**Time Spent:** 00:01:19  
**IP Address:** 50.98.170.33

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

c2 c3 c6 comprehensive development zones

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes,**  
 Other (please specify):  
 100 M

**Q5** If yes to questions #3 and #4 what should those distances be?

100 M

**Q6** Additional Feedback or Comments?

Have Council determine Cultivation and Processing zoning etc



#11

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:00:11 AM  
**Last Modified:** Tuesday, April 17, 2018 11:00:47 AM  
**Time Spent:** 00:00:35  
**IP Address:** 136.179.21.82

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **No**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones? **Respondent skipped this question**

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Respondent skipped this question**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Respondent skipped this question**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#12



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:01:35 AM  
**Last Modified:** Tuesday, April 17, 2018 11:06:02 AM  
**Time Spent:** 00:04:27  
**IP Address:** 99.199.187.171

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Similar to liquor stores. In the downtown core and other commercially zoned areas

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Yes**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

Not within a 5 block radius

**Q6** Additional Feedback or Comments?

I believe they should be viewed similar to liquor stores in terms of how many are in our community and where they are situated.



#13



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:07:34 AM  
**Last Modified:** Tuesday, April 17, 2018 11:24:53 AM  
**Time Spent:** 00:17:18  
**IP Address:** 66.171.103.40

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Allow the market to drive locations, however avoid "closed" indoor locations such as Centenoka or Picadilly malls. The 3 existing shops appear to be good examples of appropriate location type.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

While there may be some argument for some clustering, the potential to create a "cannabis strip" is not aligned with the existing Salmon Arm environment. The minimum distance between stores should not be onerous. Based on the recommendations provided by city staff, a minimum distance of 150m-250m seems acceptable. More than 250m would be excessive considering the relatively small geographic area zoned for commercial activity. Variances should be issued for existing cannabis retail shops should the new bylaw implement proximity distances that cause the existing shops to be in contravention of the bylaw.



**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

Yes to schools - with the suggested 500m looking reasonable. With respect to daycares and residential care units, the data provided in the staff report would indicate that setting a minimum distance in these cases is not practical. That said, perhaps a short distance of 50m to 100m might be workable. I don't feel it would be desirable for a cannabis shop to be sited adjacent to a daycare. Given the growing medical use of cannabis for a broad range of purposes, I would suggest that siting a shop adjacent to or within a residential care building would be acceptable.

**Q5** If yes to questions #3 and #4 what should those distances be?

See written comments on questions 3 & 4

While there may be some argument for some clustering, the potential to create a "cannabis strip" is not aligned with the existing Salmon Arm environment.

The minimum distance between stores should not be onerous. Based on the recommendations provided by city staff, a minimum distance of 150m-250m seems acceptable. More than 250m would be excessive considering the relatively small geographic area zoned for commercial activity.

Variances should be issued for existing cannabis retail shops should the new bylaw implement proximity distances that cause the existing shops to be in contravention of the bylaw.

Yes to schools - with the suggested 500m looking reasonable.

With respect to daycares and residential care units, the data provided in the staff report would indicate that setting a minimum distance in these cases is not practical. That said, perhaps a short distance of 50m to 100m might be workable.

I don't feel it would be desirable for a cannabis shop to be sited adjacent to a daycare.

Given the growing medical use of cannabis for a broad range of purposes, I would suggest that siting a shop adjacent to or within a residential care building would be acceptable.

**Q6** Additional Feedback or Comments?

Respondent skipped this question



#14

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:23:18 AM  
**Last Modified:** Tuesday, April 17, 2018 11:25:25 AM  
**Time Spent:** 00:02:06  
**IP Address:** 24.71.42.162

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Limited stores within Salmon Arm.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Yes**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

Same restrictions as liquor stores.

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#15



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:24:51 AM  
**Last Modified:** Tuesday, April 17, 2018 11:29:30 AM  
**Time Spent:** 00:04:39  
**IP Address:** 24.67.57.224

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Regular retail zones - not highway commercial. Town Centre, Neighbourhood, General retail

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **No**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#16

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 10:59:26 AM  
**Last Modified:** Tuesday, April 17, 2018 11:34:04 AM  
**Time Spent:** 00:34:38  
**IP Address:** 184.71.114.82

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

anywhere liquor sales are allowed.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

minimum requirements as liquor stores or even further from those places.

**Q5** If yes to questions #3 and #4 what should those distances be?

same as liquor store distances.

**Q6** Additional Feedback or Comments?

Since cannabis aroma is stronger and more offensive than tobacco smoke, I hope the city has more stringent laws and enforcement for where it can be smoked.



#17



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:38:20 AM  
**Last Modified:** Tuesday, April 17, 2018 11:44:17 AM  
**Time Spent:** 00:05:57  
**IP Address:** 198.96.178.33

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

anywhere liquor stores are.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**No,**

Other (please specify):

i think general successful business structure will win out. opening a business across the street from an established competitor would result in you business failing.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**No,**

Other (please specify):

just follow the same rules used for placing liquor stores. why is this even a discussion?

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**

**Q6** Additional Feedback or Comments?

i feel this is making a big deal out of nothing. if cannabis/marijuana is legal. then it is LEGAL. attempting to unduly restrict it because of outmoded beliefs will result in lawsuits. regulate it the same as opening a liquor store. those rules are established and tested. and then move on with your day.



#18



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 11:58:05 AM  
**Last Modified:** Tuesday, April 17, 2018 11:59:14 AM  
**Time Spent:** 00:01:09  
**IP Address:** 184.151.231.72

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **No**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones? **Respondent skipped this question**

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Respondent skipped this question**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Respondent skipped this question**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#19



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 12:12:27 PM  
**Last Modified:** Tuesday, April 17, 2018 12:20:27 PM  
**Time Spent:** 00:08:00  
**IP Address:** 24.67.38.152

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Anywhere alcohol can be sold

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**No,**

Other (please specify):

Is there a minimum distance for alcohol retailers? This should be the same for cannabis.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**No,**

Other (please specify):

If children in daycare are buying weed then we have far bigger issues. Cigarettes are sold very close to schools, but the owners of these businesses are diligent about making sure that kids don't buy cigarettes. At the end of the day, if kids are going to look for weed they will buy it somewhere, better for it to be quality controlled and free of other drugs which then further eliminated the black market.

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**

**Q6** Additional Feedback or Comments?

Allow the dispensaries currently operating to sell the marijuana - they are educated about their product and will not sow misinformation.



#20

COMPLETE

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 12:32:50 PM  
**Last Modified:** Tuesday, April 17, 2018 12:35:42 PM  
**Time Spent:** 00:02:51  
**IP Address:** 24.67.50.210

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

In the same areas where they are currently located.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes,**  
Other (please specify):  
Daycare and schools are a no brainer.

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#21



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 12:37:52 PM  
**Last Modified:** Tuesday, April 17, 2018 12:38:45 PM  
**Time Spent:** 00:00:52  
**IP Address:** 184.71.114.162

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **No**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Respondent skipped this question

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

Respondent skipped this question

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

Respondent skipped this question

**Q5** If yes to questions #3 and #4 what should those distances be?

Respondent skipped this question

**Q6** Additional Feedback or Comments?

Respondent skipped this question



#22



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 12:54:41 PM  
**Last Modified:** Tuesday, April 17, 2018 12:59:54 PM  
**Time Spent:** 00:05:12  
**IP Address:** 24.71.42.162

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Zones as per business licenses, retail zones.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

Suggest similar to the provincial liquor outlet sales, this will enable the City to regulate the number in the City. Not sure on the distance between shops 250 meters? Don't want to see one on every corner, or maybe they should all be on one street? Hard question to make the correct decision on.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

Having said that what is the real difference, people will get it and then take to schools if that is what their mission is.

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**

**Q6** Additional Feedback or Comments?

**Respondent skipped this question**



#23



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 1:28:53 PM  
**Last Modified:** Tuesday, April 17, 2018 1:47:57 PM  
**Time Spent:** 00:19:04  
**IP Address:** 24.71.51.29

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? Other (please specify):  
I am not happy about retail cannabis sale anywhere, but if it has to happen, then in the City offers more control than in the woods, up a mountain.

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Not in the primary shopping zones because of subsidiary 'lurking' putting shoppers off walking around downtown. Significant time and resources have been allocated to creating a welcoming downtown area that attracts shoppers and visitors alike. It would be a shame to waste that.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? Yes

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? Yes

**Q5** If yes to questions #3 and #4 what should those distances be?

250m at minimum.

**Q6** Additional Feedback or Comments?

If there has to be a medical marijuana dispensary in the city, then there should be one only for this size of city - at most two, one at either end, possibly.



#24



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 1:48:31 PM  
**Last Modified:** Tuesday, April 17, 2018 1:51:44 PM  
**Time Spent:** 00:03:13  
**IP Address:** 24.67.37.61

### Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **No**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

INDUSTRIAL AREAS ONLY

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

Other (please specify):  
ABSOLUTELY--

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

Other (please specify):  
AWAY FROM RESIDENTIAL AND PUBLIC PLACES - 5 MILES

**Q5** If yes to questions #3 and #4 what should those distances be?

5 MILES

**Q6** Additional Feedback or Comments?

WE ARE PLAYING WITH OUR CHILDRENS LIVES.  
KEEP THE STUFF OUT OF OUR AREA.



#25

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 1:58:39 PM  
**Last Modified:** Tuesday, April 17, 2018 2:35:41 PM  
**Time Spent:** 00:37:01  
**IP Address:** 24.71.32.167

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

There should be a new commercial zoning created for cannabis sales - this would prevent a current retailer from "just deciding to carry" products and will permit the surrounding businesses a chance to voice concerns they may have upon the rezoning application. This condition could even be a temporary one with a 10 year sunset clause - as we currently do not have enough information to know how legalization will affect business.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Yes**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

#3 - 200m

#4 - 500m

**Q6** Additional Feedback or Comments?

There are several time a year the downtown is closed to traffic as we invite families. Salty Street Fest, Fall Fair Parade, & Downtown Hallowe'en Treat Trail. These stores should NOT be located on streets that are affected by these events. I hope we can all agree that children should not be exposed to these products unless under the supervision of medical care. So in order to lessen chance of exposure these retailers should be outside of the main downtown core.

I would NOT like to see a limit on the number of stores permitted - providing they fall within the proximity guidelines. Let the market forces decide what stores will survive and which ones will not.



#26



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 3:28:03 PM  
**Last Modified:** Tuesday, April 17, 2018 3:30:28 PM  
**Time Spent:** 00:02:24  
**IP Address:** 24.71.37.189

### Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

anywhere commercial retail stores are currently operating. no restrictions

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **No**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments?

retail is retail, business is business, treat them all the same



#27



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 4:27:50 PM  
**Last Modified:** Tuesday, April 17, 2018 4:34:34 PM  
**Time Spent:** 00:06:44  
**IP Address:** 165.225.36.61

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Anywhere a typical retail store is permitted

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**No,**

Other (please specify):

I would leave it up to the store owner to determine how close they want to be to the next cannabis store. I believe this is the same choice that all other types retail stores have to make when considering their potential location.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**No,**

Other (please specify):

As long as the minimum age to purchase cannabis is the legal age of 19, it doesn't matter where the cannabis retail store is opened. It does, of course, have to be within the proper zoning for a retail store.

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**

**Q6** Additional Feedback or Comments?

**Respondent skipped this question**



#28

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 7:29:25 PM  
**Last Modified:** Tuesday, April 17, 2018 7:54:25 PM  
**Time Spent:** 00:25:00  
**IP Address:** 75.156.1.174

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Any retail stores with a distance from schools

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**No,**

Other (please specify):

Competition will quickly make less profitable stores close and keep the numbers in check, just as having x many grocery stores means that another is unlikely to open or someone who does not want to put in the capital (Safeway In my grocery example) will close.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

From schools only. If the area is zoned retail who cares how close it is to residential unless the odour is not being managed and the bylaw could enforce closure for these reasons. Why prohibit a store close to a home and make people travel further to buy. Would we do this with a grocery store? Why worry about day cares? It is not as if the kids are going to buy cannabis to smoke before nap time.

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**



**Q6 Additional Feedback or Comments?**

While we are at it, if we allow multiple cannabis retailers, why not multiple liquor stores, why create a lottery system or distance between them versus encouraging competition. We wouldn't regulate not allowing a bank to open next door. Cannabis retailers should be allowed in a liquor store or beside a liquor store. Why make customers travel longer distance, burn more gas, to buy them different products.



#29



**Collector:** Web Link 1 (Web Link)  
**Started:** Tuesday, April 17, 2018 9:48:26 PM  
**Last Modified:** Tuesday, April 17, 2018 9:50:52 PM  
**Time Spent:** 00:02:25  
**IP Address:** 24.71.40.130

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? Respondent skipped this question

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones? Respondent skipped this question

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? Yes

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? Respondent skipped this question

**Q5** If yes to questions #3 and #4 what should those distances be? Respondent skipped this question

**Q6** Additional Feedback or Comments? Respondent skipped this question



#30



**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 7:56:27 AM  
**Last Modified:** Wednesday, April 18, 2018 8:06:36 AM  
**Time Spent:** 00:10:08  
**IP Address:** 75.156.3.178

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Not in malls or near schools or recreation areas. At present we have 2 locations that are well located.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

IT SHOULD MAYBE BE LIKE OUR LIQUOR OUTLETS. THIS WOULD BE WISER FOR THEM. If they want to compete side by side there is usually a loser.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

There is no reason in this community for them to be anywhere near any family activities.

**Q5** If yes to questions #3 and #4 what should those distances be?

Out of site and walking distance.

**Q6** Additional Feedback or Comments?

This is inevitable. We need to have control from the start.



#31

**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 8:08:18 AM  
**Last Modified:** Wednesday, April 18, 2018 8:09:21 AM  
**Time Spent:** 00:01:02  
**IP Address:** 207.66.209

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?  
in commercial zones

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Yes,**  
Other (please specify):  
similar to liquor stores

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? Other (please specify):  
unsure

**Q5** If yes to questions #3 and #4 what should those distances be?

u/r

**Q6** Additional Feedback or Comments?

Respondent skipped this question



#32



**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 8:53:20 AM  
**Last Modified:** Wednesday, April 18, 2018 8:58:29 AM  
**Time Spent:** 00:05:08  
**IP Address:** 24.67.48.57

Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Only in strictly commercial areas. No located near schools, playgrounds or residential areas.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

On two stores within 150 meters.

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

200meters

**Q5** If yes to questions #3 and #4 what should those distances be?

**Respondent skipped this question**

**Q6** Additional Feedback or Comments?

Consumption (smoking) should be severely restricted to minimize (eliminate) second hand smoke.



#33



**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 10:39:36 AM  
**Last Modified:** Wednesday, April 18, 2018 10:46:47 AM  
**Time Spent:** 00:07:11  
**IP Address:** 173.183.92.111

#### Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Retail stores should be allowed in all zones allowing retail businesses including shopping centres.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Yes**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

Between cannabis stores, the same guidelines that are in place for liquor outlets.

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#34



**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 12:28:07 PM  
**Last Modified:** Wednesday, April 18, 2018 12:31:01 PM  
**Time Spent:** 00:02:53  
**IP Address:** 173.183.92.198

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

Downtown or in strip malls, not in covered malls. Put them places where young people don't naturally congregate – i.e. where people need to go there intentionally.

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

500 metres

**Q6** Additional Feedback or Comments?

Use similar criteria as for liquor stores.



#35



**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 2:26:28 PM  
**Last Modified:** Wednesday, April 18, 2018 2:28:18 PM  
**Time Spent:** 00:01:50  
**IP Address:** 24.67.49.251

### Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

In the same types of areas as liquor stores

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **No**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Yes**

**Q5** If yes to questions #3 and #4 what should those distances be?

Not sure. The same as liquor stores.

**Q6** Additional Feedback or Comments?

People use the product already. It is better to have it regulated and taxed.



#36



**Collector:** Web Link 1 (Web Link)  
**Started:** Wednesday, April 18, 2018 4:30:08 PM  
**Last Modified:** Wednesday, April 18, 2018 4:32:23 PM  
**Time Spent:** 00:02:14  
**IP Address:** 108.172.223.236

### Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

NOT ON HIGHWAY, NOT ON HUDSON OR ALEXANDER

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

200 METRES

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

SAME AS ALCOHOL

**Q5** If yes to questions #3 and #4 what should those distances be?

200 METRE OR SAME AS ALCOHOL

**Q6** Additional Feedback or Comments?

200 METRE RADIUS EFFECTIVELY LIMITS HOW MANY STORES CAN EXIST, WITHOUT UNDULY RESTRICTING FUTURE GROWTH



#37



**Collector:** Web Link 1 (Web Link)  
**Started:** Thursday, April 19, 2018 1:53:55 PM  
**Last Modified:** Thursday, April 19, 2018 1:54:41 PM  
**Time Spent:** 00:00:45  
**IP Address:** 165.225.36.120

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **No**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones? **Respondent skipped this question**

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores? **Respondent skipped this question**

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units? **Respondent skipped this question**

**Q5** If yes to questions #3 and #4 what should those distances be? **Respondent skipped this question**

**Q6** Additional Feedback or Comments? **Respondent skipped this question**



#38

**Collector:** Web Link 1 (Web Link)  
**Started:** Sunday, April 22, 2018 12:41:03 PM  
**Last Modified:** Sunday, April 22, 2018 12:42:22 PM  
**Time Spent:** 00:01:19  
**IP Address:** 185.92.25.115

## Page 1: Salmon Arm Chamber of Commerce - Cannabis Retail Sales

**Q1** Should the retail sale of cannabis be permitted in the City of Salmon Arm? **Yes**

**Q2** If yes to question #1 where in the City should retail stores be allowed if the use is permitted in commercial zones?

same rules as liquor stores

**Q3** If yes to question #1 should there be a minimum distance between cannabis retail stores?

**Yes,**

Other (please specify):

Same rules as liquor stores

**Q4** If yes to question #1 should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

**Yes,**

Other (please specify):

Same rules as liquor stores

**Q5** If yes to questions #3 and #4 what should those distances be?

Same as liquor stores

**Q6** Additional Feedback or Comments?

**Respondent skipped this question**





April 30, 2018

Kevin Pearson,  
Director of Development Services  
City of Salmon Arm  
P.O. Box 40, 500 – 2<sup>nd</sup> Avenue NE  
Salmon Arm, BC V0E 4N2

Dear Kevin Pearson:

**RE: Regulating Cannabis Retail Sales**

Thank you for the opportunity to provide comments about options for regulating cannabis retail sales.

Unfortunately at this time, we do not have any comments to offer. Interior Health recognizes that 'cannabis retail sales' is an evolving topic area. We are currently researching and communicating with our internal and provincial colleagues to better understand potential health impacts of cannabis retail sales.

A resource which you may find useful is "Medical Health Officer Recommendations Recreational Cannabis Access & Use" (February 13, 2018) prepared by Dr. Tyler, Dr. Padhi and Dr. Schwandt of Fraser Health (see attached).

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Ely'.

Anita Ely, CPHI(C)  
Environmental Health Officer

AE/ae

Bus: 250-833-4114 Fax: 250-833-4117  
[Anita.ely@interiorhealth.ca](mailto:Anita.ely@interiorhealth.ca)  
[www.interiorhealth.ca](http://www.interiorhealth.ca)

**Population Health**  
851 16 St NE, Box 627  
Salmon Arm, BC V1E 4N7



# Medical Health Officer Recommendations Recreational Cannabis Access & Use

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Population and Public Health

Prepared By: Dr. Ingrid Tyler, Dr. Shovita Padhi, & Dr. Michael Schwandt

February 13, 2018





# Recommendations to Support Municipal Bylaw Development Regulating Cannabis Access and Use

**Citation: Tyler I, Schwandt M, Padhi S. 2018. Recommendations to support municipal bylaw development regulating cannabis access and use. Fraser Health Authority**

## Purpose

The purpose of this document is to ensure a consistent message is delivered when engaging with stakeholders with respect to issues on cannabis legalization. It provides recommendations compiled and approved by the Fraser Health Medical Health Officers (FHMHOs), based on limited cannabis research, experience from other jurisdictions, tobacco and alcohol policy, and other public health evidence. The focus of this document is to support recommendations and communication with FH municipalities; however issues under provincial and federal jurisdictions are also discussed. Currently, these recommendations do not address the cultivation or processing of cannabis products, but rather focus on accessibility, marketing and use. A summary table at the end of the document lists recommendations.

## Context

The 2008-2012 Canadian Alcohol and Drug Use Monitoring Survey report prevalence rates in BC for the past year cannabis use to be at 13.8% and lifetime use at 48.7%. DOAP (2014) report lifetime cannabis use among adults in Fraser East (41.4%) Fraser North (44.6%) and Fraser South (45.6%).<sup>1</sup> McCreary Center Society adolescent health survey (2013) indicated a lifetime cannabis use among youth is approximately 26% provincially. Among those who had tried cannabis, the most common age for first doing so was 14 years (24%).<sup>2</sup>

Legalization of cannabis on July 01, 2018 was introduced by the federal government with multijurisdictional responsibility for implementation. Legalization is a public health approach which allows the introduction of various measures to control access, control quality, and reduce harm from substances. **FHMHOs support a public health approach to cannabis access and use, including an appropriate level of market regulation required to protect and promote health while maintaining access at levels that reduce stigma and criminal activity.** Some benefits of legalization include reduction of unsafe environments created by illegal distribution, decreased use of illegal substances and reduced enforcement costs. Some risks of increase legal access includes increased impaired driving, increases in cannabis use disorders and increased poisonings, each of these issues with health system and social costs.

<sup>1</sup> BC Drug Use Epidemiology 2014. <http://www.bccdc.ca/resource-gallery/Documents/Statistics%20and%20Research/Publications/Epid/Other/FinalDOAPReport2014.pdf>

<sup>2</sup> From Hastings Street to Haida Gwaii: Provincial results of the 2013 BC Adolescent Health Survey. [https://www.mcs.bc.ca/2013\\_AHS\\_Reports](https://www.mcs.bc.ca/2013_AHS_Reports)



Tobacco and alcohol are already established as legal substances for sale in Canada. Regulatory frameworks controlling access, sales, and public consumption exist for these substances. Health promotion messaging focuses on cessation and limiting consumption and respectively. According to 2015 Canadian Community Health Survey data, 14.5% of British Columbians continue to smoke, which translates to nearly 700,000 people.<sup>3</sup> Nearly eighty percent of British Columbians (76%) report currently drinking alcohol, with 23% reporting regular drinking above the Low-Risk Drinking Guidelines (LRDG) (monthly or more often).<sup>4</sup> CARBC estimates ~25,000 hospital admissions and ~1,300 deaths attributable to alcohol in BC in 2014. While BC's smoking rate is one of the lowest in Canada, overall consumption level for alcohol is increasing substantially in BC compared to other provinces.

Current regulatory frameworks for tobacco and alcohol can inform our best advice to policy makers however, it is acknowledged that there is a relative lack of information on the health and social consequences of cannabis legalization. As an overarching principle, **FHMHOs recommend strict regulations of cannabis sale distribution and marketing as supported by evidence from current regulatory frameworks, which could be rolled back as health and safety information becomes available.**

### **Recommendations**

#### **1. Delay initiation of use:**

**Based on the increased likelihood of developing adverse health, education and social outcomes when using cannabis before age 25, FH-MHOs recommend:**

##### **1.1 Initiation of cannabis use should be delayed as long as possible**

The Government of BC has announced that the minimum age to possess, purchase and consume cannabis at 19 years old. A minimum age of 19 is consistent with B.C.'s minimum age for alcohol and tobacco and with the age of majority in B.C. This outcome is consistent with FH-PPH recommendations to the Solicitor General in November 2017.

However, deferring cannabis use at least until after adolescence is advised<sup>5</sup>. Some research suggests that users who start young are more likely to develop related mental health and education problems, or experience injuries or other substance use problems. A contributing factor may be the impact of cannabis use on brain development, which is not completed until the mid-20s. The younger a person is when starting cannabis use, the greater the likelihood of developing health problems that are also more severe. Therefore, any reduction in use, particularly high risk use, is advised, particularly in those less than 25 years of age.

<sup>3</sup> Annual Report 2015 BC Vital Statistics Agency. Smoking Attributable Mortality; <https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/statistics-reports/annual-reports/2015/pdf/annual-report-2015.pdf> (page 52) BC Vital Statistics

<sup>4</sup> CPHO report on alcohol consumption in Canada (2015) <http://healthykanadians.gc.ca/publications/department-ministere/state-public-health-alcohol-2015-etat-sante-publique-alcool/alt/state-phac-alcohol-2015-etat-aspc-alcool-eng.pdf>

<sup>5</sup> Canada's Lower Risk Cannabis Use Guidelines. CAMH (2017)

[https://www.camh.ca/en/research/news\\_and\\_publications/reports\\_and\\_books/Documents/LRCUG.KT.Professional.15June2017.pdf](https://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/LRCUG.KT.Professional.15June2017.pdf)



## **2. Reduce exposure to environmental smoke:**

**Based on the principle of denormalization and knowledge that exposure/inhalation to the products of combustion are likely to lead to health effects FMMHOs recommend:**

**2.1 No smoking/vaping in outdoor public spaces such as parks, recreational areas and beaches**

**2.2 No smoking/vaping in multi-unit dwellings**

**2.3 No smoking/vaping lounges (including mobile venues)**

Exposure to environmental tobacco smoke has been shown to have negative health effects. Smoking tobacco in fully or substantially enclosed public places (building, structure or vehicle), and workplaces (building, structure or vehicle) is prohibited through provincial legislation. Currently, tobacco smoking bylaws in FH communities vary, with most (but not all) communities prohibiting smoking in outdoor public spaces and all FH communities continuing to allow smoking in multi-unit dwellings.

At minimum, municipalities should be encouraged to align their cannabis smoking policy to current tobacco policy. Opportunities may exist to further limit exposure to all form of ETS (tobacco and cannabis) through recommendations to limit smoking in MUDs, enclosed vehicles with minor's present and outdoor public spaces where such regulations do not already exist. In this way, all smoking would be limited to private spaces, preferably well ventilated, outdoor private spaces. It is recognized that access to private spaces may not be equitably distributed in society. Enforcement of regulations related to smoking in public spaces should take this into account.

The Canadian government plans to make edible cannabis products publically available in July 2019. While edible cannabis products reduce potential risks associated with involuntary exposure/ inhalation of the products of combustion which are likely to lead to health effects, risks of overconsumption/poisoning, delayed onset of effect and intoxication exist with edible products. If edibles are proposed as an alternative to reduce environmental smoke exposure, these risks must be discussed.

Limiting public consumption of tobacco and cannabis can also support de-normalization of smoking practice and reduce smoking in youth. The tobacco literature shows that clean indoor air laws targeting public places that youths tend to congregate (e.g. concerts, sporting events, malls, and public transportation) are associated with reduced initiation and self-reported use of cigarettes among children and adolescents. Even broad workplace clean indoor air laws (affecting restaurants and the like) have been shown to influence the smoking behavior of youths by influencing antismoking norms. By limiting where cannabis can be consumed, regulators can reduce the exposure youths have to cannabis, perhaps making it less normative and more likely that youths delay initiation or never start at all.<sup>6</sup>

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6. Developing public health regulations for Marijuana: lessons from alcohol and tobacco. AJPH. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4062005/>



### **3. Restrict marketing of cannabis products:**

**Based on the principle of de-normalizing cannabis use and restricting youth access to substances, FH-MHOs recommend:**

#### **3.1 Prohibit exterior display, advertisement, or promoted in a manner that is visible or accessible to minors,**

- 3.1.1 No marketing to minors, including signage, online, product appearance (e.g. candies aren't attractive or look like regular candy), sponsorship and other venues.**
- 3.1.2 Restrictions on the display, advertisement and promotion of tobacco and vapour products, including restrictions on the promotion or advertisement of tobacco or vapour products outside the retail store, including exterior signage, sandwich boards, flyers and sign spinners.**

#### **3.2 Packaging restrictions, including:**

- 3.2.1 Plain, child proof packaging.**
- 3.2.2 Limiting dose per package.**
- 3.2.3 Labelling of THC content on all products, including edibles.**
- 3.2.4 "Warning labels" on packages and in stores.**

Advertising and packaging of cannabis products is under federal and provincial jurisdiction. Retail location and rules are under provincial and municipal legislation. Current tobacco legislation includes plain packaging, restrictions on the display, advertisement and promotion of tobacco and vapour products, warning labels and marketing to minors. One of the gaps with regards to advertising and promotion under the TVPCA and TVPCR is that there are currently no restrictions on the promotion or advertisement of tobacco or vapour products outside the retail store, including exterior signage, sandwich boards, flyers and sign spinners. At minimum, all jurisdictions should seek to restrict marketing of cannabis as per the current tobacco policy. Opportunities may exist to further limit marketing to youth and promotion or advertisement of tobacco or vapour products outside the retail store, though municipal regulation of exterior signage, sandwich boards, flyers and sign spinners.

Unlike tobacco, cannabis can be consumed in edible form requiring specific restrictions to the sale and marketing of edible products, including product appearance (e.g. candies aren't attractive or look like regular candy), and package labelling for a variety of edible products. Warning labels on edible products will require standardized messaging unique to this method of consumption.

### **4. Restrict accessibility to sales:**

**Based on the likelihood that with making access more challenging, overall consumption would be reduced, FH-MHOs recommend:**

#### **4.1 Do not sell cannabis with tobacco or alcohol**

- **Maintain BCLCB as distributor only**

#### **4.2. Regulate siting and density of cannabis outlets**

- **Retailers not to be within 600 meters of schools, recreation centres and other areas where youth frequent.**



#### **4.3 Limit hours of sale**

- **At minimum, hours of sale should mirror current alcohol policy, however stricter limits would provide health and safety benefits.**

#### **4.4 Ensure all recommendation restricting, age, hours of sale, price, packaging, marketing and any other relevant recommendation apply to any online sales of cannabis.**

The B.C. government announced that the wholesale distribution of recreational cannabis will be handled by the government's Liquor Distribution Branch (LDB). FH-MHOs strongly recommend against selling cannabis in the same locations as tobacco or alcohol. The potential risk of increasing co-use of the products is an important concern as retail co-locations might be seen to condone and encourage co-use of cannabis and alcohol, which is particularly dangerous with respect to impaired driving. In addition, placing and selling cannabis in liquor stores would lead to a larger proportion of the population being exposed to displayed cannabis products, including many who might not otherwise encounter it.<sup>7</sup> BCLCB should be maintained as a distributor only, with retail cannabis locations being separate from current alcohol and tobacco sales.

Retail location is under both provincial and municipal jurisdiction. FH-MHOs recommend that individual retail locations should be located at least 600 meters from schools recreation centres and other areas where youth frequent. Based on research to determine the distance of fast food outlets from schools, 600m was determined to be a distance that that the students were less likely to walk because the round trip would be 30min. In addition, cannabis and alcohol retail and be sited at a minimum density of 300 meters from each other. US jurisdictions have allowed municipalities to lower the distance between retail outlets to 100 feet (30 meters) at their discretion. This exemption does not apply to schools, playgrounds and sensitive users, for which Colorado, Portland, Seattle), limit the distance at 1000 feet (300 meters).

Evidence shows that limiting hours of sale for alcohol prevent excessive alcohol consumption and related harms. The Community Guide concluded that increasing hours of sale by 2 or more hours increased vehicle crash injuries, emergency room admissions, and alcohol-related assault and injury.<sup>8</sup> Policies limiting hours of sale may apply to outlets that sell alcohol for consumption at the place of purchase (on-premises outlets, such as bars or restaurants) or elsewhere (off-premises outlets, such as liquor stores). Public health has called for stricter regulation on the sale and availability of alcohol in BC.<sup>9</sup> Currently, liquor sales are currently limited to the hours of 9AM-11PM for most outlets. Store managers can change hours of sale within these limits. Cannabis sales should have similar or stricter limits. In US jurisdictions some municipalities have further limited hours of sale locally (Denver).

Licensing for online sales of alcohol is currently within provincial jurisdiction. FHMHOs recommend that all recommendations to sales and marketing be applied to online sales. Currently BC regulations limiting online sale and delivery of alcohol are less prohibitive than other jurisdictions (e.g. Ontario), which are limited to government sales.

<sup>7</sup> Public health perspectives on cannabis policy and regulation. UPHN. <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>

<sup>8</sup> Community Guide. <https://www.thecommunityguide.org/sites/default/files/assets/Alcohol-Limits-Hours-Sale.pdf>

<sup>9</sup> Public health approach to alcohol policy (2008.) <http://www.health.gov.bc.ca/library/publications/year/2008/alcoholpolicyreview.pdf>



## **5. Limit single purchase amounts though packaging and price**

**Based on the likelihood that concentration of product made available at one time would reduce use and reduce risk of overdose:**

**5.1 Limit amount that could be sold in one encounter (e.g. 100 mg equivalent of THC).**

**5.2 Limit serving size to 10mg.**

**5.3 Set appropriate price point through regulation and taxation.**

Smart serve programs across all provinces function to support compliance with regulations and limit intoxication. Most smart serve programs limit one's ability to buy 2 drinks at one time. Smart serve is provincially regulated, and similar programs are being proposed for cannabis sales in Ontario and other provinces.

Most studies found that raising cigarette prices through increased taxes is a highly effective measure for reducing smoking among youth, young adults, and persons of low socioeconomic status. However, there is a striking lack of evidence about the impact of increasing cigarette prices on smoking behavior in heavy/long-term smokers, persons with a dual diagnosis or Aboriginals.<sup>10</sup>

With respect to taxing alcoholic beverages, there are other measures affecting the economic availability of alcohol such as minimum prices for alcoholic beverages or regulation of discount prices. Until recently, however, the primary research and policy attention has been directed towards tax levels, and the effects of tax and price changes are often not clearly distinguished. The impact of changes in prices of alcoholic beverages on alcohol consumption and related harm has been more extensively studied than any other potential alcohol policy measure. When other factors remain unchanged, an increase in alcohol prices generally leads to a decrease in alcohol consumption, and a decrease in alcohol prices usually leads to an increase in alcohol consumption. Studies have found that increases in prices of alcoholic beverages disproportionately reduce alcohol consumption by young people, and also have a greater impact (in terms of alcohol intake) on more frequent and heavier drinkers than on less frequent and lighter drinkers. Changes in alcohol prices have also been found to influence drinking to the point of intoxication.<sup>11</sup>

<sup>10</sup> Effects of tobacco taxation and pricing on smoking behavior in high risk populations: A knowledge synthesis. (2011). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3228562/>

<sup>11</sup> Pricing of Alcohol. [http://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0004/191371/11-Pricing-of-alcohol.pdf](http://www.euro.who.int/__data/assets/pdf_file/0004/191371/11-Pricing-of-alcohol.pdf)



**6. Public education and safety messaging should include the following key messages:**

**Based on current knowledge of the health and safety risks of cannabis use, FHMHS recommend emphasizing the following key messages:**

- **Delay initiation.**
- **Limit frequency and quantity per use.**
- **Use lower THC content.**
- **Don't drive or operate heavy machinery within six hours of use.**
- **Don't use with other substances (e.g. with alcohol).**
- **Do not consume if pregnant.**

Important health messages can be disseminated by municipalities, organizations and individuals. Based on the CAMH Lower Risk Cannabis use guidelines, science-based recommendations should be provided to enable people to reduce their health risks associated with cannabis use. Currently, Canada has among the highest cannabis use rates in the world. Fatal and non-fatal injuries from motor-vehicle accidents, as well as dependence and other mental health problems, are the most common cannabis-related harms negatively impacting public health. About 1 in 5 people seeking substance use treatment have cannabis-related problems. Acute health effects of cannabis can include: Impairment, confusion, anxiety, fear, paranoia, delusions, hallucinations, decreased blood pressure, and increased heart rate. Chronic health effects of cannabis may include; psychological and physical dependence, bronchitis, lung infections, chronic cough, impairment of attention, memory and the ability to process complex information. There is also evidence that use of cannabis can accentuate symptoms of schizophrenia.<sup>12</sup>

**7. Establish appropriate controls for the access and consumption of edibles**

The Government has indicated that it intends to add cannabis edible products and cannabis concentrates to the list of products permitted for legal sale following the coming into force of the proposed legislation, once appropriate regulatory controls are developed. It was announced in October 2017 that federal rules for edibles legal sale of edibles will be announced in July 2019. Under the current rules, it will be legal, on July 2018, to alter cannabis at home in order to prepare varying types of cannabis products (e.g., edibles) for personal use provided that no dangerous organic solvents are used in the process.

Public education will be required specific to the risks of consuming edible cannabis products, specifically the risks of overdose related to delayed onset of effect unique to this method of consumption. To help users manage their consumption and limit the risk of unintentional overdose, FH-MHOs recommend production controls to ensure consistent dosing, limits to dose per serving to ensure dose control as well as appropriate warning labels.

<sup>12</sup> Canada's Lower Risk Cannabis Use Guidelines. CAMH (2017)

[https://www.camh.ca/en/research/news\\_and\\_publications/reports\\_and\\_books/Documents/LRCUG.KT.Professional.15June2017.pdf](https://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/LRCUG.KT.Professional.15June2017.pdf)



#### **8. Establish and maintain adequate surveillance systems**

Currently there is little information on the health and social effects of cannabis use at the population level. A robust system for regular and transparent monitoring and reporting on cannabis-related driving infractions, ER visits, injuries, cannabis induced psychosis, violence and other social risks is needed federally and provincially. Timely data will allow citizens, health and safety officials to adapt their policies as needed to promote and protect the wellbeing of the population and to guide ongoing practice and policy making regarding cannabis in Canada and BC.

#### **9. Reinvest proceeds/profits into primordial prevention of substance use in youth**

Given an intention of legalization is to reduce youth access to cannabis and improve community safety, government proceeds from sales should be redirected into health promotion activities such as community programs, including job opportunities, physical activity, youth mental health and resiliency support, parenting supports, parental education and income.

#### **10. Trauma informed enforcement of policies through social justice/equity lens to all new cannabis related by-laws, services and programs, including:**

- Recommending that individuals be pardoned for previous possession charges/convictions as they may be disproportionately represented, racialized and experience limited opportunities to participate in the cannabis or general economy.
- Ensuring that policies, bylaws, etc. do not create higher risk for some groups.



**Summary Table**

		BC Tobacco Policy	BC Alcohol Policy
0.0	FHMHOs recommend regulations of cannabis sale distribution and marketing as supported by evidence from current regulatory frameworks, which could be rolled back as health and safety information becomes available.		
1. Delay initiation of use			
1.1	Initiation of cannabis use should be delayed as long as possible.	Min age 19	Min age 19
2. Reduce exposure to environmental smoke			
2.1	No smoking/vaping in outdoor public spaces such as parks, recreational areas and beaches	Consistent with some municipal regulations	Consistent with provincial public liquor laws
2.2	No smoking/vaping in multi-unit dwellings	Consistent with public health recommendations for tobacco (in Fraser, no municipality restricts smoking in MUDs)	NA
2.1	No smoking/vaping lounges (including mobile venues)	Consistent with Provincial restriction on no smoking in enclosed spaces	NA
3. Restrict marketing of cannabis products			
3.1	Prohibit exterior display, advertisement, or promoted in a manner that is visible or accessible to minors,	Current legislation still allows exterior signage, sandwich boards, flyers and sign spinners at retail locations	
3.2	Packaging restrictions	Dose and serving size limited; some limitations on packaging; warning labels mandated	Dose and serving size limited; some limitations on packaging; no labelling
4. Restrict accessibility to sales			
4.1	Do not sell cannabis with tobacco or alcohol	NA	NA



4.2	Regulate siting and density of cannabis outlets - Retailers not to be within 600 meters of schools, recreation centres and other areas where youth frequent	Unlimited	
4.3	Limit hours of sale	Unlimited	9-11 though provincial licencing
4.4	All recommendation restricting, age, hours of sale, price, packaging, marketing and any other relevant recommendation apply to any online sales of cannabis.	Note federal regulation of on-line cannabis sales	Currently allow any licenced distributor to include on line sale or delivery according to licence
<b>5. Limit single purchase amounts though packaging and price</b>			
5.1	Limit amount that could be sold in one encounter (e.g. 100 mg equivalent of THC)	Unlimited	Max sales for online only – In store purchase unlimited
5.2	Limit serving size to 10mg		Concurrent servings limited though SmartServe
5.3	Appropriate price point	Taxation(more researched)	Price regulation (more researched)
6.0	<b>Public education and safety messaging should include the following key messages</b> <ul style="list-style-type: none"> <li>• Delay initiation</li> <li>• Limit frequency and quantity per use</li> <li>• Use lower THC content</li> <li>• Don't drive or operate heavy machinery within six hours of use</li> <li>• <i>Don't use with other substances (e.g. with alcohol)</i></li> </ul>	PSAs focus on cancer risks	PSAs Focus on no use during pregnancy , drinking and driving and more recently moderation/responsible use
7.0	<b>Establish appropriate controls for the access and consumption of edibles</b>		
8.0	<b>Establish and maintain adequate surveillance systems</b>		
9.0	<b>Reinvest proceeds/profits into primordial prevention of substance use in youth</b>		
10.0	<b>Trauma informed enforcement of policies through social justice/equity lens to all new cannabis related by-laws, services and programs</b>		





#### 420 ADVISORY MANAGEMENT

Thank you for the opportunity to provide input into the policy and bylaw development process for Salmon Arm's cannabis businesses.

Through our work with local governments across North America, we have learned from experience that strong regulations, robust enforcement and industry interaction with the communities it serves are keys to the successful rollout of legalized cannabis at the commercial level.

### Recommendations

#### Putting Faces to Names

The introduction of legalized cannabis is a change for any community. We recommend hosting an open, public forum to discuss what legalization looks like at the local level and include prospective applicants as part of a Q&A session with residents.

We also suggest requiring some sort of community engagement plan and/or good neighbour policy to be documented by prospective applicants as part of the city's approval process.

#### Vetting Process

We encourage all local governments to carefully consider policies toward illegally operating cannabis shops and to ensure only the most responsible operators are handling and selling cannabis in their communities. Illegal operators are violating cannabis laws now, and municipalities must consider if they will be responsible businesses and comply with the more stringent requirements of the regulated industry.

It is further recommended that as part of the approval process, prospective retailers be required to meet with local law enforcement leadership as well as fire safety and building officials. This will help address public safety concerns ahead of the business opening and to establish a good working relationship between the business and local authorities.

#### Landlord Letter of Approval

Building this into the application process is an effective means of streamlining the approval process.

Applicants must have a good relationship with their property owners and disclose their intent to operate a cannabis retail establishment. Landlords should be informed and comfortable with this usage before permits are granted. This step allows municipalities to utilize local landlords as a first line of vetting of potential operators.



**Minimum Distances**

We wholeheartedly support local government initiatives to restrict cannabis sales to areas of town that make sense for residents and support community health and safety. We encourage municipalities to look at their minimum distances that liquor stores and other sensitive uses have from parks, playgrounds and schools and apply them evenly to retail cannabis stores.

However, we also advocate for some level of flexibility within the regulations, through a waiver and/or variance process. Hard-and-fast distance restriction numbers don't always make sense when considering physical geography and other characteristics unique to each location. With community support obtained, retailers should have the ability to apply for a variance when warranted.

Sincerely,  
Dan Rowland  
420 Advisory Management, Ltd.





The Greenery Cannabis Boutique Ltd.  
510-1708 Dolphin Ave  
Kelowna, BC  
V1Y 9S4

April 4, 2018

City of Salmon Arm  
500 2<sup>nd</sup> Ave NE  
Salmon Arm, BC  
V1E 4N2

**RE: Retail Cannabis Commentary/Input**

To whom it may concern:

The Greenery Cannabis Boutique Ltd. (GCB) is seeking municipal and provincial approval for the establishment of a retail cannabis storefront business within the City of Salmon Arm.

GCB, or its ownership, have not participated in this industry in the past as all parties have respect for the law and for this council. It is GCB's view, that those companies, individuals, or parties that have been operating within this illegal industry prior to federal legalization have established a competitive advantage in terms of location, customer base and operating policies and procedures. With respect to the approval process, GCB trusts that council and the City of Salmon Arm will take into account past bylaw violations or criminal charges laid upon either those companies, individuals, or parties when considering to support licensing at the municipal level.

In having reviewed the City of Salmon Arm's Regulating Cannabis Retail Sales report GCB supports the Moderately Regulated Approach. Moreover, GCB has provided the following responses as per the request for written submissions within the Notice of Public Meeting document:

- 1) Should the retail sale of cannabis be permitted in the City of Salmon Arm?

*GCB supports the sale of retail cannabis within the City of Salmon Arm.*

- 2) If yes to question 1), where in the City should retail stores be allowed if the use is permitted in commercial zones?

*GCB supports retail stores to be permitted within commercial zones.*





- 3) If yes to question 1), should there be a minimum distance between cannabis retail stores?

*GCB supports the restriction of retail cannabis storefront businesses through the use of minimum proximity policies between cannabis retail stores.*

- 4) If yes to question 1), should there be a minimum distance between a cannabis retail store and schools and/or other land uses such as daycares and residential units?

*GCB supports the restriction of retail cannabis storefront businesses through the use of minimum proximity policies between sensitive locations such as schools, daycares and residential units.*

- 5) If yes to questions 3) and 4), what should those distances be?

*GCB suggests the following proximity zoning restrictions between retail cannabis storefront businesses:*

Use Category	Proximity Policy
Other Retail Cannabis Storefront	500 meters
Schools	500 meters
Residential Units*	0 meters
Liquor Stores	250 meters
Daycares	250 meters

\* GCB does not support retail cannabis storefronts to operate within buildings that have a residential unit located within the same building

GCB trusts that this information will serve useful in determining the municipal zoning regulations surrounding the sale of retail cannabis within the City of Salmon Arm. Further questions regarding the above commentary can be directed to GCB's lead representative as detailed below.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Poulton".

Michael Curtis Poulton, MBA, CPA, CMA  
 Director - The Greenery Cannabis Boutique Ltd.  
 Email: greenerycannabisboutique@outlook.com



## Kevin Pearson

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**From:** Barb Puddifant  
**Sent:** April 16, 2018 3:07 PM  
**To:** Erin Jackson; Carl Bannister; Kevin Pearson  
**Subject:** FW: Written Submission for Town Hall 4/16/18  
**Attachments:** BC Municipal Policy Paper Final.pages

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**From:** clay@myeden.ca [mailto:clay@myeden.ca]  
**Sent:** April-16-18 1:40 PM  
**To:** Caylee Simmons  
**Subject:** Written Submission for Town Hall 4/16/18

Please see attached written submission for the open house town hall meeting tonight. I copied and pasted below as well should you not be able to open the .pages attachment.

### Policy Briefing Note

#### Medical Cannabis Retail in Salmon Arm, British Columbia: A Mixed Public/Private Model

Prepared by Eden Medicinal Society – April 16, 2018

Eden Medicinal Society is calling on Salmon Arm to follow the example of other cities in Canada and the United States by allowing medical cannabis dispensaries to be included in the licensed and regulated retail of cannabis.

Canada's appeal courts continue to uphold the role of medical dispensaries in providing reasonable access to cannabis patients.

We strongly encourage Salmon City Council to give current medical dispensaries which can prove community support be given local government support in order to meet the pre-requisite for an provincial retail license.

Medical cannabis dispensaries can coexist alongside government-run cannabis retail. As such, we propose another path forward: **a mixed public/private retail model in the city of Salmon Arm that can ensure reasonable access and maintain responsible public safety and harm reduction standards.**

### Who We Are

The Eden Medicinal Society is a federally registered not-for-profit that opened the doors to their first dispensary location in Vancouver in July of 2011, in the heart of Vancouver's Downtown Eastside on East Pender Street in Chinatown.

At that time, there was not a single dispensary in the Downtown Eastside, meaning no alternative support groups for those suffering from substance abuse and ultimately no safe haven to provide access to alternative forms of medicine. Eden chose to serve a neglected demographic of Canadian citizens in need of support both socially and medicinally. It was not a profitable destination for a business looking to accumulate capital, but rather a destination where compassion was needed the most.

Eden has proven to have had a positive impact on the communities we operate in, working alongside police departments, and providing compassionate services free of charge. From the outside, some may think we operate the same as other dispensaries, but we have established a professional and academic following for reasons beyond operating as a dispensary.

Eden now operates one of Vancouver's ten municipally licensed cannabis dispensaries and maintains regulatory practices in accordance with the guidelines set forth by the CAMCD (Canadian Association of Medical Cannabis Dispensaries). Eden was the first dispensary in Canada to obtain this accreditation.

We pay our taxes, we employ many people and provide fair wages, and we care deeply about the communities that we operate in.

### Overview of Potential Shortcoming in Cannabis Retail

British Columbia's proposed government cannabis monopoly will perpetuate the worst problems caused by prohibition:

1. **Too few locations will choke off patient access to medicinal cannabis.** A smaller number of licensed locations will not meet the demand in Salmon Arm. Many medical cannabis patients will be unable to access a location near their home, and even those who are able to do so will not receive the same level of in-person knowledge and expertise about cannabis products currently offered by medical dispensaries. In jurisdictions such as Alberta the minimum distance from a provincial healthcare facility, school or reserve school another dispensary is 100m. The distance from another dispensary poses no real public health or safety concern.
2. **Failed law enforcement would inflict harm on innocent citizens and costly government run retail stores will waste taxpayer dollars.** Licensed and regulated current 'good actor' medical dispensaries can provide access at a profit to government through excise tax revenue and licensing revenue – while complying with provincial and municipal public safety requirements.

### Protecting the Constitutional Rights of Patients

In 2016, the Federal Court ruled (Allard v. Canada) that patients who need medical cannabis must be granted "reasonable access" under Section 7 of the Charter of Rights and Freedoms. In this ruling, Justice Phelan stated that "Dispensaries are at the heart of access."



The Allard decision was recently upheld in a superior court decision regarding the Village Dispensary in Hamilton. The constitutional rights of patients to access medical cannabis is a legal reality that City Council and the Province must keep in mind when setting the rules for cannabis retail in BC. Acknowledging the Charter rights of patients to access their medicine how they see fit is not only compassionate, but it would avoid costly expenditures on law enforcement and an unnecessary legal process.

#### Recommendations for Licensing and Regulating Cannabis Retail

Want to work with governments to establish a regulatory framework for licensing and taxation of privately-owned adult-use cannabis retail businesses, subject to municipal licensing and zoning, in coordination with provincially-regulated warehousing, distribution and retail delivery of legal cannabis products.

Vancouver's licensing rules specify where dispensaries can be located geographically within the city, including minimum distances from schools. Both non-profit compassion clubs and for-profit businesses were able to apply to the city for a license, which were awarded on a point-system basis.

Vancouver's licensing regime adopted the strict certification standards developed by the Canadian Association of Medical Cannabis Dispensaries. Eden Medicinal Society was the first medical cannabis dispensary to achieve this certification, which specifies details requirements covering:

- A compassion club or for-profit business being able to demonstrate local support from neighbouring businesses and residents;
- Dispensing, including verification of identification, quantity restrictions of 30 grams per transaction, and the cleanliness and transparency of dispensing practices;
- Supply, including quality control, testing, storage and inventory management;
- Safety, education on safe consumption and product variety, security and privacy; and
- Effective organization, including governance, financial record keeping, insurance, legal and regulatory compliance, remission of applicable taxes, and employment practices.

Eden's voluntary compliance with all of these measures are a big part of why cannabis patients and hopefully in future recreational consumers will prefer medical dispensaries.

#### **Further Considerations**

<https://fcm.ca/Documents/issues/Cannabis-Guide-EN.pdf>

#### r lounges

With the legalization of recreational cannabis, it is inevitable that consumers will demand places to consume marijuana products. Seattle City Attorney, Pete Holmes articulated why such places are needed in a memo:

Single family homeowners have a legal place to consume marijuana; others, however, such as out-of-town visitors, the homeless, and renters and condominium owners whose buildings do not permit marijuana use, have fewer options. Enforcement against public marijuana use will be more effective if people have alternative locations to use marijuana legally. To this end, the CAO is working with Council member Nick Licata to propose legislation to the City Council to license and regulate a new type of business in Seattle called "marijuana use lounges" that would permit vaporizing or eating marijuana.

These lounges would be open to customers 21 years of age and older with mandatory ID checks, prohibit alcohol, and have minimum ventilation requirements. Because state law does not allow consumption of marijuana where it is sold, patrons would have to bring their own. Lounges could charge a cover and sell food and nonalcoholic beverages.

(Source: <http://blogs.seattletimes.com/opinionnw/files/2015/01/Holmes-memo.pdf>)

Unless the City of Salmon Arm want its streets and parks full of people using legal cannabis products, it needs to contemplate a common sense regulatory scheme allowing for cannabis lounges.

Minor modifications to existing provincial legislation Tobacco & Vapour Products Control Act would allow lounges to exist within the law. By amending this **section 2.41**, the province could create a legal framework allowing for vaping lounges and outdoor licensed events. Enforcement of these regulations could be undertaken by the Alcohol and Gaming Commission of British Columbia. In addition, the Federation of Canadian Municipalities in a their spring 2018 agrees that municipalities should have the right to zone and regulate cannabis lounges.

#### How dispensaries contribute to health and public safety

The best way to ensure safe and responsible access to adult-use cannabis products is by allowing existing dispensaries serving medical users to apply for private retail licenses and transition to the regulated market, so that they do not turn back to the black market. Medical cannabis dispensaries ensure that cannabis consumers and patients have access to safe, accessible spaces to obtain in-person advice and access to legal cannabis products that are properly tested, labelled and taxed upon sale:

- Eden provides patients with safe products that have been independently lab tested for Cannabinoid Potency, Terpene Profiles, Microbial Analysis, Contaminants, Pesticides, Heavy Metals and Residual Solvent Detection.
- Patients turn to Eden for our advanced knowledge regarding medical cannabis, providing the kind of personalized attention, education and service that is currently unavailable elsewhere. Our staff provide general information regarding flower, tinctures, capsules and topicals. This allows our patients to make well-informed decisions.
- Eden sells ointments, tinctures and other products that are therapeutic, non-psychoactive and euphoria free, like CBD extract, for pain management and other ailments. Eden does not currently sell edibles in Toronto, at the request of municipal law enforcement.



- By following CAMCD guidelines, we ensure that adult-use cannabis retail staff are knowledgeable and trained about harms of use, prevention of youth sales, and appropriate and responsible use.
- Our retail locations blend into all other storefronts, with no cannabis products visible from the street or overt cannabis imagery to attract new clients in off the street. We oppose the co-location of cannabis with alcohol and other general retail convenience stores and pharmacies, because we believe this would normalize consumption of cannabis among non-users and youth, and because our clients want a dedicated cannabis retail channel where they can speak with knowledgeable staff about our products.

### **How Eden is combating the opioid epidemic**

In addition, we have taken additional steps to address mental health and addictions issues in the communities where we operate:

- The opioid epidemic has killed thousands of Canadians in the last year, and policy makers have been slow to come up with solutions on how to address it. In response to the opioid crisis, Eden Medicinal Society has partnered with the University of British Columbia to study the efficacy of using cannabis in an opioid substitution program. This scientifically rigorous study is underway, and the results so far are extremely promising.
- Eden Medicinal Society has also donated fentanyl test strips to Toronto's "pop-up" safe injection site, and provides them for free at our retail locations.

### **Conclusion**

Other jurisdictions have provided a straightforward roadmap for success. Many medical cannabis dispensaries have operated in a safe and ethical manner, and are only looking for a path toward licensed and regulated legal status.

If you have any questions, or would like to discuss this further, please do not hesitate to contact us.



Honourable Mayor and Council

In response to Council's request to hear ideas and receive answers to its questions regarding Retail sales of cannabis I submit the following.

— "Yes. Salmon Arm should allow retail sales of Cannabis based on existing Federal Laws and upcoming Provincial Regulations.

Retail sales of Cannabis should be allowed in areas suggested by City Staff in their report: Regulating Cannabis Retail Sales: C2-C3-C6 and certain Comprehensive Development Zones.

No there should not be a minimum distance between Cannabis Stores.

Yes. There should be a minimum distance between a Cannabis store and certain locations such as schools and daycares.

The minimum distance should be 100 Meters." —

Questions:

-The following questions are based on the premise that storefront retail sales of cannabis are presently illegal under Federal Law-This position is stated in City Staff's Report of March 13- Also that **Non Medical** Cannabis Retail sales are expected to become Legal later in 2018 HOWEVER retail storefront sales of **Medical** Cannabis shall continue to be illegal until Federal Laws change in the future.

Does Council and /or City Staff have a position on the present illegal Retail cannabis stores? If not, why?

Does Council and/or City Staff plan on having written policies regarding illegal Retail Cannabis stores?

Would council examine the possibility of regulating and permitting, under its municipal Jurisdiction, the storefront retail sale of **Medical** Cannabis, despite this being Federally illegal, such as was done in Vancouver and Nelson?

Suggestions:

As a Salmon Arm Citizen and a supporter of most of the upcoming legislative changes concerning Cannabis I am concerned that the City may not have enough time to implement a fair and balanced approach that will respect the interests of applicants who will be awarded Non Medical Cannabis Retail Sales Licenses by the LCLB.

I suggest that Council and staff find out from the Province's Liquor Control and Licensing Branch what their compliance and enforcement actions will be in regards to non licensed Cannabis Retail Stores, which includes all Salmon Arm Stores (in their present format) and model their responses and policies in line with them.



If Council and City Staff foresee the likelihood of having Government Licensed Stores and illegal "Medical Dispensaries" operating simultaneously within City limits, then by having Policies addressing this would help clarify the local regulatory landscape.

Sincerely

David Allard



## INFORMATIONAL CORRESPONDENCE – September 24, 2018

1. Building Department – Building Statistics – August 2018
2. Building Department – Building Permits – Yearly Statistics
3. J. Funfer – email dated April 4, 2018 – Roaming Cat Concerns
4. S. Baker – email dated August 26, 2018 – Lack of Public Transportation in Rural Canada
5. C. El Gazzar – email dated August 29, 2018 – Update on Fundraising for Playground Communication Board at Blackburn Park
6. D. Hewer – letter received September 6, 2018 – Request to use Canoe Beach and Gazebo for Celebration of Life for Dustin Hewer on November 2, 2018
7. D. Rolin – letter dated September 6, 2018 – Smart Cities and 5G Technologies
8. L. Onsonge – letter received September 6, 2018 – Smart Cities and 5G Technologies
9. S. Cumberland – email dated September 13, 2018 – Community Bussing
10. D. Patterson, President, The Adams River Salmon Society – letter dated August 29, 2018 – Invitation to the Salute to Sockeye Salmon Festival – Friday, September 28, 2018 to Sunday, October 21, 2018
11. D. St-Pierre, Poppy Chairman, Royal Canadian Legion #62 – letter dated September 1, 2018 – Annual Remembrance Day Service and Parade
12. T. Kutschker, Director/Curator, Shuswap District Arts Council – letter dated September 1, 2018 – Marine Park Gazebo
13. L. Wong, Manager, Downtown Salmon Arm – letter dated September 4, 2018 – Request for Funding for Downtown Community Clean-Up
14. L. Wong, Manager, Downtown Salmon Arm – letter dated September 5, 2018 – Winter Solstice Bonfire Night
15. J. Aitken, SABNES/Shuswap Naturalist Club – letter dated September 6, 2018 – Invasive Plant “Woody Nightshade” Cleanup
16. B. Bajo, Chair, Council and Owners of Sherwood Village to J. Ragsdale, Dean, Okanagan College, Shuswap and Revelstoke – letter dated September 7, 2018 – Student Housing at Okanagan College in Salmon Arm
17. J. Biron, Planning Committee Chair, Adams Lake Health Centre – letter dated September 12, 2018 – Community Conversation on Harm Reduction
18. S. Mackie, General Manager, R. J. Haney Heritage Village and Museum – email dated September 14, 2018 – What are you doing October 20 and 21? If you are looking for a truly screaming good time, Halloween fun awaits you at R.J. Haney Heritage Village & Museum
19. R. Boeur and S. Corbin, Shuswap Food Action Co-Op – email dated September 15, 2018 – Shuswap Food Conversations
20. M. Kriese, Sullivan Wellness Centre Coordinator – letter dated September 17, 2018 – Postponing the PRIDE Crosswalk Celebration
21. Interior Health – News Release dated September 6, 2018 – Seniors to benefit from new health and wellness centre
22. Interior Health – News Release dated September 17, 2018 – Community Update: Supervised Consumption Services helping people avoid overdose and receive health services
23. Health Canada – News Release dated September 2018 – The governments of Canada and British Columbia are providing more than \$71.7 million in innovative treatment options for people with substance use disorders
24. Organics Infrastructure Program – email dated September 7, 2018 – Organics Infrastructure Program – Expression of Interest now open



25. G. Lohbrunner for C. Jenkins, Director, Clean Technologies Section - email dated September 7, 2018 - Intentions Paper Posted: Proposed Changes to the Organic Matter Recycling Regulation
26. BC Health Communities - September eNews Letter
27. Interior Health, Healthy Communities - September 2018
  
28. Achieve Anything Foundation - Newsletter dated September 6, 2018 - Applications Open for Fall Operation: This IS You!
29. K. Christian, Mayor, City of Kamloops - letter dated August 22, 2018 - Roots and Blues Festival
30. D. St. Jacques, Mayor, District of Ucluelet to the Honourable Selina Robinson, Minister of Municipal Affairs and Housing - letter dated August 27, 2018 - Modernization of Utility Taxation
31. L. Jones, Executive Vice-President and S. Howard, Director, British Columbia, Yukon and NWT. Canadian Federation of Independent Business - letter dated August 31, 2018 - Municipal Red Tape Challenge
32. K. Daniels, aKd Resource - letter dated August 29, 2018 - Review of the Auditor General for Local Government Act and Office
33. M. Robach, Communications & Engagement Coordinator, PHA Canada - letter received September 2018 - Request for month of November 2018 to be proclaimed as Pulmonary Hypertension Awareness Month



Item 11.1

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor

Seconded: Councillor

THAT: Agricultural Land Commission Application No. ALC-377 be authorized for submission to the Agricultural Land Commission.

[Mountainview Baptist Church/Alberts, K.; 4480 - 30 Street NE; Non-Farm Use]

### Vote Record

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





To: Her Worship Mayor Cooper and Members of Council

Date: September 4, 2018

Subject: Agricultural Land Commission Application No. ALC-377 (Non-Farm Use)

Legal: Lot 1, Section 30, Township 20, Range 9, W6M, KDYD, Plan 11195  
 Civic: 4480 – 30 Street NE  
 Owner: Mountainview Baptist Church  
 Applicant: Kurt Alberts, MCIP RPP

#### MOTION FOR CONSIDERATION

THAT: **Agricultural Land Commission Application No. ALC-377 be authorized for submission to the Agricultural Land Commission.**

#### STAFF RECOMMENDATION

THAT: The motion for consideration be adopted.

#### PROPOSAL

The subject property is located at 4480 – 30 Street NE as shown in APPENDICES 1 & 2. The property is 1.2 ha (2.98 ac) in size and has been previously used as a school site dating back to 1918. There is no current agricultural use on the property and the applicant is proposing to construct a new church building on the eastern portion near 30 Street NE. The applicant's letter of rationale is attached as APPENDIX 3 and site photos are attached as APPENDIX 8.

#### BACKGROUND

The property is designated "Acreage Reserve" in the Official Community Plan (OCP), zoned A-2 "Rural Holding" and is totally within the ALR (APPENDICES 4, 5 and 6 respectively). The subject property has been designated Acreage Reserve and zoned A-2 since at least 1976 and does not permit church or assembly use. The land use designation of the OCP and zone which supports the use and development of a church are "Institutional" and P-3 zone. However the OCP (Policy 15.3.3) does not support institutional use in the Rural Area of the City.

In 2013 City staff advised representatives of the Mountainview Baptist Church that the ALR designation, OCP designation and zoning did not support church or assembly use. The property was subsequently purchased by the current owner in December 2014. In addition, a permissive tax exemption was requested in 2016 however was not supported as the use is not permitted on the subject property.

Adjacent zoning and land uses include the following:

North: Rural Holding (A-2) / hay field and residential  
 South: Rural Holding (A-2) / cherry orchard  
 East: Rural Holding (A-2) / forested  
 West: Rural Holding (A-2) / residential



Improved Soil Classification

The entire subject property has an Improved Soil Capability Rating of 60% Class 2(X) and 40% Class 3(TM) shown in APPENDIX 7. (Soil capability rating ranges from Class 1 to Class 7. The best agricultural lands are rated Class 1 because they have ideal climate and soil to allow a farmer to grow the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture.)

COMMENTSBuilding Department

No concerns.

Engineering Department

Comments attached as APPENDIX 9.

Agricultural Advisory Committee

This proposal was reviewed by the Agricultural Advisory Committee (AAC) at its meeting of August 15, 2018. The Committee adopted the following resolution:

THAT: the Agricultural Advisory Committee recommends to Council that it support the application subject to the protection, via split zoning and covenant, of the north-east portion of the subject property for agricultural use only.

Unanimous

The Committee discussed items including local history, historic zoning, the proposed church structure, parking requirements and protection of the north-east portion of the property for agricultural use. In general, the Committee supported the application subject to conditions listed in the recommendation.

Planning Department

The current A-2 zoning and OCP designation have been in place since at least 1976 however there has been school use on the property since 1918 as outlined in the applicant's letter of rationale. The school use was discontinued prior to 2005 and has been used for church use first as a lease agreement with the School District #83 and then purchased by the Mountainview Baptist Church in late 2014. There is a similar use within the North Broadview area located on 60 Avenue NE which is the existing Seventh Day Adventists Church. That particular property has P-3 zoning and ALC approval which was granted in October 1974 through ALC Resolution #4483/72. The applicant is proposing to construct a new church building between the existing building and 30 Street NE. The amount of parking required will depend on the size or amount of seating in the proposed building. No detailed building plans are available at this time however the required Offstreet Parking Spaces of the Zoning Bylaw are as follows:

*Church, Chapel or other  
Religious Institution*

*1 per 4.5 seats or 3.0 square metres of gross floor  
area, whichever is greater; or*

*1 per 15 square metres of gross floor area of entire  
church building including worship area*

Staff have the following concerns and considerations:

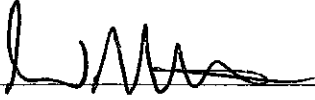
1. The south western portion of the subject property has been used to some degree for school and assembly use since 1918 as documented in the applicants rationale letter.
2. The AAC supports the application subject to the protection of the north-east portion of the property for agricultural uses only. Staff agree that any non-farm use should be limited in area to the western portion of the property including all parking.



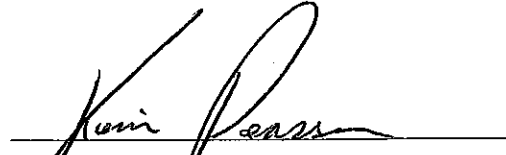
3. The applicants have stated they plan on using the north-east portion of the property in part for future community gardens; however that is the extent of the proposed agricultural use at this time.

Given the historic use, existing buildings and proposed use Staff recommends that this application be forwarded on to the ALC for consideration.

If the application is approved by Council for submission to the ALC, and subsequently approved by the ALC, an OCP and rezoning application would be required for review and approval by Council. Realizing the OCP does not support institutional land use outside of the Urban Containment Boundary staff would likely recommend support of an application if the use is restricted to the southwest portion of the subject property.



Prepared by: Wesley Miles, MCIP, RPP  
Planning and Development Officer



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







Orthophoto

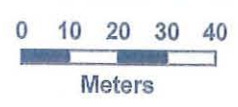
30 ST. N.E.

PLAN 11188

PLAN 11195

PCL Z

PLAN 3933



 Subject Parcel



KURT ALBERTS MCIP RPP  
URBAN & REGIONAL PLANNER  
9054 Glover Road, Box 760  
Fort Langley, BC, V1M 2S2  
604 888-4395 kurt@kurtalberts.com

## SCHEDULE A: PLANNING REVIEW & HISTORY OF USE

DATE: May 31, 2018

**SUBJECT:** 4480 - 30 Street NE  
in the City of Salmon Arm in the  
Columbia Shuswap Regional  
District

**LEGAL:** LOT 1 SEC 30 TWP 20  
RANGE 9 WEST OF THE 6TH  
MERIDIAN KAMLOOPS  
DIVISION YALE DISTRICT PLAN  
11195

**PARCEL ID:** 009-505-156

**SIZE:** 2.98 ac (1.2 ha) "L" shaped.

**ALR:** In Agricultural Land Reserve

**OCP:** Designated 'Acreage  
Reserve' (and outside Urban  
Containment Boundary) in the  
Official Community Plan

**ZONING:** Rural Holding Zone A-2

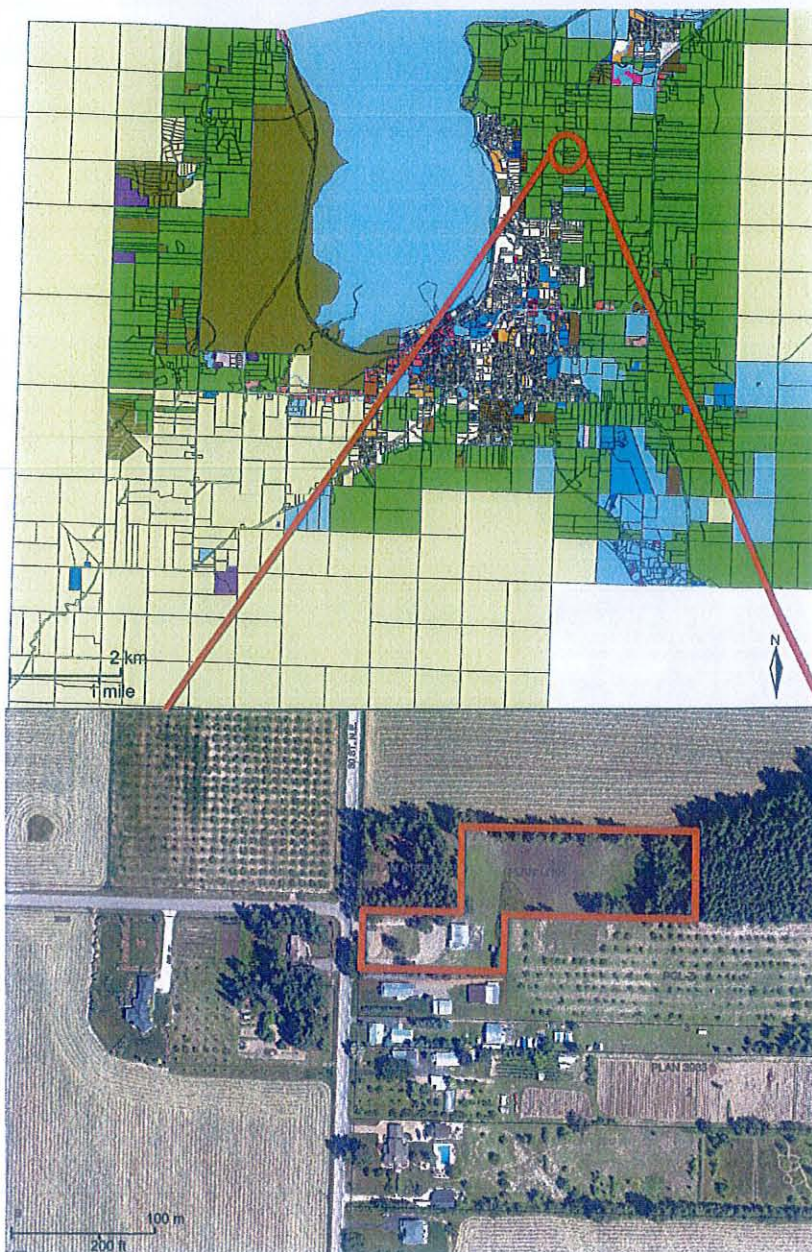
**ASSESSMENT:** Property Class  
01 and 06; Actual Use Code:  
652 (Churches and Bible  
Schools); Manual Code: D356  
(Classroom)

**OWNER:** Mountainview Baptist  
Church

**PREVIOUS OWNER:** School  
District No. 89 (Shuswap) 1972 to  
1997  
School District No. 83 (North  
Okanagan - Shuswap) 1997 to  
2015

**PROPERTY USE HISTORY:** The  
Broadview area (the Limit District)  
was initially served by Central  
School in downtown Salmon Arm.

Salmon Arm







When the city school burned down in 1917 the "rural" children from Broadview were sent to school in North Canoe until Broadview School was constructed on the subject property.

The new school opened in 1918, built of frame construction on a basement, on one acre of donated land. The site plan included the area occupied by the school building, service, play and landscaping areas.

Twenty pupils were registered from Grades 1 through 8. Broadview School, like most country one-room schoolhouses of its era, was heated by a wood stove and had no electricity. A solid row of windows on its westerly wall was oriented to make the best use of daylight hours. Lights were installed in the school in 1944.

Enrolment increased rapidly in the late 1940's. In 1948 the total enrolment exceeded 57 with 10 in the "beginner's" class. Despite the increase in pupils, Broadview was slated for consolidation with four other schools. In 1950 the school closed in favour of bussing students to larger central schools.

During the school closure years, the building was used as a community hall by the Broadview Community Club and other groups.

As the population continued to grow in the early fifties, the central schools became overcrowded and Broadview School was reopened in 1955. The following year capital improvements included indoor toilets, a furnace and a new stairway entrance to the basement.

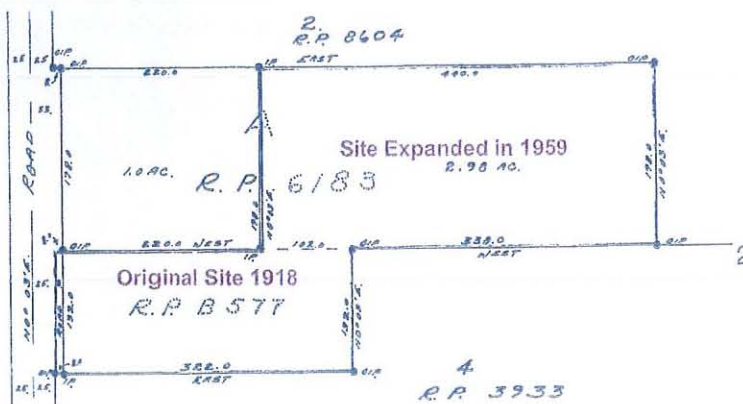


In 1959 more land was acquired making the site almost 3 acres. The original site was only an acre and it was time to build a second school building. The original building housed grades 1 to 3, and the new building, grades 4 to 6. The added land was provided for play and sports areas, and public use by the neighbourhood.

In the mid-sixties Bastion School was built and children from Broadview were regularly bussed there to make use of the gymnasium (albeit half-sized).

From 1976 up until 1980 North Broadview became strictly a primary school with grades 1, 2 and 3. Subsequently, in 1980, the grade three students were transferred to Bastion School, but a kindergarten class was added to Broadview.

The 2.98 ac site now had the old main school; the permanent building built in 1959; a portable for office and library; and a portable for grade one classroom. Another portable was added as an activity room in 1983.





In the mid-eighties, even though enrolment was still high at North Broadview (88 - 96 students), necessary upgrades were seen as too expensive and the newer Bastion School's enrolment was declining but more cost effective to add onto including a full sized gym.

In 1986 the primary classes were moved to Bastion School with the closure of the 1918 school building while the 1959 building and the office/library portable were apparently used by the the Alternate Program.

In 1988 the old Broadview School was moved to Haney Heritage Village and restored by the Salmon Arm Museum Society for its historic interest as a provincially recognized example of a turn of the century one-room schoolhouse.

In 2005 the School District entered into a lease with the Mennonite Church to allow the property to be used for church use. The lease with the Mennonites was renewed in 2008 and again in 2011.

In 2013 the School District invited proposals to purchase the former North Broadview School property (2.98 acre or 0.809 ha). The sale of the property to the Mountainview Baptists was completed in 2015. Subsequently, the Mountainview Baptist Church has been using the property on a regular basis for church services and community outreach programs.

**SUMMARY OF USE:** The subject property has been used for public assembly uses (school and church) for almost one hundred years. Sixty years ago the one acre site was expanded to almost 3 acres. Since 2005 the property has been used for church related uses. Since purchase of the property in 2015, the Mountainview Baptist Church has been operating a place of worship.

The Mountainview Baptist Church would like to construct a new church building on the subject property.

**LAND USE REGULATIONS:** Notwithstanding the long established public assembly use of the subject property, in 1972, it was included in the Provincial Agricultural Land Reserve. However, the Agricultural Land Commission Act does make provision for "non-farm" uses established prior to December 21, 1972. Section 23 (Exceptions) of the Act states:

*"(2) The restrictions on the use of agricultural land do not apply to land lawfully used for a non-farm use, established and carried on continuously for at least 6 months immediately before December 21, 1972, unless and until*

*the use is changed, other than to farm use, without the permission of the commission,*

*(3) For greater certainty, the exception in subsection (2) applies only to the land that was actually being used for a non-farm use and not to the entire parcel on which that use was being carried on."*

In this case, the "non-farm" use is considered to be "public assembly" which includes both school and church related uses. The building, parking, play field and septic areas of the "non-farm" use cover the entire property.

Confirmation of the "non-farm" use exception as it applies to the subject property by the Agricultural Land Commission will allow application to be made to the City of Salmon Arm for construction of a new church (OCP and Zoning Amendments and Building Permit).

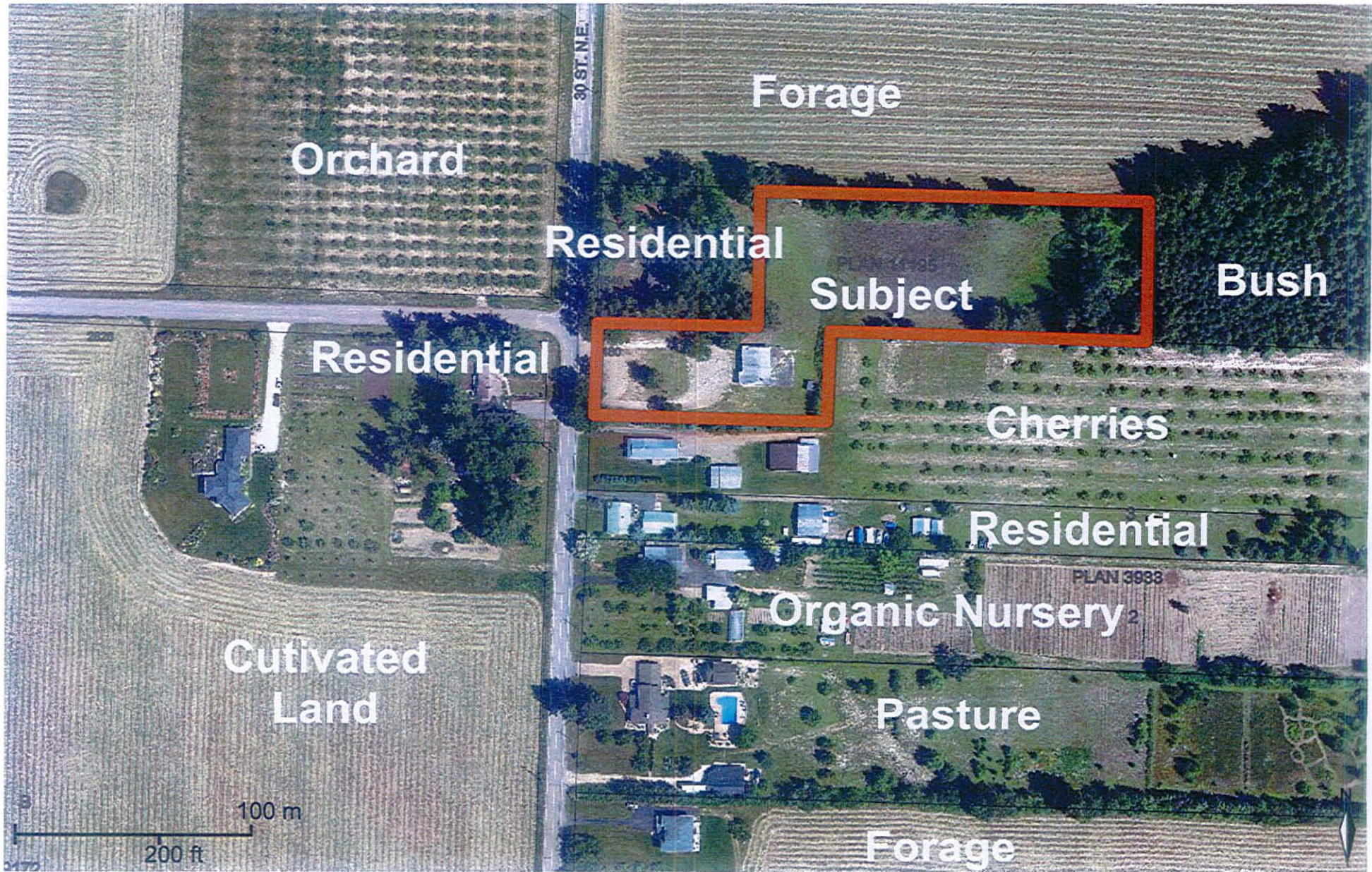


Kurt Alberts MCIP RPP

History of Use compiled with help from:

- unpublished papers by: Berniece Saunders and Deborah Chapman
- "The Rise and Fall of a One Room School" by Berniece Saunders (1990)
- discussions with School District No. 83 (North Okanagan - Shuswap)

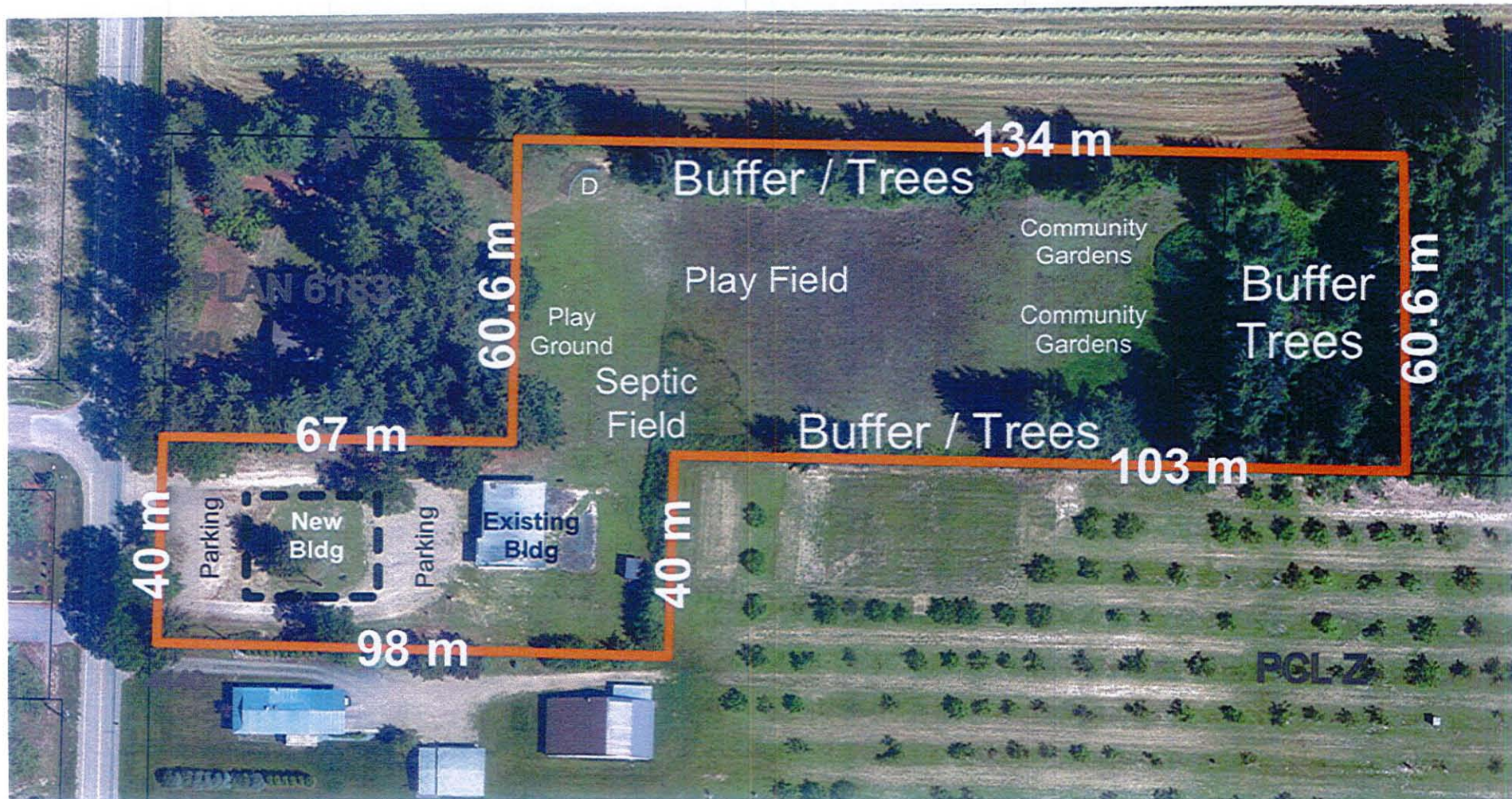




## Schedule B Adjacent Uses

ALC Non-Farm Use Application by Mountainview Baptist Church for 4480 - 30 Street NE, City of Salmon Arm





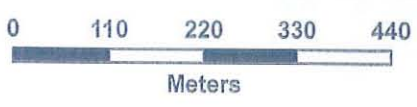
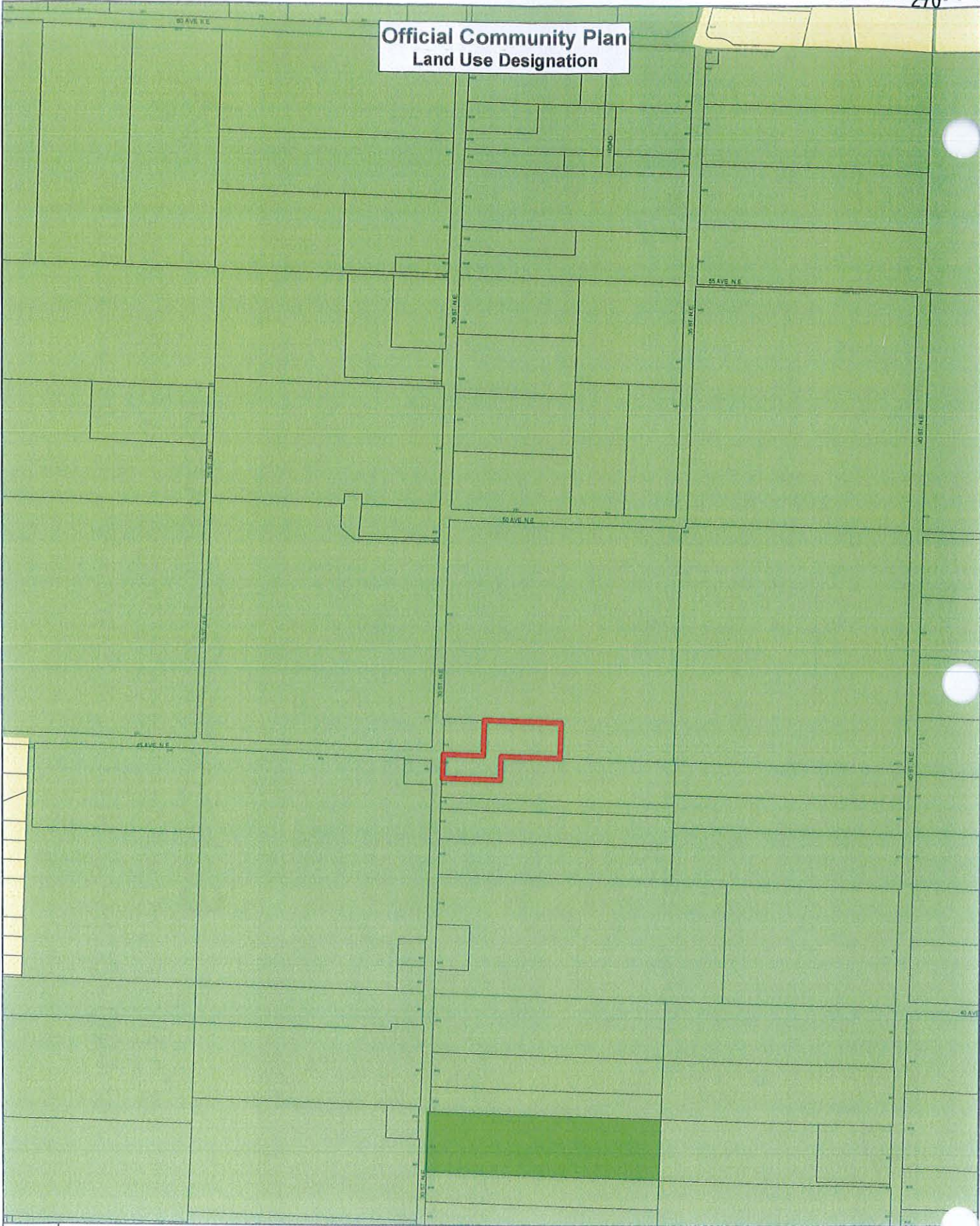
## Schedule C Proposal

ALC Non-Farm Use Application by Mountainview Baptist Church  
for 4480 - 30 Street NE, City of Salmon Arm (Property Size 1.2 h)





Official Community Plan  
Land Use Designation



Subject Parcel



Acreage Reserve



Park



Zoning Map

271  
CD-13  
P-1

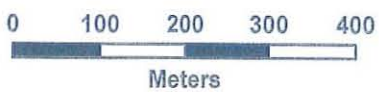
P-3

A-2

R-7

P-1

P-3



Subject Parcel

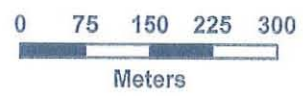
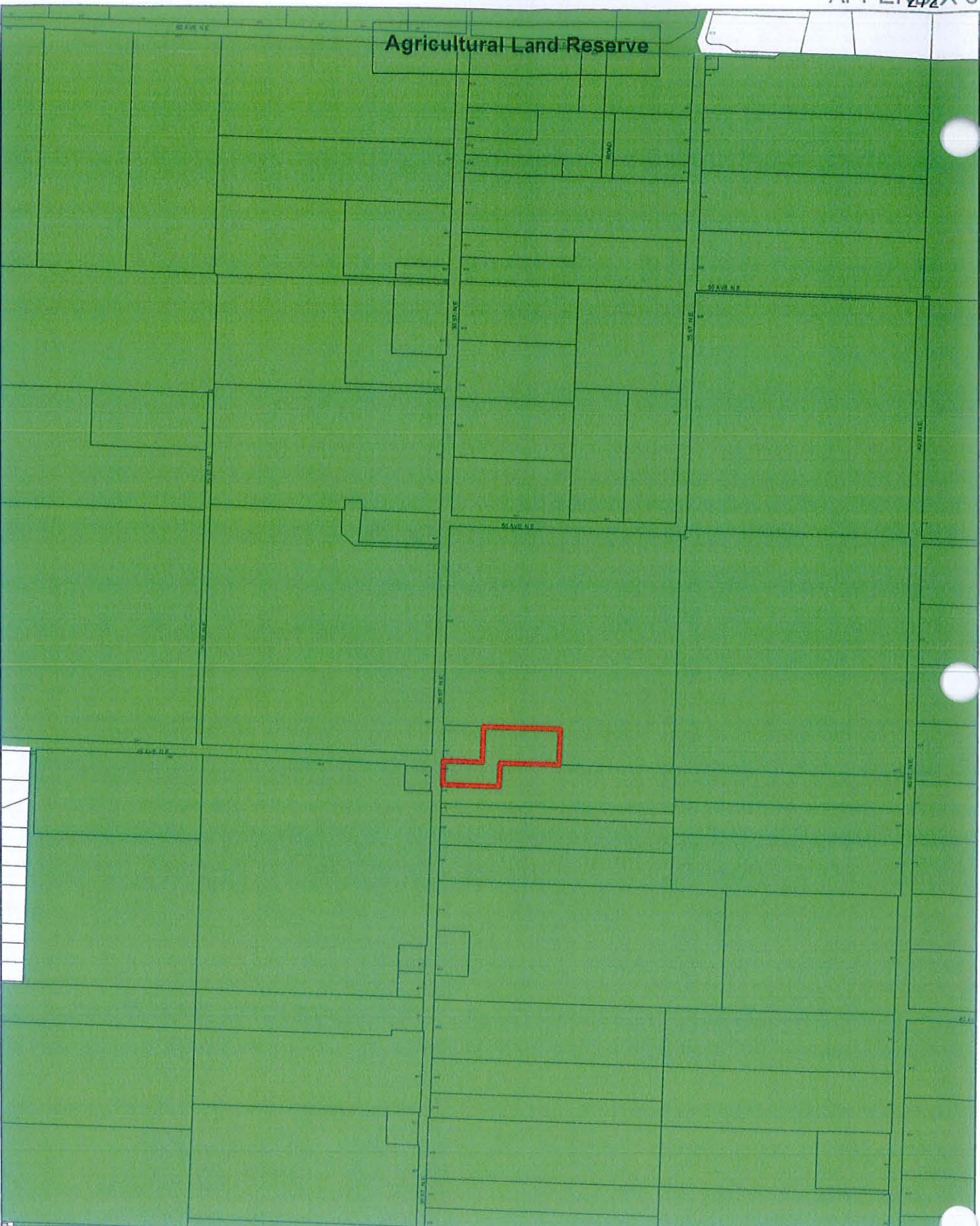
Park and Recreation

Institutional

Rural Holding



Agricultural Land Reserve



Subject Parcel

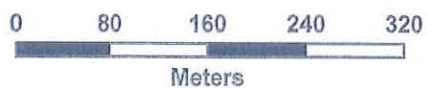
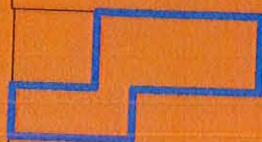


Agricultural Land Reserve



Improved Soil Classification

6 4  
2<sup>x</sup> - 3<sup>T</sup>  
M



	Class 1		Class 4		Class 7
	Class 2		Class 5		Subject Parcel
	Class 3		Class 6		



## APPENDIX 8



Photo 1: Photo looking east at the subject property from 30 Street NE

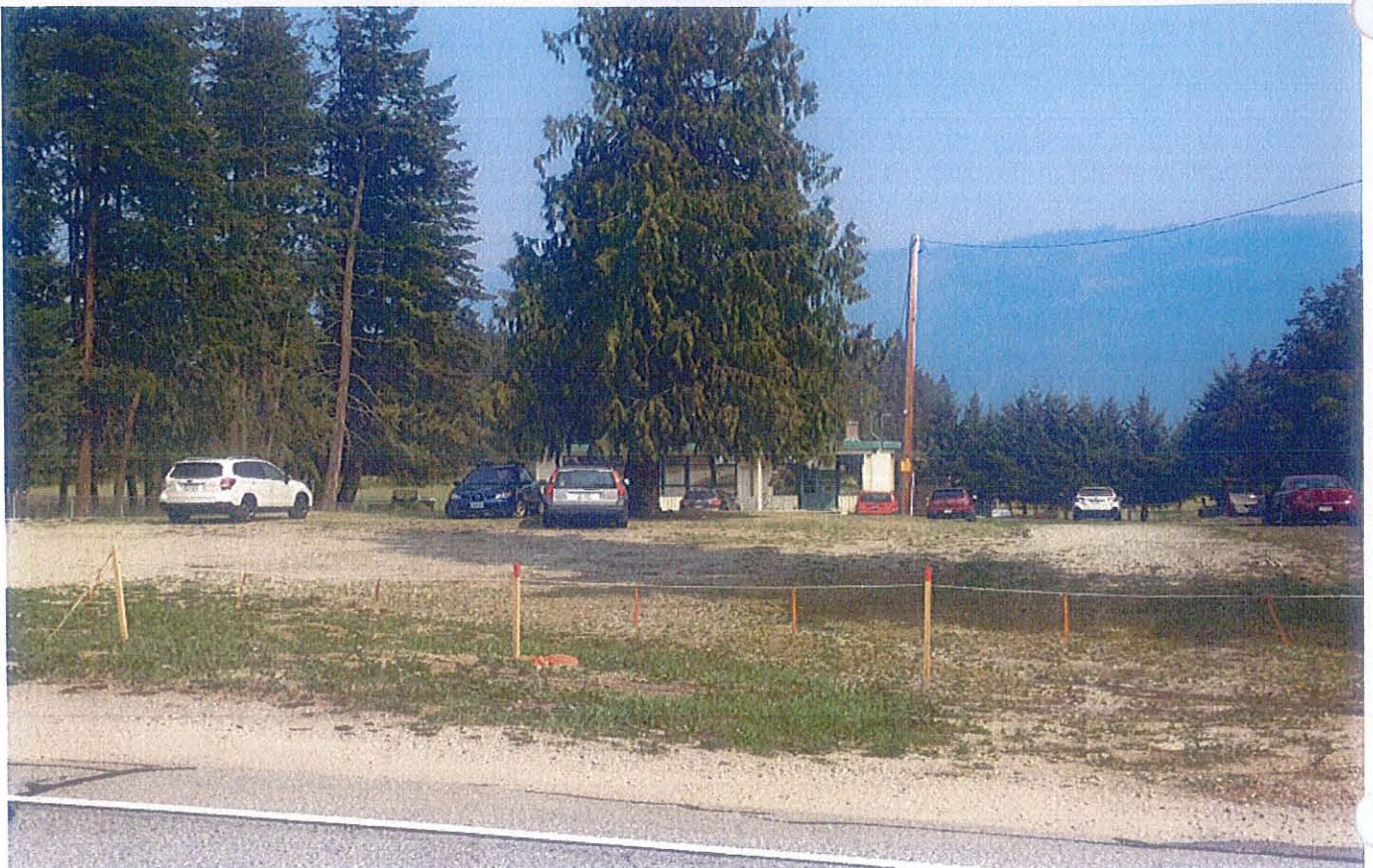


Photo 2: Photo looking north-east at the subject property from 30 Street NE





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

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TO: Kevin Pearson, Director of Development Services  
 DATE: September 7, 2018  
 PREPARED BY: Xavier Semmelink, Engineering Assistant  
 APPLICANT: **Mountainview Baptist Church, 1981- 9 Avenue NE, Salmon Arm, BC V1E 2L2**  
 SUBJECT: **AGRICULTURAL LAND COMMISSION APPLICATION NO. ALC-377E**  
 LEGAL: Lot 1, Section 30, Township 20, Range 9, W6M, KDYD, Plan 11195  
 CIVIC: **4480 – 30 Street NE**

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Further to your referral dated 31 July 2018, we provide the following servicing information. **The following comments and servicing requirements are not conditions for ALC Application; 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. Owner / Developer to comply fully with the requirements of the Subdivision and Development Services Bylaw No 4163. Notwithstanding the comments contained in this referral, it is the applicant'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. The property shall be serviced with electrical and telecommunication wiring upon development.
4. Properties under the control and jurisdiction of the municipality shall be reinstated to City satisfaction.
5. Owner / Developer will be responsible for all costs incurred by the City of Salmon Arm during construction and inspections. This amount may be required prior to construction. Contact City Engineering Department for further clarification.
6. Erosion and Sediment Control measures will be required at time of construction. ESC plans to be approved by the City of Salmon Arm.
7. At the time of building permit 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.
8. For the off-site improvements at the time of building permit the applicant will be required to submit for City review and approval detailed engineered plans for all off-site construction work. These plans must be prepared by a qualified engineer. As a condition of building permit approval, the applicant will be required to deposit with the City funds equaling 125% of the estimated cost for all off-site construction work.



**Roads / Access:**

1. 30 Street NE, on the subject properties western boundary, is designated as a Rural Arterial Road standard, with an ultimate 25.0m road dedication (12.5m on either side of road centerline). Although the City only requires an Interim total of 20.0m of road dedication (10.0m on either side of road centerline) at this time, all building setbacks will be required to conform to the ultimate 25.0m cross section. Available records indicate that no additional road dedication is required to meet the Interim 20m ROW (to be confirmed by BCLS). However, an additional 2.4416m of dedication will ultimately be required.
2. 30 Street NE is currently constructed to an Interim Paved Road standard. Upgrading to the Rural Arterial standard is required, in accordance with Specification Drawing No. RD-9. Upgrading may include, but is not limited to, road widening and construction, curb & gutter, boulevard construction, street lighting, fire hydrants, street drainage and hydro and telecommunications. Owner / Developer is responsible for all associated costs.
3. Owner / Developer is responsible for ensuring all boulevards and driveways are graded at 2.0% towards the roadway.
4. As 30 Street NE is designated as an Arterial Road, accesses shall be kept to a minimum. The subject property shall be serviced by a single driveway access, with a maximum width of 8m. Driveway access shall be greater than 12m from the intersection of 45 Avenue NE and 30 Street NE. A covenant restricting access may be required at time of Building permit. All unused driveways shall be removed. Owner / Developer responsible for all associated costs.

**Water:**

1. The subject property fronts a 150mm diameter Zone 3a watermain and a 250mm diameter Zone 3 watermain on 30 ST NE. No upgrades will be required at this time.
2. Records indicate that the existing property is serviced by a 25mm service from the 150mm diameter watermain on 30 ST NE. No further upgrading will be required at this time. All existing inadequate / unused services must be abandoned at the main. Owner / Developer is responsible for all associated costs.
3. The subject property is in an area with sufficient fire flows and pressures according to the 2011 Water Study (OD&K 2012).
4. Fire protection requirements to be confirmed with the Building Department and Fire Department.

**Sanitary:**

1. The site does not front on a City of Salmon Arm sanitary sewer system. Subject to the required approvals from Interior Health Authority, private on-site disposal systems will be required.



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**Drainage:**

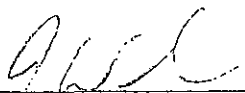
1. An Integrated Stormwater Management Plan (ISMP) conforming to the requirements of the Subdivision and Development Servicing Bylaw No. 4163, Schedule B, Part 1, Section 7 shall be provided.
2. The site does not front on an enclosed storm sewer system. Where onsite disposal of stormwater is recommended by the ISMP, an "Alternative Stormwater System" shall be provided in accordance with Section 7.2.

**Geotechnical:**

1. A geotechnical report in accordance with the Engineering Departments Geotechnical Study Terms of Reference for Category A (Building Foundation Design), Category B (Pavement Structural Design) is required.



**Xavier Semmelink**  
Engineering Assistant



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

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Item 11.2

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Harrison

Seconded: Councillor Flynn

THAT: the 2018 Budget contained in the 2018 – 2022 Financial Plan Bylaw be amended to include an allocation for Fire Truck No. 4 Engine Replacement in the amount of \$21,000.00 funded from the Emergency Apparatus Reserve Fund;

AND THAT: the City's Purchasing Policy No. 7.13 be waived in procurement of the supply and installation of an engine for Fire Truck No. 4 (Unit 223) and to authorize the sole sourcing of same to Gemm Diesel Ltd.;

AND THAT: Council award the supply and installation of a used engine for Fire Truck No. 4 to Gemm Diesel Ltd. in accordance with their quote in the amount of \$15,176.00 plus applicable taxes.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





## City of Salmon Arm

### Memorandum from the Chief Financial Officer

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Date: September 13, 2018  
To: Mayor Cooper and Members Council  
Subject: Purchase of Fire Apparatus

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#### Recommendation

- THAT: The 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to include an allocation for Fire Truck No. 4 Engine Replacement in the amount of \$21,000.00 funded from the Emergency Apparatus Reserve Fund;
- AND THAT: The City's Purchasing Policy No. 7.13 be waived in procurement of the supply and installation of an engine for Fire Truck No. 4 (Unit 223) and to authorize the sole sourcing of same to Gemm Diesel Ltd.;
- AND THAT: Council award the supply and installation of a used engine for Fire Truck No. 4 to Gemm Diesel Ltd. in accordance with their quote in the amount of \$15,176.00 plus applicable taxes.

#### Background

Fire Truck No. 4 (Unit 223) developed a serious mechanical issue in August, which once assessed, revealed that a new engine was required. Two quotes were received from James Western Star Freightliner from Kamloops, whom assessed the Truck, and Premium Truck & Trailer Inc. from Kelowna. Both provided quotes for replacement with a new engine, including tax, for \$38,467.10 and \$32,594.24 respectively. If the works were completed by Premium Truck & Trailer Inc., the lower quote, the truck would need to be towed to Kelowna for an added estimated cost of \$1,500.00.

An alternative option was to locate a used engine with low kilometers. Gemm Diesel Ltd. of Salmon Arm was able to do this and provided a quote for supply and installation of the engine for \$15,176.00 plus applicable taxes. This alternative would require the truck to be towed back to Salmon Arm from Kamloops for an estimated cost of \$1,200.00. This was the preferred option as advised by the Fire Chief as Gemm Diesel



has serviced the City's emergency fire apparatus in the past and was the lowest cost to the City.

The total anticipated costs are as follows:

Towing (to Kamloops and back to Salmon Arm)	\$ 2,400.00
Engine Tear Down & Assessment	2,450.00
Engine Replacement	<u>15,176.00</u>
Total	\$ 20,026.00

It is being recommended that these costs be funded from the Emergency Apparatus Reserve Fund, which as a balance of \$797,226.00.

According to the City's Purchasing Policy No. 7.13, the requirement to obtain 3 quotes for costs in excess of \$10,000.00 can be waived in instances of emergency where a delay would be injurious to the public. Further, per the policy in the event of an emergency the Administrator has the authority to expend whatever funds are reasonably necessary to deal with the situation. However, prior to committing the funds the Administrator shall use his best efforts to contact the Mayor to advise of the nature of the emergency and the amount of funds to be committed and obtain approval.

As the City is reliant on these Fire Engines to respond to the public, this situation was determined to qualify as an emergent expenditure. As such the Administrator and Mayor were apprised of the situation on August 22, 2018 and approval was obtained to proceed with the purchase of a used engine from Gemm Diesel Ltd. Further to this, Staff are now formally requesting Councils approval of the said expenditure.

  
Chelsea Van de Cappelle, CPA, BBA



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## Item 11.3

**CITY OF SALMON ARM**Date: September 24, 2018

Moved: Councillor Lavery

Seconded: Councillor Harrison

THAT: the Mayor and Corporate Officer be authorized to execute the Support Agreement with InfoNet Technology from the date of acceptance estimated to be October 1, 2018 until such time as the device and software are no longer used;

AND THAT: the Mayor and Corporate Officer be authorized to execute the Merchant Agreement with Global Payments for a one (1) year period and optional renewal term of six (6) months from the date of acceptance estimated to be October 1, 2018;

AND THAT: the 2018 Budget contained in the 2018 – 2022 Financial Plan Bylaw be amended to increase the allocation for Memberships and Licenses in the amount of \$2,100.00 funded from the Airport Taxiway Reserve.

**Vote Record**

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





## City of Salmon Arm

### Memorandum from the Chief Financial Officer

Date: August 24, 2018  
 To: Mayor Cooper and Council  
 Subject: Airport Fuel Supply Self-Serve Fueling Terminal

Recommendation:

- THAT: The Mayor and Corporate Officer be authorized to execute the Support Agreement with InfoNet Technology from the date of acceptance estimated to be October 1, 2018 until such time as the device and software are no longer used;
- AND THAT: The Mayor and Corporate Officer be authorized to execute the Merchant Agreement with Global Payments for a one (1) year period and optional renewal term of six (6) months from the date of acceptance estimated to be October 1, 2018;
- AND THAT: The 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to increase the allocation for Memberships and Licenses in the amount of \$2,100.00 funded from the Airport Taxiway Reserve.

Background:

In February 2018, Council resolved to enter into an Agreement with Aviation Ground Fueling Technologies for the installation of a new Airport Fuel Supply System at the Shuswap Regional Airport (report attached hereto as Appendix A). This system includes a self-serve aviation fueling terminal capable of processing credit, debit, proprietary and fleet cards. As part of this process, an Agreement with InfoNet Technologies for annual fuel management and payment system software maintenance and technical support and Global Payments for the processing of payment transactions is required.

Support Agreement - InfoNet Technology

Aviation Ground Fueling Technologies's (AGFT) self-serve aviation fueling terminal is a Fuel Commander EMV system. This is a standalone fully integrated remotely managed self-serve unattended fueling system composed of an EMV payment terminal, control computer and InfoNet system software. EMV is a payment method based upon a



Mayor Cooper and Council  
Memorandum - Airport Fuel Supply Self-Serve Fueling Terminal

Page 2

technical standard for smart payment cards and for payment terminals and automated teller machines that can accept them.

The system accepts Chip & PIN/EMV credit and debit cards as well as fleet and private cards. InfoNet is the manufacturer of the software and whom which the City must enter into agreement with for on-going software maintenance and support.

The annual software maintenance fee is \$1,172.00 and the annual technical support fee is \$900.00 (24/7 support at \$150.00 per hour for up to 6 hours). If assistance is required and the City does not have an active technical support plan, the cost would increase to \$250.00 per hour. The 2018 Budget for Memberships and Licenses at the Airport is \$650.00. Therefore, Staff are recommending a budget amendment of \$2,100.00 funded from the Airport Taxiway Reserve

InfoNet requires the EMV system to be installed and the merchant agreement with Global payments executed, prior to offering training.

Merchant Agreement - Global Payments

The City's current processor of credit and debit transactions at the Airport is Chase Paymentech (Chase); contract expires December 31, 2019. The new EMV system is only certified with Global Payments (Global); therefore the City must use Global for processing credit/debit with the new system. The terminal and processing service provided by Chase are still required for other non-fuel related sales (i.e tie down fees, oil sales ect.).

Debit transactions are charged a fee based on the number of transactions. Credit transactions are charged fees based on the dollar value of the sale. Credit fees include a base rate, an assessment rate, a non-qualified rate and various other rates depending on the type of card used and whether or not transactions meet certain qualification criteria. Both Chase and Global's merchant agreements indicate that Payment Brands (i.e. Visa or MasterCard) establish the interchange levels and can change the interchange rates and qualification criteria. These changes impact the fees the City must pay and as a result the fee quotes discussed below are likely to change.



Mayor Cooper and Council  
Memorandum – Airport Fuel Supply Self-Serve Fueling Terminal

Page 3

	Type	Chase	Global	Difference
Debt		\$ 0.07	\$ 0.05	\$ (0.02)
Credit – Base	Visa	1.690%	1.470%	(0.220%)
	MasterCard	1.220%	1.470%	0.0250%
Credit – Assessment	Visa	0.100%	0.125%	0.0250%
	MasterCard	0.096%	0.125%	0.0290%
Credit – Non-Qualified	Visa	0.300%	0.300%	-
	MasterCard	0.300%	0.300%	-

Other Annual Fees:

Administration	\$119.40	\$108.00
Payment Terminal Rental	\$323.40	-

The transaction fee quotes received from Global for credit transactions were slightly higher cumulatively, however are still comparable to the rates the City currently pays with Chase. It should be noted, the Airport processes Visa cards significantly more than MasterCard or debit.

It is expected that usage volume of credit/debit transactions with Chase would decline proportionately as usage of the new EMV system (Global) increases. As a result it is not anticipated that there will be a significant difference in transaction costs of switching from Chase to Global for credit related transactions. Global's proposed debit rate per transaction is \$0.02 less than that charged by Chase. However, the overall costs from debit related transactions are minimal compared to those of credit transactions.

The additional costs per year would be Global's annual administration fee of \$108.00 and in the first year an additional \$150.00 for set-up. The 2018 Budget for Interest and Bank Charges at the Airport is \$5,500.00, and transaction charges up to June of 2018 are \$2,217.28. While these costs are higher than that of June 2017, the current budget is still anticipated to be sufficient and therefore a budget amendment is not recommended at this time.



Chelsea Van de Gappelle, CPA, BBA



## Appendix A



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

File: ENG2017-57

TO: Her Worship the Mayor and Members of Council  
 FROM: Rob Niewenhuizen, Director of Engineering and Public Works  
 PREPARED BY: Darin Gerow, Engineering Assistant  
 DATE: February 19, 2018  
 SUBJECT: Airport Fuel Supply System - PROPOSAL AWARD

**RECOMMENDATION:**

**THAT:** Council award the Airport Fuel Supply System Project No. ENG2017-57 to Aviation Ground Fueling Technologies Ltd., in accordance with their revised proposal dated February 13, 2018, for an estimated cost of \$286,310.00 plus taxes as applicable.

**BACKGROUND:**

A request for proposals was advertised on December 19, 2017 to supply, deliver and install an Airport Fuel Supply system at the Shuswap Regional Airport consisting of two (2) double walled fuel storage tanks and self servicing fueling terminals controlled by a single point of sale with a card lock EMV system.

At the April 4, 2016 regular council meeting, council authorized the submission of two (2) grant applications under the British Columbia Air Access Program for the Fuel System Upgrade and Airport Development Plan Phase I -- Taxiway Charlie. City of Salmon Arm was successful in the Fuel System Upgrade application. The successful grant provides the City of Salmon Arm to a maximum \$225,000.00 or 75% of the total eligible project costs, whichever is less.

The Shuswap Regional Airport is currently using an out of date fuel dispensary system with underground fuel and av-gas tanks. Parts are difficult to acquire for maintenance and repairs. Currently Airport staff must be present to operate the system which means staff are on-call at all hours of the day. Additionally, the underground tanks are an environmental hazard. This upgrade will have the storage tanks above ground with a single point of sale, which will decrease fueling waits and meet the latest safety requirements.

The following proposals were received Thursday, January 25, 2018 and evaluated based on Project Methodology, Experience, Understanding of work, Material Selection and Price.

**Proposal Results:**

Evaluation		Contractor	Proposal	GST	Total
Proposal Rank	Cost Rank				
1	1	Aviation Ground Fueling Technologies Ltd.	\$286,310.00	\$14,315.50	\$300,625.50
2	2	Phoenix Petroleum Ltd.	\$463,000.00	\$23,150.00	\$486,150.00
2	3	Western Oil Services Ltd.	\$472,000.00	\$23,600.00	\$495,600.00



**PROPOSAL AWARD FOR SHUSWAP REGIONAL AIRPORT FUEL SUPPLY SYSTEM**  
**Page 2**

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The total budget available for this project is \$309,515.00. The project includes:

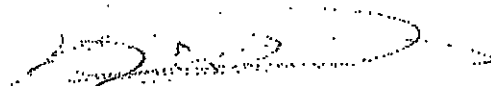
- Design & Supply of Skid Tank and Gravel Base,
- Supply & Install Two (2) Double Walled Above Ground Storage Tanks,
- Supply & Install Automatic Tank Level Gauging and Leak Detection,
- Supply & Install Self Serve Aviation Fueling Terminal,
- Supply & Install Fuel Dispensing Cabinets,
- Meter Proving to certify weights and measures accuracy.

Initially all proposals were over the available budget. Through discussions with the lowest price, highest evaluated bidder, Aviation Ground Fueling Technologies Ltd. we were able to reduce the price below the available budget. Proposed major contract changes are reducing the concrete pad to a gravel standard and providing a smaller, 30,000 litre tank for the av-gas.

Each of the proposals ranked very high in their knowledge of the project, experience, understanding of work and material selections. Aviation Ground Fueling Technologies Ltd. have completed very similar projects, within British Columbia.

We recommend that Aviation Ground Fuel Technologies Ltd. be awarded the project and that Council accept the proposal of Aviation Ground Fuel Technologies Ltd for the Shuswap Regional Airport Fuel Supply System Project in accordance with the proposal for an estimated cost of \$286,310.00 plus GST.

Respectfully submitted,

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Rob Niewenhuis, A.Sc.T.  
Director of Engineering and Public Works

cc Monica Dalziel, Chief Financial Officer



Item 11.4

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: Mayor and Council authorize staff to execute the new Statement of Work for Curbside Collection Services Provided by Local Government (SOW), with Recycle BC, effective November 30, 2018 to December 31, 2023.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





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

File: 5360.04.08

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TO: Her Worship Mayor Cooper and Members of Council

FROM: Rob Niewenhuizen, Director of Engineering and Public Works

PREPARED BY: Jenn Walters, City Engineer

DATE: September 27, 2018

SUBJECT: **Recycle BC Statement of Work for Curbside Collection  
Services Provided by Local Government**

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**RECOMMENDATION:**

**THAT: Mayor and Council authorize staff to execute the new Statement of Work for Curbside Collection Services Provided by Local Government (SOW), with Recycle BC, effective November 30, 2018 to December 31, 2023.**

**BACKGROUND:**

The City of Salmon Arm has been providing the curbside collection of refuse and recyclables for residents since January 1, 2011. In June 2013, the City was offered a partnership with Recycle BC (formerly Multi-Material British Columbia) that would provide financial incentives to the City for the collection of residential Packaging and Printed Paper (PPP). By accepting this offer, the City entered into the Master Services Agreement to provide curbside recycling collection services under contract with Recycle BC.

The partnership has proven successful in diverting recyclable materials out of the landfill and into the creation and sale of new products. In the most recent Collection Performance over the Recycle BC Bonus Period of May 19, 2016 to May 18, 2017 a total of 675,795.0 kg of PPP (109.8 kg per household) was collected and processed.

Along with the financial incentive per household per year, Recycle BC also offers Bonus payments for local governments that achieve Performance Bonus Categories – specified weight classes of PPP per household per year. Although the City of Salmon Arm has not yet achieved a Performance Bonus Category, it is extra incentive to work towards a goal of maximized output of PPP with minimized contamination rates.

Within the Master Service Agreement is a Statement of Work (SOW) that outlines the services that the City will perform for the Curbside Collection of recyclable materials. Recycle BC has released a new SOW that the City must sign and return by October 1, 2018 to renew the



Recycle BC Collection Agreement. This SOW will extend just over 5 years to December 31, 2023 unless otherwise agreed.

#### **CHANGES TO PROGRAM:**

The major change in the 2018 SOW that is posing a challenge to the City Staff is the elimination of single-use plastic bags used for recycling collection. Recycle BC offers the option of using automated carts or non-automated containers for collection instead of plastic bags. The City Staff have chosen to use non-automated containers for the following reasons: non-automated containers are found to have a lower contamination rate than automated carts; and non-automated containers receive a higher Curbside Collection Financial Incentive than automated carts (an additional \$1.25 per Curbside Household per year, translating to \$7943.75 per year for the City of Salmon Arm's current Curbside Household Baseline of 6,355.). The City is working with SCV Contractors and Recycle BC to provide the most environmentally friendly and cost efficient long term solution for users of the collection service to smoothly transition from single-use bags to reusable recyclables containers or bins.

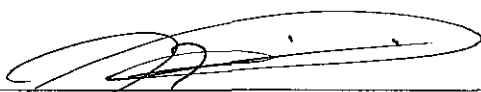
The container or bin based collection system has a statistically higher rate of contamination than the current single-use bag system. City Staff will be putting together educational materials that will include standards for using bins and minimizing contamination. The educational materials will be distributed to users of the Curbside Collection Service before the start up of the new contract in July 2019. The City will also be hiring a summer student that will audit residential recyclables in July and August 2019, and communicate with residents in order to resolve issues at an early stage of the program. Recycle BC will officially stop accepting single-use bags in July, 2020 however the City would like to transition to containers as quickly as possible after implementing the new SOW. Information on the program will continue to be available on the City of Salmon Arm and Recycle BC websites.

The financial incentive in the 2018 SOW has increased from \$37.25 (\$34.00 Collection, \$0.75 Education, \$2.50 Administration) to \$39.15 (\$36.65 Collection, \$0.75 Education, \$1.75 Administration). For the initial Curbside Household Baseline (6,355), this is an increase of \$12,075.50 per year.

The Performance Bonus Categories have been adjusted from the 2013 SOW. The new, lower Level 1 Category has become more attainable in the 2018 SOW with a 20 kg decrease per household.

Based on the above and the satisfaction with the last 4 years of partnership between the City and Recycle BC, it is recommended that Council authorize staff to execute the new five (5) year SOW with Recycle BC effective November 30, 2018 to December 31, 2023.

Respectfully submitted,

  
 Rob Nieuwenhuizen, A.Sc.T.  
 Director of Engineering and Public Works

cc Chelsea Van De Cappelle, CFO



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Item 11.5

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Harrison

Seconded: Councillor Lavery

THAT: the 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to reflect required funding for the replacement of Unit #46 - 2012 Silverado C3500 Truck together with Crane, Dump Box and required vehicle modifications in the amount of \$90,000.00 allocated from the Equipment Replacement Reserve Fund.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





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

File: ENG2018-06

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TO: Her Worship Mayor Cooper and Members of Council  
 SUBMITTED BY: Rob Niewenhuizen, Director of Engineering and Public Works  
 PREPARED BY: Darin Gerow, Manager of Roads and Parks  
 DATE: August 20, 2018  
 SUBJECT: **Budget Amendment - Replacement of Unit #46 - Truck & Crane**

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Recommendation:

**THAT:** The 2018 Budget contained in the 2018 - 2022 Financial Plan Bylaw be amended to reflect required funding for the replacement of Unit #46 - 2012 Silverado C3500 Truck together with Crane, Dump Box and required vehicle modifications in the amount of \$90,000.00 allocated from the Equipment Replacement Reserve Fund;

Background:

On May 9, 2018, Unit #46 - 2012 Chevy C3500 Silverado Flat deck was involved in an accident that has created this piece of equipment unusable. Unit #46 has a large dump flat deck with a crane and is used by the Parks Department primarily to empty the deep in ground garbage's. Many more uses for the truck include relocation of planters and hauling materials. The temporary suspended use of this truck has had a significant impact on operation and maintenance accounts due to the fact that a backhoe and operator must be used at an additional \$77.50 per hour.

ICBC has declared this truck written off and has offered the City with a settlement in the amount of \$26,548.61, including taxes and deductible. A replacement truck similar to our existing Unit #46 is estimated at a total of \$90,000 (Approximately \$45,000 - Truck, \$20,000 - Box, \$20,000 Crane, and \$5,000 - Stabilizers). With approved funding this fall, City staff will be capable of ensuring the equipment is ready for the high needs time starting next spring.

Respectfully Submitted,

Rob Niewenhuizen, A.Sc.T.  
 Director of Engineering and Public Works

cc Chelsea Van De Cappelle, CFO



Item 11.6

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: Council award the Metford Dam Berm - Access Road and Flow Pond Upgrade project to L.B. Chapman Construction Ltd. in accordance with the terms of their proposal in the amount of \$175,000.00 plus applicable taxes.

### Vote Record

- ☐ Carried Unanimously
- ☐ Carried
- ☐ Defeated
- ☐ Defeated Unanimously

Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond





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

File: ENG2018-23

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To: Her Worship Mayor Cooper and Members of Council  
 Submitted By: Rob Niewenhuizen, Director of Engineering and Public Works  
 Prepared By: Tim Perepolkin, Capital Works Supervisor  
 Date: 14 September, 2018  
 Subject: **Project Award - Metford Dam Berm - Access Road and Flow Pond Upgrades**

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Recommendation:

THAT: Council award the Metford Dam Berm - Access Road and Flow Pond Upgrade project to L.B. Chapman Construction Ltd. in accordance with the terms of their proposal in the amount of \$175,000.00 plus applicable taxes.

Background:

A Dam Safety Review (DSR) was completed in 2013. This report identified multiple deficiencies and non-conformances with the dam that needed to be addressed to be in compliance with the new Dam Safety Regulation that came into effect on February 29, 2016. As per the recommendations in the DSR, a detailed Geotechnical Assessment was completed in 2015, which provided recommendations on addressing the identified seepage issue on the downstream face of the dam.

Design work was initiated in 2017 with budget approval for the project in 2018. The Dam Safety Officer provided approval to proceed with construction on August 7, 2018.

An invitation to tender was issued on August 21, 2018 for this project.

The Tender closed on September 13, 2018 at which time the City received four (4) submissions, with results as follows:

Company	Price
L.B. Chapman Construction Ltd.	\$ 175,000.00 + tax
Mounce Construction Ltd.	\$ 184,799.12 + tax
General Assembly Excavating Ltd.	\$ 283,922.27 + tax
Mountain Side Earthworks Ltd.	\$ 285,458.05 + tax
Gentech Engineering Estimate	\$182,625.00 + tax

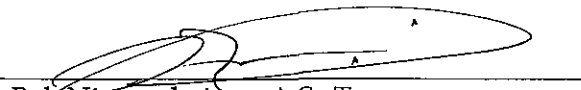


The lowest tendered price is below the engineers estimate and within the approved 2018 Budget (\$210,150.00). Budget amounts include construction works, geotechnical and civil engineering.

The tender submissions were reviewed and evaluated by the City's project manager Gentech Engineering Inc. and in consultation with City Staff.

L.B. Chapman Construction Ltd. have provided a preliminary schedule with their proposal with a start date of October 1, 2018 and completion within 5 consecutive weeks.

Respectfully Submitted,



Rob Nieuwenhuizen, A.Sc.T.

Director of Engineering and Public Works

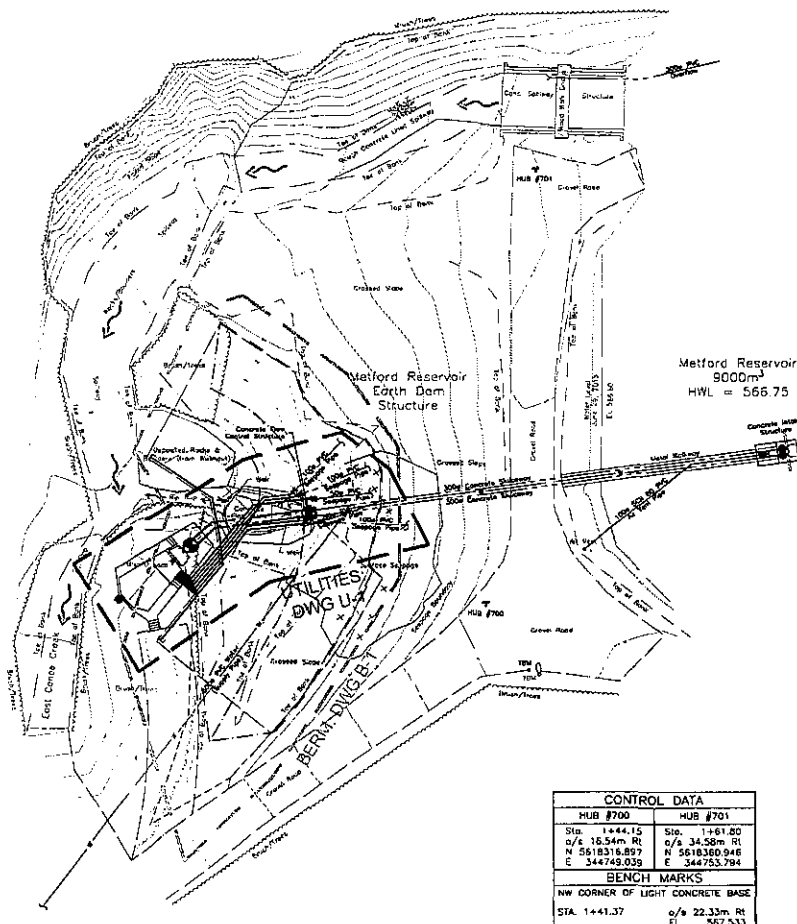
cc Chelsea Van de Cappelle, Chief Financial Officer



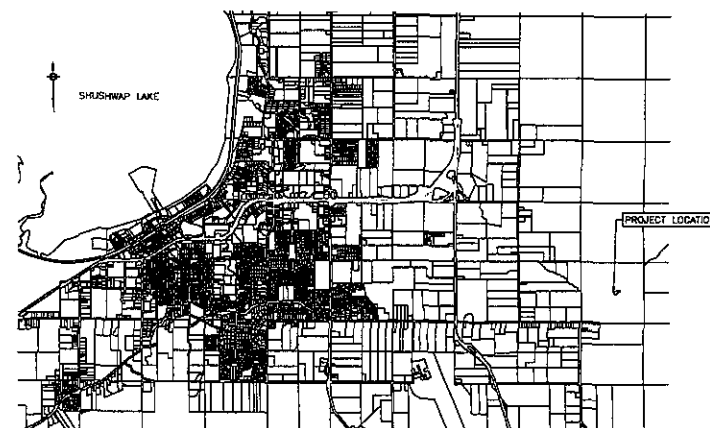
## SA17-1821



Salmon Run



CONTROL DATA	
HUB #700	HUB #701
Sta. 1+44.15	Sta. 1+61.80
a/s 16.54m Rl	a/s 34.58m Rl
N 5618316.897	N 5618360.946
E 344749.039	E 344753.784
BENCH MARKS	
NW CORNER OF LIGHT CONCRETE BASE	
Sta. 1+41.37	a/s 22.33m Rl
	E 567.533



## LIST OF DRAWINGS

COVER PAGE	
B-1	BERM & BERM TOE DRAIN
U-1	UTILITIES
D-1	FLOW POND DETAILS

GENTECH ENGINEERING INC.

PHONE: 250-832-7662  
EMAIL: GENTECH@CENTECHENGINEERING.COM



Item 19.

## CITY OF SALMON ARM

Date: September 24, 2018

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the Regular Council Meeting of September 24, 2018, be adjourned.

### Vote Record

- ☐ Carried Unanimously
  - ☐ Carried
  - ☐ Defeated
  - ☐ Defeated Unanimously
- Opposed:

- ☐ Cooper
- ☐ Flynn
- ☐ Eliason
- ☐ Harrison
- ☐ Jamieson
- ☐ Lavery
- ☐ Wallace Richmond



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