



**TOWN OF CRESTON
REGULAR COMMITTEE OF THE WHOLE MEETING AGENDA
HELD IN ACCORDANCE WITH MINISTERIAL ORDER NO. M192**

Tuesday, September 15, 2020, 4:00 P.M.

Millennium Park, 215-16th Avenue South, Creston BC

1. CALL TO ORDER

2. ADOPTION OF AGENDA (and additional items if necessary)

3. DELEGATIONS

None

4. BUSINESS

- a. Regional District of Central Kootenay regarding a change of scope request from Kootenai Community Centre Society with respect to their 2020 Columbia Basin Trust / Community Initiative Program Grant Funding
- b. Regional District of Central Kootenay regarding a 2020 Columbia Basin Trust/ Community Initiative Program Grant funding extension request from the Creston Valley Fall Fair Association
- c. Council Direction Request from the Director of Community Services regarding the Revitalization Tax Exemption Program
- d. Council Direction Request from the Director of Community Services regarding Zoning Amendment Application 02/20 (1516 Hillside Street)
- e. Council Direction Request from the Director of Community Services regarding Development Permit Application No 05/20 (1209 Northwest Blvd)
- f. Verbal Report from the Director of Finance and Corporate Services regarding the 2021 Budget Schedule

5. QUESTION PERIOD

6. ADJOURNMENT

From: [Lisa Rein](#)
To: [Garry Jackman](#); [Tanya Wall](#); [Adam Casemore](#); [Ron Toyota](#)
Cc: [Kirsten Dunbar](#)
Subject: 40-2020 Kootenai Community Centre - CHANGE of SCOPE request
Date: September-08-20 10:50:39

Good morning Directors, the Kootenai Community Centre Society is requesting a Change of Scope for their STV Support Group Technology Upgrade Project. They are requesting to purchase an Office EcoTank Pro ET-5850 All-in-One Cartridge-Free Supertank Printer.

The reason why the COS is due to not being able to hold technology support group sessions due to COVID. Please see the full string below for more information.

Area funding support as follows:

Area A - \$360.00
Area B - \$484.16
Area C - \$484.16
Creston CIP - \$443.00

Are you in support of this Change of Scope?

Regards,
Lisa

Lisa Rein

Grants Coordinator

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4

Phone: (250) 352-8170 **Fax:** (250) 352-9300

Web: www.rdck.ca **Friend us on** [Facebook](#)

Representing Diverse Communities in the Kootenays

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From: [Lisa Rein](#)
To: [Garry Jackman](#); [Tanya Wall](#); [Adam Casemore](#); [Ron Toyota](#)
Cc: [Kirsten Dunbar](#)
Subject: 66-2020 CVFF Funding extension request to 2021
Date: September-08-20 11:18:49
Attachments: [RDCK 2020 Funding Extension Request064.pdf](#)

Good morning Directors, the Creston Valley Fall Fair Association is requesting their 2020 funding for the 102nd Annual Fall Fair be used for the 2021 fall fair due to the cancellation of this years fair. With this change, they are requesting a final report and completion by December 2021.

See the formal request attached.

Are you in support of this change and extension?

Regards,
 Lisa

Lisa Rein

Grants Coordinator

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4

Phone: (250) 352-8170 **Fax:** (250) 352-9300

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From: bookkeepercvff@gmail.com <bookkeepercvff@gmail.com>

Sent: September 3, 2020 11:31 AM

To: Lisa Rein <LRein@rdck.bc.ca>

Cc: [REDACTED]

Subject: CVFF Funding extension request to 2021

Good morning Lisa, I want to thank you for taking the time to provide me the information for requesting an extension for the 2020 RDCK CBT CIP/APP funding.

I have enclosed this request for the Creston Valley Fall Fair Association.

I trust this is in accordance with the RDCK and CBT. Should further information be required, please do not hesitate to contact me.

Yours truly,

Johnene Anderson, Treasurer

September 4, 2020

Lisa Rein, Grants Coordinator

Regional District of Central Kootenay

RDCK/CIP/AAP Funding Project 102nd Annual Creston Valley Fall Fair.

The Creston Valley Fall Fair Association appreciates the funding received through the RDCK 2020 Community Initiatives and Affected Areas Program

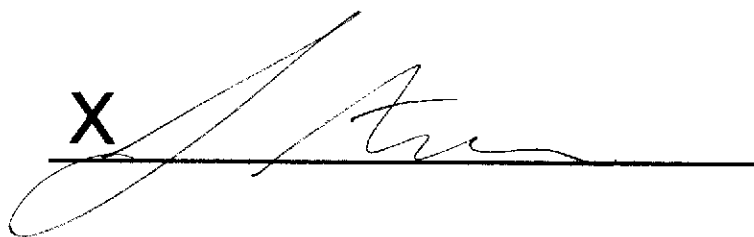
Due to Covid 19 and the many restrictions, along with our venue being closed, we regretfully had to postpone our 102nd Fall Fair Project, for 2020. We now are in the planning stages for the 103rd Creston Valley Fall Fair.

The Creston Valley Fall Fair would like to request an extension for the funding from our 102nd Fall Fair Project, to be used for our 103rd Fall Fair happening September 10 & 11, 2021. With an extension for the funding to December 31, 2021. We are going forward with our planning, with the expectation that by that time, we will be able to once again host our long running community event.

Again, thank you, we are greatful for the funding provided.

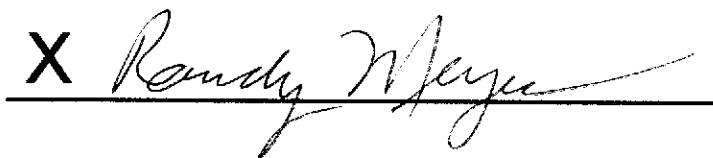
Yours truly,

Johnene Anderson, Treasurer Creston Valley Fall Fair Association

X 

Randy Meyer, President

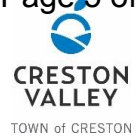
Creston Valley Fall Fair Association

X 

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston

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ACTION DATE: September 15, 2020

SUBJECT: Renewal of the Revitalization Tax Exemption Program

SUGGESTED FOLLOW-UP ACTION: THAT Council DIRECTS Staff to prepare a new Revitalization Tax Exemption Bylaw for Council Consideration at an upcoming regular Council Meeting.

CAO COMMENTS: The revitalization bylaw program has been successfully utilized since 2011.

BACKGROUND

Staff Briefing Note:

Attached ☒

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: The Town of Creston established a Revitalization Tax Exemption (RTE) Program in 2011 through RTE Bylaw No. 1753, 2011, (exp. 2013) to support economic revitalization, development and growth in the Town of Creston. This program was renewed in 2015 (RTE Bylaw 1821, 2015), and renewed again in 2017 (RTE Bylaw 1860, 2017). RTE Bylaw 1860, 2017 (exp. August 31, 2020) was available for the construction/ alteration of all appropriately zoned commercial businesses with a construction value of at least \$150,000 for new buildings, or \$50,000 for alterations. The RTE provided eligible businesses with a tax exemption on the municipal portion of their property taxes (calculated based on the difference in assessed value attributed to the eligible improvements) for a maximum term of ten (10) years. As RTE Bylaw 1860, 2017 has expired, Council may elect to continue the RTE program through the adoption of a new RTE Bylaw (options outlined in attached staff briefing note) or choose not to adopt a new RTE Bylaw.

RELEVANT OBSERVATIONS: The existing RTE Bylaw 1860, 2017 expired on August 31, 2020.

STRATEGIC QUESTIONS: Does Council wish to continue promoting economic growth in the Town of Creston using the Revitalization Tax Exemption Program?

ESSENTIAL QUESTION: Does Council wish to consider a new Revitalization Tax Exemption Bylaw?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: Adoption of a new Revitalization Tax Exemption Bylaw.

DESIRED BENEFITS OF KEY RESULT: Encourage new commercial businesses to construct new buildings or renovate existing buildings for commercial use; encourage existing commercial businesses to renovate existing buildings, thereby improving the aesthetic of local businesses; reinforcing the Municipality's open for business approach to attract redevelopment and new development of commercial businesses within the Town of Creston. **REQUISITES:** Staff to develop a new RTE Bylaw for Council Consideration.

UNINTENDED OUTCOMES: Where construction would have happened, regardless of the RTE program, the municipality defers the collection of the municipal portion of the property taxes.

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

- | | |
|----|---|
| 1. | Council Directs staff to prepare a new Revitalization Tax Exemption Bylaw for Council consideration at an upcoming Regular Council Meeting; |
| 2. | Discontinue the Revitalization Tax Exemption Program |
| 3. | Other, as per Council Direction |

Submitted by:

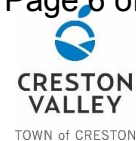
Ross Beddoes

Reviewed by:

CAO

STAFF BRIEFING NOTE

Town of Creston



DATE: 9/15/2020

TO:	Michael Moore, Chief Administrative Officer
CC:	Steffan Klassen, Director of Finance and Corporate Services
FROM:	Ross Beddoes, Director of Community Services
DEPARTMENT:	Community Services
SUBJECT:	Revitalization Tax Exemption Program Expiration
APPENDIX:	<input type="checkbox"/> ATTACHED <input type="checkbox"/> OTHER DOCUMENT <input type="checkbox"/> NOT APPLICABLE

PURPOSE / ISSUE:

To request Council's Direction regarding the development of a Revitalization Tax Exemption (RTE) Bylaw.

BACKGROUND:

An RTE Program, for the Town of Creston, was first introduced by RTE Bylaw No. 1753, 2011, focusing on economic revitalization, development and growth. It was limited to construction / alteration of appropriately zoned hotels and motels within the Town of Creston. In order to be eligible for the Program, a construction value of at least \$1,000,000 for new buildings, or \$100,000 for alterations was required. The program expired July 31, 2013. During its two year term, three local businesses were granted RTE Certificates.

RTE Bylaw No. 1821 was adopted on June 23, 2015 expanding the scope of the Program beyond hotels and motels, to include construction / alteration of all appropriately zoned commercial businesses. In order to be eligible for the program, a construction value of at least \$150,000 for new buildings, or \$50,000 for alterations was required. Bylaw No. 1821 expired August 31, 2017 and only one RTE Certificate was issued. The RTE program continued through RTE Bylaw No. 1860, 2017 keeping the same construction value eligibility and term. Bylaw No. 1860, 2017 expired on August 31, 2020. One RTE Certificate was issued under Bylaw No. 1860, 2017 and three RTE applications were received prior to the August 31 deadline for processing and Council's consideration at an upcoming Council Meeting.

CURRENT SITUATION:

Revitalization Tax Exemption Bylaw No. 1860, 2017 expired on August 31, 2020. In order to continue the RTE program for the Town of Creston, Council may direct staff to develop a new RTE bylaw for their consideration.

KEY CONSIDERATIONS:

- The RTE program objectives include encouraging commercial businesses to invest in new and renovated buildings, establishing commercial services, investment and employment opportunities in the Town of Creston, as well as reinforcing the municipalities "open for business approach". Further, the Official Community Plan identifies the commercial objective of creating a strong and vibrant commercial economy in the Town of Creston.
- Pursuant to Section 226 of the *Community Charter*, Council is able to specify the conditions of the RTE program; as such, Council can revise the eligibility, term, and percentage of the exemption of

STAFF BRIEFING NOTE

Town of Creston

municipal portion of property taxes within the RTE program. In a survey of other local government RTE Bylaws within the Kootenay Region, eligibility requirements and RTE program structure vary; however, the term of the RTE is often five years.

- The amount of the RTE is calculated based on the increase in the general municipal property tax levied on the difference in the assessed value of improvements on the Parcel of land between the year prior to commencement of construction and the year following the issuance of the RTE Certificate, that is, the difference in assessed value attributed to the eligible improvements.

The following options for consideration maintain previous program eligibility (a minimum construction value of at least \$150, 000 for new buildings or \$50, 000 for alterations of all appropriately zoned commercial businesses). Council may wish to consider other eligibility options, such as increasing the minimum construction value of projects. Options 1 and 3 provide examples of a five year term (with different percentages of the municipal portion of the property tax exempted), and Option 2 is consistent with the RTE program previously offered through RTE Bylaw 1860, 2017.

Option 1:

Eligibility: a minimum construction value of at least \$150, 000 for new buildings or \$50, 000 for alterations of all appropriately zoned commercial businesses.

Maximum Term: Five (5) years.

Exemption: 100% tax exemption of municipal property tax on eligible improvements for five years.

Example of Municipal Taxes (Based on 2020 Commercial – Class 6 Mill Rate - \$10,49932):

Increased to Assessment	\$100,000	\$1,000,000	\$10,000,000
Tax Exemption (per year)	\$1,049.93 / yr	\$10,499.32 /yr	\$104,993.20 / yr
Total Savings (5 year term)	\$5,249.66	\$52,496.00	\$524,966.00

Pros:

- Provides eligible participants with a savings of approximately five (5) percent of their project value over the term of the RTE Program.
- Enables the municipality to begin collecting the full municipal portion of the property taxes at five years.
- Reduces the amount of RTE certificates concurrently active, therefore reducing the overall amount of the municipal portion of property tax being deferred under the RTE program at one time.

Cons:

- Changing the term of the RTE program reduces the overall cost savings to the RTE program participants

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Town of Creston

Option 2 (Consistent with Revitalization Tax Exemption Bylaw 1860, 2017):

Eligibility: a minimum construction value of at least \$150, 000 for new buildings, or \$50,000 for alterations of all appropriately zoned commercial businesses.

Maximum Term: Ten (10) Years

Exemption: 100% tax exemption for first five years and 50% tax exemption for years six to ten (6-10) of municipal property tax on eligible improvements for years 6 to 10.

Example of Municipal Taxes (Based on 2020 Commercial – Class 6 Mill Rate - \$10,49932):

Increased to Assessment	\$100,000	\$1,000,000	\$10,000,000
Tax Exemption (Years 1-5)	\$1,049.93 / yr	\$10,499.32 /yr	\$104,993.20 / yr
Tax Exemption (Years 6-10)	\$524.97	\$5,249.66	\$52,496.60
Total Savings (5 year term)	\$7,874.49	\$78,744.90	\$787,449.00

Pros:

- Provides eligible participants with a savings of approximately eight (8) percent of their project value.
- Provides ongoing financial support for eligible businesses for the full term available for an RTE under Section 226 of the *Community Charter* (10 years).

Cons:

- Ten year term not responsive to changing economic conditions or the Town priorities.
- Ten year deferral in collecting the full amount of the municipal portion of the participant's property taxes.
- Greater overall value of deferred municipal property tax under the RTE program, as RTE certificates may be active over the same period for many years.

Option 3:

Eligibility: a minimum construction value of at least \$150, 000 for new buildings or \$50, 000 for alterations of all appropriately zoned commercial businesses.

Maximum Term: Five (5) years.

Exemption: 100% tax exemption for first three years, 80% tax exemption on year (4) and 60% tax exemption on year five (5) of municipal property tax on eligible improvements.

Example of Municipal Taxes (Based on 2020 Commercial – Class 6 Mill Rate - \$10,49932):

Increased to Assessment	\$100,000	\$1,000,000	\$10,000,000
100% Tax Exemption (Years 1-3)	\$1,049.93 / yr	\$10,499.32 /yr	\$104,993.20 / yr
80% Tax Exemption (Year 4)	\$839.95	\$8,399.49	\$83,994.56
60% Tax Exemption (Year 5)	\$629.96	\$6,299.59	\$62,995.92
Total Savings (5 year term)	\$4919.70	\$46,197.01	\$461,970.08

STAFF BRIEFING NOTE

Town of Creston

Pros:

- Municipality begins collecting a portion of the Municipal Property Tax by Year 4 of the RTE program.
- Gradual phase out of financial support in year 4 and 5.

Cons:

- Program may not be robust enough to fulfill the objectives of the RTE program.

OPTIONS FOR FOLLOW-UP ACTION:

1. Council to direct staff to develop a new Revitalization Tax Exemption Bylaw for Council Consideration at an upcoming regular Council Meeting;
2. Discontinue the Revitalization Tax Exemption Program; or,
3. Other, as per Council Direction.

Submitted by:

Ross Beddoes

Ross Beddoes, DCS

TOWN OF CRESTON**BYLAW NO. 1860**

A Bylaw to establish a Revitalization Tax Exemption Program.

WHEREAS under Section 226 of the *Community Charter*, Council may provide a Revitalization Tax Exemption Program for land or improvements or both that is applicable to designated kinds of property, or related activities or circumstances;

WHEREAS Council wishes to establish a Revitalization Tax Exemption Program for the Eligible Improvements defined in Section 2 i) of this Bylaw;

WHEREAS Council is of the opinion that the development of new commercial businesses, or the redevelopment of existing commercial businesses, which encourage investment and employment, is seen as a critical component of the economic revitalization and growth of the Town of Creston's Commercial Areas;

WHEREAS in accordance with Section 165 of the *Community Charter*, the Town has set out the objectives and policies in relation to the use of permissive tax exemptions in the Five Year Financial Plan (2017-2021) Bylaw No. 1856 and this Bylaw is consistent with those objectives and policies;

WHEREAS the purpose of this Bylaw is to encourage the economic revitalization and economic growth of the Town of Creston by means of the development of new commercial businesses within the Designated Revitalization Area;

WHEREAS Council's reasons for creating the Revitalization Tax Exemption Program are as follows:

- a) Council recognizes that a critical component of the continued economic revitalization and growth of the Town is to build upon the success of its prior initiatives by encouraging the development of new commercial businesses, or the redevelopment of existing commercial businesses in the Town's zones that permit commercial uses, which will stimulate investment in the Town and provide new employment opportunities and commercial services for its existing and future residents, thereby attracting further economic growth and increasing the Town's tax base;
- b) the Town of Creston's Official Community Plan identifies the commercial objective of creating a strong and vibrant commercial economy in the Town of Creston; and,
- c) the Town of Creston's 2017 Corporate Strategic Plan identifies economic development as a corporate priority;

WHEREAS the objectives of the Revitalization Tax Exemption Program are to:

- a) encourage new commercial businesses in new and renovated buildings in the Town's zones that permit commercial uses and thereby establish the commercial services and the investment and employment opportunities that will attract additional investment and economic growth to the Town of Creston; and
- b) reinforce the municipality's "open for business" approach and attract redevelopment and new development of commercial businesses within the municipality;

AND WHEREAS notice of this Bylaw has been given in accordance with Sections 94 and 227 of the *Community Charter*;

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Revitalization Tax Exemption Bylaw No. 1860, 2017".
2. In this Bylaw:
 - a) "Appropriately Zoned Land" means Parcels that are zoned and licensed as described in Section 4 of this Bylaw;
 - c) "Assessed Value" means the value of land and improvements in a specified year, as determined by the Assessment Authority in the assessment region of the Province of British Columbia in which the land and improvements are located;
 - d) "Calendar Year" and "Year" means all months inclusive from January to December;
 - e) "Chief Building Official" means the person appointed by the Council to that position or a person authorized by the Chief Building Official to perform his/her duties under this Bylaw;
 - f) "Council" means the Council of the Town of Creston;
 - g) "Designated Revitalization Area" means the area designated as such under Section 3 of this Bylaw;
 - h) "Director of Finance and Corporate Services" means the person appointed by the Council to that position or other Corporate Officer of the Town of Creston;
 - i) "Eligible Improvement" means:
 - .i an existing building, used only for an Eligible Use, on Appropriately Zoned Land and having a renovation project value of \$50,000.00 or greater as determined by the Town's Chief Building Official and for which a valid Building Permit has been issued by the Town;
 - .ii a new building, used only for an Eligible Use, that is constructed on Appropriately Zoned Land and having a construction project value of \$150,000.00 or greater as determined by the Town's Chief Building Official and for which a valid Building Permit has been issued by the Town;
 - .iii an Eligible Improvement for which a Building Permit must have been issued by the Town, with construction commencing after the adoption of this Bylaw, or within sixty (60) prior to the adoption of this Bylaw.
 - j) "Eligible Land" means the area of a Parcel occupied by the footprint of the Eligible Improvements on the land to be detailed in the Revitalization Tax Exemption Agreement;
 - k) "Eligible Use" means a Principal Eligible Use;
 - l) "Municipal Property Taxes" means the municipal portion of taxes imposed on the land and improvements by the Town under Section 197(1)(a) of the *Community Charter*;
 - m) "Owner" means the registered Owner of the Eligible Improvement;
 - n) "Parcel" means a parcel upon which one or more improvements are to be constructed that may qualify the land or improvements, or both, for a tax exemption under this Bylaw;
 - o) "Principal Eligible Use" means a commercial use permitted on Appropriately Zoned Land as defined under Section 4 of this Bylaw;

- p) "Recapture Amount" means the amount an Owner is required to pay to the Town under Section 8 of this Bylaw;
- q) "Revitalization Tax Exemption Agreement" or "Agreement" means an Agreement between the Owner of the Eligible Improvements and the Town of Creston that is substantially in the form attached to this Bylaw as Schedule "A";
- r) "Revitalization Tax Exemption Certificate" means a Revitalization Tax Exemption Certificate issued by the Town of Creston pursuant to this Bylaw and pursuant to the provisions of Section 226 of the *Community Charter*, substantially in the form attached to this Bylaw as Schedule "B";
- s) "Term" means the number of years for which a tax exemption is granted under Section 9 of this Bylaw;
- t) "Town" means the Town of Creston.

3. DESIGNATED REVITALIZATION AREA

- 3.1 The Designated Revitalization Area consists of all properties within the Town of Creston that are located in a commercial zone under the Town's Zoning Bylaw No. 1123, as defined in Section 4 of this Bylaw, that permits *commercial uses*.

4. APPROPRIATELY ZONED LAND

- 4.1 To qualify as an Eligible Improvement, an improvement must be located on a Parcel that is zoned *General Commercial C-1, Local Commercial C-2, Tourist Commercial C-3, Licensed Premises Commercial C-4, Mixed Use Commercial C-5, Highway Service Commercial HSC, Highway Service Commercial – Hotel/Convention Centre HSC-H, or Highway Service Commercial – Light Manufacturing HSC-M* as detailed in Schedule "A" of Zoning Bylaw No. 1123; and, have a valid Building Permit issued by the Town of Creston for the construction of a Principle Eligible Improvement.

5. REQUIRED CONSTRUCTION VALUE

- 5.1 Revitalization Tax Exemptions will apply only to:
 - a) a redevelopment or alteration of an existing Eligible Improvement that has a construction value in excess of \$50,000.00; or
 - b) construction of a new Eligible Improvement, under this Bylaw, with a construction value in excess of \$150,000.00;

both values to be determined by the Chief Building Official whose decision shall be final.

6. APPLICATION FOR EXEMPTION CERTIFICATE

- 6.1 An application for a Revitalization Tax Exemption Certificate must be made to the Town's Director of Finance and Corporate Services on or before August 31 in the year prior to the first year in respect of which a tax exemption is sought and be accompanied by an Occupancy Permit for the Eligible Improvement issued by the Town.

- 6.2 The application must include sufficient information, as required by the Director of Finance and Corporate Services, to verify that the proposed development is an Eligible Improvement.
- 6.3 The Town of Creston will accept applications for a Revitalization Tax Exemption only in the years 2018, 2019 and 2020, and no applications will be accepted after August 31, 2020.
- 6.4 After obtaining a Building Permit from the Town for the construction of an Eligible Improvement, the Applicant may submit a Revitalization Tax Exemption Application in the form provided by the Town, but the Revitalization Tax Exemption Certificate must not be issued until the requirements and conditions for a Revitalization Tax Exemption Certificate prescribed in this Bylaw, the Agreement and the form of the Revitalization Tax Exemption Certificate in Schedule B to this Bylaw, together with any additional requirements and conditions required by the Town, have been met by the Applicant.
- 6.5 If construction commenced prior to the time limit in subsection 2(i)(iii) of the definition of Eligible Improvement in this Bylaw, the Revitalization Tax Exemption Application will not be eligible for consideration under this Bylaw.

7. REVITALIZATION TAX EXEMPTION CERTIFICATE

- 7.1 Once all conditions and requirements prescribed in this Bylaw and the Agreement as prerequisites for the issuance of a Revitalization Tax Exemption Certificate have been met, the Town's Director of Finance and Corporate Services must issue a Revitalization Tax Exemption Certificate for the property that is the subject of the Agreement.
- 7.2 If the Revitalization Tax Exemption Certificate is issued on or before October 31, the tax exemption takes effect in the following Calendar Year.
- 7.3 A Revitalization Tax Exemption Certificate must be issued for the Eligible Improvements in the form attached as Schedule "B" and must include the conditions set out in that form.

8. CANCELLATION OF CERTIFICATE

- 8.1 A Revitalization Tax Exemption Certificate issued for Eligible Improvements is subject to the requirement that all of the conditions set out in the Revitalization Tax Exemption Agreement continue to be met during the Term established in Section 9 of this Bylaw.
- 8.2 Council may cancel a Revitalization Tax Exemption Certificate if any one or more of the conditions or requirements set out in the Revitalization Tax Exemption Agreement are breached, and the cancellation will be effective as of the date of the breach.
- 8.3 If the Revitalization Tax Exemption Certificate is cancelled during a year in which the Owner of Eligible Improvements has received an exemption from municipal taxes, a Recapture Amount representing the amount of the Revitalization Tax Exemption granted to the Owner from the date of the breach of the condition or requirement, as applicable, is payable to the Town by the Owner.
- 8.4 If the breach occurred during the Calendar Year, the Recapture Amount will be the portion of the annual tax exemption for the balance of the taxation year remaining from the effective date of cancellation of the Certificate.

9. TERM AND EXEMPTION AMOUNT

- 9.1 The maximum Term of an exemption under this Program is 10 years commencing on January 1 of the first Calendar Year after the year in which the Revitalization Tax Exemption Certificate is issued as long as it is issued prior to October 31.
- 9.2 The percentage of the Amount calculated in accordance with Section 9.3 of this Bylaw that will be provided in each year of the Term is set out in the following table:

Year of the Term	% of Revitalization Tax Exemption of Municipal Property Tax on Eligible Improvements
Years 1 - 5	100%
Years 6 – 10	50%

- 9.3 The amount of the Revitalization Tax Exemption (the “Amount”) is the increase in the general municipal property tax levied on the difference in the assessed value of improvements on the Parcel between the year prior to the commencement of construction of the Eligible Improvements and the year following the issuance of the Revitalization Tax Exemption Certificate, that is, the difference in assessed value attributed to the Eligible Improvements.
- 9.4 The assessed value of the improvement as determined by the BC Assessment Authority will determine the value of the Revitalization Tax Exemption. The value of construction, as determined by the Chief Building Official for the purpose of establishing Program eligibility, may not necessarily reflect the value of the improvement as determined by the BC Assessment Authority.
- 9.5 The maximum Revitalization Tax Exemption under this Bylaw must not exceed the increase in the assessed value of improvements on the property in the Calendar Year before the new construction or alteration began and the Calendar Year in which the new construction or alteration is completed.
- 9.6 Tax rate increases will still apply on the non-exempted assessment.
- 9.7 An exemption under this Program does not affect the Owner's liability for municipal utility user fees or parcel taxes, or taxation imposed by or on behalf of other government or public bodies.
- 9.8 The Schedules to this Bylaw form a part of and are enforceable in the same manner as this Bylaw.
- 9.9 If a Schedule is referred to or mentioned in this Bylaw without identifying its location as being in another bylaw or enactment, it is a reference to a Schedule attached to this Bylaw.

PUBLIC NOTICE, pursuant to Sections 94 and 227 of the *Community Charter*, was given the 1st and 8th day of February, 2018.

READ A FIRST and SECOND TIME this 19th day of September, 2017.

READ A THIRD TIME this 19th day of September, 2017.

ADOPTED this 13th day of February, 2018.

“Ron Toyota”
Mayor Ron Toyota

“Stacey Hadley”
Stacey Hadley, Corporate Officer

SCHEDULE "A"
Town of Creston
Revitalization Tax Exemption Bylaw No. 1860

REVITALIZATION TAX EXEMPTION AGREEMENT

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

BETWEEN:

(the "Owner")

AND:

The Town of Creston,
 238 – 10th Avenue North
 PO Box 1339
 Creston, British Columbia
 V0B 1G0

(the "Town")

Whereas:

- A. The Owner is the registered Owner in fee simple of lands in the Town of Creston at **[civic address]** legally described as **[legal description]** (the "Parcel");
- B. Under Bylaw No. 1860 (the "Bylaw"), the Town established a Revitalization Tax Exemption Program (the "Program") for all properties within the Town of Creston that are located in a commercial zone under the Town's Zoning Bylaw No. 1123, that permits commercial use(s) as a principal use. To be considered as an Eligible Improvement under the Program, the Owner's Parcel must:
 - a) be zoned *General Commercial C-1, Local Commercial C-2, Tourist Commercial C-3, Licensed Premises Commercial C-4, Mixed Use Commercial C-5, Highway Service Commercial HSC, Highway Service Commercial – Hotel/Convention Centre HSC-H, or Highway Service Commercial – Light Manufacturing HSC-M* as detailed in Schedule "A" of Zoning Bylaw No. 1123; have a renovation project value of \$50,000.00 or greater as determined by the Town's Chief Building Official; and, have a valid Building Permit issued by the Town of Creston for the renovation of an existing building on the Parcel for use as a Principle Eligible Improvement; or
 - b) be zoned *General Commercial C-1, Local Commercial C-2, Tourist Commercial C-3, Licensed Premises Commercial C-4, Mixed Use Commercial C-5, Highway Service Commercial HSC, Highway Service Commercial – Hotel/Convention Centre HSC-H, or Highway Service Commercial – Light Manufacturing HSC-M* as detailed in Schedule "A" of Zoning Bylaw No. 1123; provide a new construction project of a commercial use; have a construction project value of \$150,000.00 or greater as determined by the Town's Chief Building Official; and, have a valid Building Permit issued by the Town for the construction of a new building on the Parcel to be used as a Principle Eligible Improvement.

- C. The objectives of the Revitalization Tax Exemption Program are to:
- a) encourage new commercial businesses in new and renovated buildings in the Town's zones that permit commercial uses and thereby establish the commercial services and the investment and employment opportunities that will attract additional investment and economic growth to the Town of Creston; and
 - b) reinforce the municipality's "open for business" approach and to attract new and improved commercial development to the municipality;
- D. The Owner proposes to construct new improvements, or alter existing improvements (the "Project"), on the Parcel and has applied to the Town for a tax exemption under the Revitalization Tax Exemption Program in respect of the Project and the Town has agreed to grant the exemption for the Project.

THIS AGREEMENT is evidence that in consideration of the following conditions and requirements, the Owner and the Town covenant and hereby agree that:

1.0 Eligibility

A Revitalization Tax Exemption will only be granted for the Parcel if the Project meets the requirements for an Eligible Improvement as set out in the Bylaw and Recital B on page 1 of this Agreement.

2.0 The Project

The Owner must ensure that the Project is constructed, maintained, operated and used for the purposes of a Principle Eligible Improvement, as defined in the Bylaw, throughout the Term of the Tax Exemption in a fashion that will be consistent with and will foster the objectives of the Revitalization Tax Exemption Program as set out in the Bylaw.

3.0 Operation and Maintenance of Project

Throughout the Term of the Tax Exemption, the Owner must operate, repair and maintain the Project and keep the Project in a state of good repair, as a prudent Owner would do.

4.0 Revitalization Tax Exemption

Subject to fulfillment of the conditions and requirements for issuance set out in this Agreement and in the Bylaw, the Town will issue a Revitalization Tax Exemption Certificate (the "Certificate") to the Owner and provide the relevant assessor of BC Assessment with a copy of the Certificate entitling the Owner to a municipal property tax exemption in respect of the Parcel (the "Tax Exemption") for the Calendar Years set out in this Agreement.

5.0 Conditions

The following conditions must be met before the Town will issue a Certificate to the Owner:

- 5.1 The Owner must make application for a Building Permit from the Town on or after January 1, 2016 and prior to August 31, 2020 for the Project;
- 5.2 The Owner must complete, or cause to be completed, construction of the Project in conformance with the conditions of the Building Permit(s) issued for the Parcel and in compliance with all laws, statutes, regulations and orders of any authority having jurisdiction, including bylaws of the Town, that are applicable to the Project, and obtain an Occupancy Permit for the Eligible Improvement and submit that permit with the application for the Certificate; and,

5.3 The Owner must use the Eligible Improvement for the Principle Eligible Use.

6.0 Calculation of Revitalization Tax Exemption

The amount of the annual Tax Exemption shall be equal to the municipal property tax on the increase in the assessed value of improvements on the Parcel, attributable to the construction of the Eligible Improvements, between the year before the commencement of construction of the Project and the year immediately after the year in which the Tax Exemption Certificate is issued if issued prior to October 31.

7.0 Term of Revitalization Tax Exemption

The maximum Term of an exemption under the Program is 10 years commencing on January 1 of the first Calendar Year after the year in which the Revitalization Tax Exemption Certificate is issued, as long as it is issued prior to October 31 in the previous year.

8.0 Cancellation

The Town may cancel the Certificate if the Owner requests cancellation in writing or fails to meet any of the conditions and requirements specified in the Bylaw, this Agreement or Certificate as conditions on which the Tax Exemption was provided.

9.0 Recapture

If pursuant to the terms and conditions specified in this Agreement or the Tax Exemption Certificate, the Certificate is cancelled, the Owner will remit to the Town, no later than 30 days after receiving notice from the Town of the cancellation and the amount owing, the Recapture Amount prescribed in this Bylaw.

10.0 No Refund

For greater certainty, under no circumstances will the Owner be entitled, under this Agreement, the Bylaw, the Certificate or the Town's Revitalization Tax Exemption Program, to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.

11.0 Enurement

This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.

12.0 Notices

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

To the Owner at:

And to the Town at:

The Town of Creston
PO Box 1339
238 – 10th Avenue North
Creston, British Columbia V0B 1G0
Attention: Director of Municipal Services

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

13.0 No Assignment

The Owner may not assign its interest in this Agreement except to a subsequent Owner in fee simple of the Parcel.

14.0 Severance

If any portion of this Agreement is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.

15.0 Interpretation

Wherever the singular or masculine is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.

16.0 Further Assurances

The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.

17.0 References

A reference in this Agreement to the Town or the Owner includes their permitted assigns, heirs, successors, officers, employees and agents.

18.0 Effective Date

This Agreement shall be effective from and after the reference date in this Agreement, but only if this Agreement has been duly executed and delivered by the Owner to the Town and duly executed by the Town.

19.0 Expense

Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and commitments of the Owner contained in this Agreement, and of all matters incidental to those obligations and commitments is solely at the expense of the Owner

20.0 Owner's Representations

The Owner represents and warrants to the Town that:

- a) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;
- b) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and legally binding contractual obligation of the Owner;
- c) neither the execution and delivery, nor the performance, of this Agreement shall breach any other agreement or obligation respecting the Lands; and
- d) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

Approval of this Agreement by Resolution No. _____ of the Council of the Town of Creston was given on the _____ day of _____, 20_____.

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

THE TOWN OF CRESTON
by its authorized signatories:

Mayor

Corporate Officer

(Insert name of Owner, if a corporation or
corporate body) by its authorized signatories:

Name and title

Name and title

Name of Owner, if an individual

Name of Witness

Address of Witness

SCHEDULE "B"
Town of Creston
Revitalization Tax Exemption Bylaw No. 1860

REVITALIZATION TAX EXEMPTION CERTIFICATE

SECTION 226 OF THE COMMUNITY CHARTER

In accordance with the Town of Creston's Downtown Revitalization Tax Exemption Bylaw No. 1860, and in accordance with the Revitalization Tax Exemption Agreement dated for reference the _____ day of _____, 20____ (the "Agreement") entered into between the Town of Creston (the "Town") and _____ (the "Owner"), the registered Owner(s) of the parcel described below:

This **Certificate** certifies that the Parcel is subject to a Revitalization Tax Exemption in an amount equal to the tax on the increase in the assessed value of the Parcel, after the Eligible Improvements have been completed on the Parcel, between the year before the commencement of construction of the Project, and the year immediately after the Tax Exemption Certificate is issued.

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

Civic Address:

PID:

Legal Description:

The Tax Exemption is for the Calendar Years commencing with the year _____ and ending with the year _____.

The Tax Exemption is provided on the following conditions:

1. The Owner does not breach any covenant or condition in the Agreement and performs all obligations to be performed by the Owner as set out in the Agreement.
2. The Owner has not sold all or any portion of his or her equitable or legal fee simple interest in the Parcel without the transferee taking an assignment of the Agreement, and agreeing to be bound by it.
3. The Owner, or a successor in title to the Owner, has not allowed the property taxes for the Parcel to go into arrears or to become delinquent.
4. The Owner, or a successor in title to the Owner, does not apply to amend the Town of Creston's Zoning Bylaw No. 1123, as amended, consolidated or replaced from time to time, to rezone the parcel from the zoning in effect at the time the Certificate was issued.
5. The Parcel is not put to a use other than those uses permitted in the applicable Commercial Zone as detailed in Zoning Bylaw No. 1123, and amendments thereto.
6. The Principal Use of the Parcel remains a Principal Eligible Use throughout the Term of the Tax Exemption.
7. As a condition of the issuance of this **Certificate**, the Owner must obtain an Occupancy

Permit from the Town for the Eligible Improvement and submit it with the Owner's application for this **Certificate**.

If any of these conditions are not met then the Council of the Town of Creston may cancel this Revitalization Tax Exemption Certificate. If such cancellation occurs, the Owner of the property for which the Certificate was issued will remit to the Town the Recapture Amount calculated in accordance with Bylaw 1821 within the notice period specified in the Agreement.

Director of Finance & Corporate Services
Town of Creston

Date

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston



ACTION DATE: 2020-09-15

SUBJECT: Zoning Amendment Application 02/20 (1516 Hillside Street)

SUGGESTED FOLLOW-UP ACTION: THAT the Council Direction Request from the Director of Community Services regarding an amendment to Zoning Bylaw No. 1123, 1989, be received; AND FURTHER THAT Council direct Staff to draft the relevant bylaw amendment for Council consideration at an upcoming Council meeting.

CAO COMMENTS: Proposed amendment is consistent with the OCP.

BACKGROUND

Staff Briefing Note:

Attached ☒

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: Fullhaus Contracting Ltd., Inc. No. BC0701283 (the owner) requests consideration of amending *Zoning Bylaw No. 1123, 1989*, to rezone 1516 Hillside Street, legally described as Lot 5, District Lot 891, Kootenay District, Plan EPP85933 (PID: 030-594-511) from Single Family Residential (R-1) to Zero Lot Line Residential (R-2) to allow for subdivision and development of a duplex with a shared party wall located on the new proposed interior lot line.

RELEVANT OBSERVATIONS: The proposal meets Zoning Bylaw requirements and aligns with OCP policy regarding residential infill development.

STRATEGIC QUESTIONS: Does Council consider the subject property to be an appropriate location for a Zero Lot Line Residential (R-2) development?

ESSENTIAL QUESTION: Does Council want Staff to draft the relevant bylaw amendment for Council's consideration?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: Rezoning of 1516 Hillside Street from R-1 to R-2 and subsequent subdivision.

DESIRED BENEFITS OF KEY RESULT: Increased residential density in Regional Growth Containment Area.

REQUISITES: Informal Public Informational Meeting, Public Hearing, adoption of Zoning Amendment Bylaw.

UNINTENDED OUTCOMES: None anticipated.

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1.	Council direct Staff to draft relevant Zoning Amendment Bylaw for Council consideration and 1 st and 2 nd readings.
2.	Council refer to staff for further information (to be specified).
3.	Council reject the application.
4.	Other, as per Council direction.

Submitted by:

Ross Beddoes

Ross Beddoes, DCS

Reviewed by:

CAO

Michael Moore, CAO

STAFF BRIEFING NOTE

Town of Creston



DATE: 9/15/2020

TO: Michael Moore, Chief Administrative Officer

CC: Joel Comer, Municipal Services Coordinator

FROM: Ross Beddoes, Director of Community Services

DEPARTMENT: Community Services

SUBJECT: Zoning Amendment Application 02/20 (1516 Hillside Street)

APPENDIX: ☒ ATTACHED ☐ OTHER DOCUMENT ☐ NOT APPLICABLE

PURPOSE / ISSUE:

This briefing note evaluates an application from Fullhaus Contracting Ltd., Inc. No. BC0701283 (the owner) requesting Council's consideration of amending *Zoning Bylaw No. 1123, 1989*, to rezone 1516 Hillside Street, legally described as Lot 5, District Lot 891, Kootenay District, Plan EPP85933 (PID: 030-594-511) from Single Family Residential (R-1) to Zero Lot Line Residential (R-2) to allow for subdivision and development of a duplex with a shared party wall located on the new proposed interior lot line.

BACKGROUND:

The 837.7m² (0.21ac) subject property is located on the north side of Hillside Street between an existing duplex strata and a lane. The property has 18.21m of frontage on Hillside Street, and is 45.87m in length. The property is currently undeveloped but fully serviced by Town utilities.

A Development Variance Permit was approved by Council and registered on Title in September 2019 which varies the exterior side lot line setback from 3.7 metres to 1.5 metres to allow for the duplex development closer to the lane.

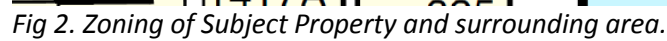
Through development of the adjacent duplex immediately to the west of this proposal, it was found that the added task of establishing a strata corporation to legally provide separate title to each half of the duplex was complicated and difficult to market. A rezoning to R-2, Zero Lot Line Residential will provide separate "fee simple" title to each unit and property with only a "party wall agreement" in place for the common wall.

This application, if successful will only change the type of title associated with the property with no other changes to layout, setbacks etc.

Direction from Subject Property	Land Use Designation	Zone
North	Residential (RES)	Single Family Residential (R-1)
South	Institutional (INS)	General Commercial (C-1)
East	Residential (RES)	Single Family Residential (R-1)
West	Residential (RES)	Single Family Residential (R-1)

Fig 1. Land Use Designation and Zoning of neighbouring properties.

Town of Creston



Page 3 of 6

STAFF BRIEFING NOTE

Town of Creston

The owner has applied for a Zoning Amendment from Single Family Residential (R-1) Zone to Zero Lot Line Residential (R-2), to allow for subdivision into two equal lots and the development of a duplex with a shared party wall along the interior side lot line. The proposed development will be similar in form and character to the recently completed strata duplex adjacent to the west (see Appendix A for photos).



Fig 4. 2017 Orthophoto of subject property with dashed line indicating proposed subdivision.



Fig 5. 2020 photo of subject property taken from south facing north showing proposed subdivision.

STAFF BRIEFING NOTE

Town of Creston

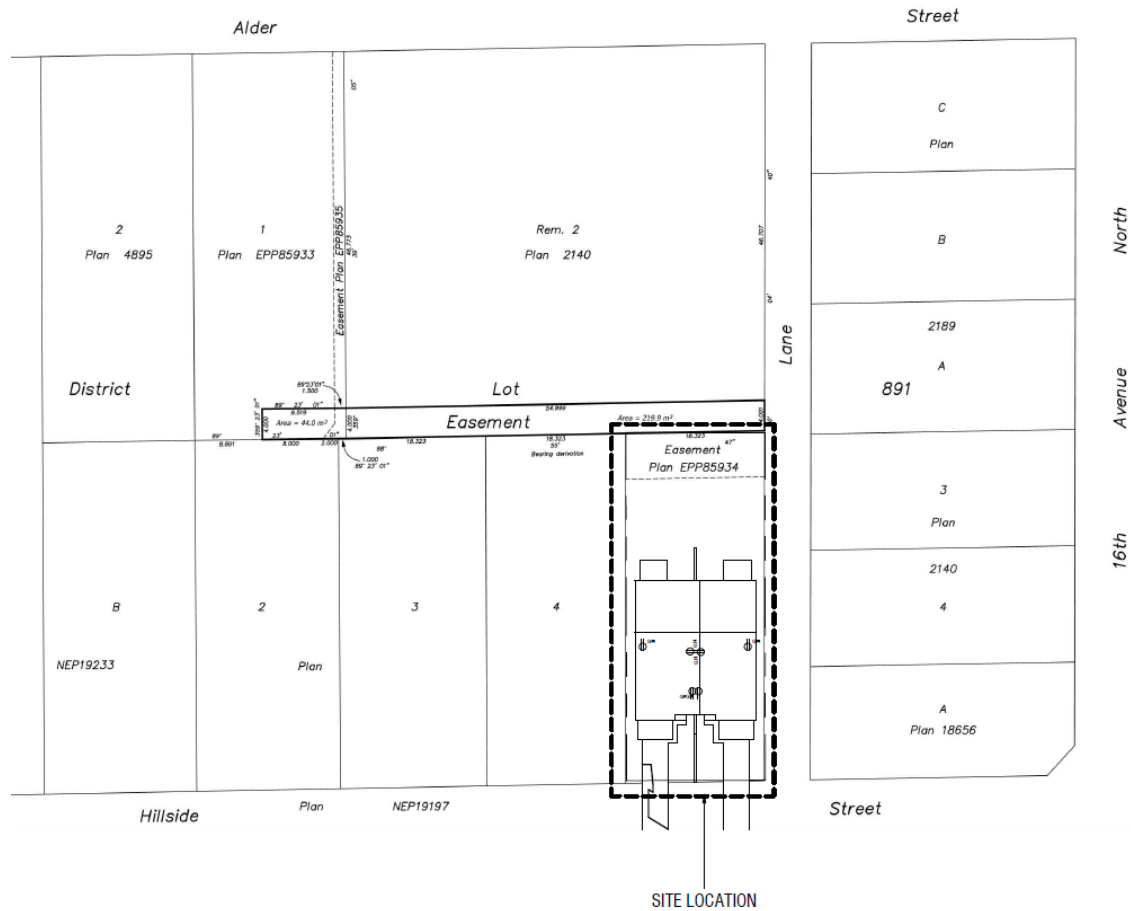


Fig 6. Developer provided drawing showing building footprint.



Fig 7. Developer provided rendering of proposed duplex.

STAFF BRIEFING NOTE

Town of Creston



KEY CONSIDERATIONS:

Official Community Plan Bylaw No. 1854, 2017

The proposed Zoning Amendment is supported by the following OCP policies:

V. Land Use Policies, A. Management of Residential Growth, 1.2 – Direct new residential development on properties smaller than 0.4 hectares (1 acre) into the RGCA.

V. Land Use Policies, B. Residential, 1.2 – Permitted housing types within the RGCA, excluding the Downtown Core and the Northwest Boulevard Local Area Plan, may include single family residences (with a secondary suite or accessory dwelling unit), duplexes, multi-family in a variety of forms, and apartment style dwellings. [...]

VIII. Community Goals & Policies, B. Neighbourhoods & Housing, 4.1 – Support Residential Infill Development that is appropriate in scale and density to its neighbourhood context and that uses compatible design to reinforce neighbourhood character.

VIII. Community Goals & Policies, B. Neighbourhoods & Housing, 4.4 – Plan and design Residential Infill Development to accommodate a wide range of diverse housing types within a neighbourhood to support a diversity of household sizes, compositions, and rental opportunities.

Zoning Bylaw No. 1123, 1989

The proposed subdivision meets the requirements of the Zero Lot Line Residential (R-2) Zone.

Comments of Manager of Engineering

No concerns noted.

OPTIONS FOR FOLLOW-UP ACTION:

1. Council direct staff to draft the relevant Zoning Amendment Bylaw to be presented for Council's consideration and 1st and 2nd readings.
2. Council refer to staff for further information (to be specified).
3. Council reject the application.
4. Other, as per Council decision.

Submitted by:

Ross Beddoes

Ross Beddoes, DCS

Appendix 'A' – Site Photos



Photo 1: Subject Property from South facing North



Photo 2: Subject Property from Southeast facing Northwest



Photo 3: Subject Property from Northeast facing Southwest



Photo 4: Subject Property from Northwest facing Southeast



Photo 5: Adjacent duplex development from South facing North



Photo 6: Adjacent duplex development from Northeast facing Southwest

Schedule "A-3"
to Bylaw No. 1388
Page 1 of 4

TOWN OF CRESTON**~~OFFICIAL COMMUNITY PLAN AND~~
ZONING AMENDMENT APPLICATION****APPLICATION NO. R-_____**

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the Town of Creston, P.O. Box 1339, 238 10th Avenue, North, Creston, BC V0B 1G0 (Phone: 250.428.2214 or Fax: 250.428.9164)

Registered Owner(s):Registered Owners' Name(s) FULLHARD CONTRACTING LTDAddress [REDACTED] Postal Code [REDACTED]Telephone: Business [REDACTED] Home _____ Fax _____**Applicant:**Applicant's Name Same

Address _____ Postal Code _____

Telephone: Business _____ Home _____ Fax _____

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____
_____ to act as applicant in regard to this Official Community Plan Bylaw and
Zoning Amendment Application.

Owners' Signatures: _____

Schedule "A-3"
to Bylaw No. 1388
Page 2 of 4

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the Town of Creston and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensional Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We FULLHAUS CONTRACTING LTD hereby apply for:

4. ~~An amendment to the text of the Town of Creston Official Community Plan Bylaw, as follows:~~

2. An amendment to the text of the Town of Creston Zoning Bylaw, as follows:

3. An amendment of the ~~community plan~~ zoning designation of:

- a) Current Legal Description of the Land in Full:

LOT 2, PLAN EPP 85933 DL 891

- b) Location of the Land (Street Address):

1516 HILLSIDE

- ~~c) From Present Community Plan Designation of the Land:~~

- ~~d) From Proposed Community Plan Designation of the Land:~~

- e) From Present Zoning of the Land: R1

- f) To Proposed Zoning of the Land: R2

- g) Description of the Existing Use/Development of the Land:

CONSTRUCT DUPLEX

Schedule "A-3"
to Bylaw No. 1388
Page 3 of 4

h) Description of the Proposed Use/Development of the Land:

4. Reasons and comments in support of the application (use separate sheet if necessary)

REZONE TO R2, SO THAT WE DO NOT HAVE
TO STRIKE THE DUPLEX BUILDING

5. General Information

a) Services Currently Existing or Readily Available to the Land (check as applicable)

Services	Currently Existing		Readily Available *	
	YES	NO	YES	NO
Road Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water Supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Storm Drainage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hydro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Readily Available means existing services can be easily extended to the subject property.

b) Proposed Water Supply Method: _____

c) Proposed Sewage Disposal Method: _____

d) Do any buildings currently exist on the land?

Yes _____ No ☒

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

- e) If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

6. Neighbouring Tenants

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for a community plan amendment. As it is not possible for the Town to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. Please print the tenants names and their mailing addresses on a separate sheet and attach to this application. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the Town.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

K. Naif
Applicant's Signature

and/or

Owner's Signature

Dated this 28 day of August, 20 20.

PLEASE ENCLOSE OCP AMENDMENT AND REZONING APPLICATION FEE AS PER THE CURRENT TOWN OF CRESTON'S FEES AND CHARGES BYLAW.

FOR OFFICE USE ONLY	
Folio No.	Certificate of Title No.
Conforming Use?	Non-Conforming Use?
Conforms to Official Community Plan?	
Comments of Technical Planning Committee: _____	

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston



ACTION DATE: September 15, 2020

SUBJECT: Development Permit Application No. 05/20 – 1209 Northwest Boulevard

SUGGESTED FOLLOW-UP ACTION: THAT Council direct Staff to present Development Permit No. 05/20, for Council consideration at an upcoming Council meeting.

CAO COMMENTS: No additional comment.

BACKGROUND

Staff Briefing Note:

Attached ☐

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: T.A. Rendek & Associates Ltd. (the applicant) has submitted an application on behalf of 0971585 B.C. Ltd. (D.B.A. High Caliber Autobody, the owner) for a Development Permit (DP) to allow for an addition to the existing commercial building located at 1209 Northwest Boulevard and legally described as Parcel A (Reference Plan 696001) of Block 67, District Lot 9554, Kootenay District, PID: 016-454-530.

RELEVANT OBSERVATIONS: The development plan appears to meet the applicable Development Permit Area 7 – Highway Service Commercial guidelines and Zoning Bylaw requirements.

STRATEGIC QUESTIONS: Does the application align with the policies of the Official Community Plan?

ESSENTIAL QUESTION: Should Staff draft a Development Permit for Council consideration in regards to the proposed development at 1209 Northwest Boulevard?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: Development Permit for 1209 Northwest Boulevard.

DESIRED BENEFITS OF KEY RESULT: Development in conformance with guidelines of DPA 7 – Highway Service Commercial.

REQUISITES: Council approval of Development Permit at upcoming Council meeting.

UNINTENDED OUTCOMES: None anticipated.

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1.	Council direct Staff to draft Development Permit No. 05/20, for Council consideration;
2.	Council refer to Staff for further information (to be specified);
3.	Council deny Development Permit No. 05/20; or,
4.	Other, as per Council direction.

Submitted by:

Ross Beddoes

Ross Beddoes, DCS

Reviewed by:

CAO


Michael Moore, CAO

STAFF BRIEFING NOTE

Town of Creston

DATE: 9/15/2020

TO:	Michael Moore, Chief Administrative Officer
CC:	Joel Comer, Municipal Services Coordinator
FROM:	Ross Beddoes, Director of Community Services
DEPARTMENT:	Community Services
SUBJECT:	Development Permit Application No. 05/20 – 1209 Northwest Boulevard
APPENDIX:	<input checked="" type="checkbox"/> ATTACHED <input type="checkbox"/> OTHER DOCUMENT <input type="checkbox"/> NOT APPLICABLE

PURPOSE / ISSUE:

This Briefing Note evaluates the Development Permit Application submitted by T.A. Rendek & Associates Ltd. (the applicant) on behalf of 0971585 B.C. Ltd. (D.B.A. High Caliber Autobody, the owner) to allow for an addition to the existing commercial building located at 1209 Northwest Boulevard and legally described as Parcel A (Reference Plan 696001) of Block 67, District Lot 9554, Kootenay District, PID: 016-454-530.

BACKGROUND:

Creston's *Official Community Plan (OCP)*, designates the subject property as *Commercial – Highway Service (CHS)*, and includes it in *Development Permit Area (DPA) 7 – Highway Service Commercial*.



Fig 1. 2017 Orthophoto showing subject property.

STAFF BRIEFING NOTE

Town of Creston

The subject property is zoned Highway Service Commercial (HSC). The existing concrete block building is currently utilized as an auto body shop. The property is 0.26 hectares (0.67 acres), and has 38.34 metres of frontage on Northwest Boulevard. Photos of the property are attached to this report as Appendix C.

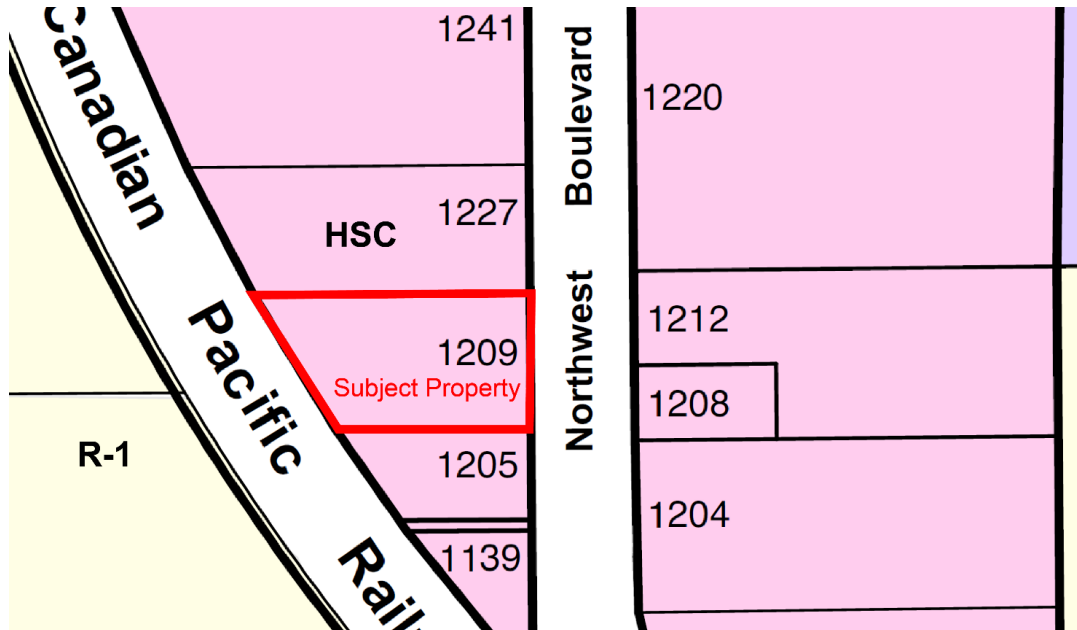


Fig 2. Current zoning of subject property and area.

CURRENT SITUATION:



STAFF BRIEFING NOTE

Town of Creston

Fig 3. Approximate location of proposed addition

The proposed development would roughly double the size of the commercial building on the property by adding an addition to the rear (west). This addition will expand indoor workspace for the auto body shop currently utilizing the property. The applicant has submitted drawings which outline the proposal (see Appendix A).

Additional aspects of the development proposal include:

- Screening of the existing dumpsters
- Addition of a raised planter abutting the ditch area along Northwest Boulevard
- Planting of street trees on west corners of property (along NWB)
- Continuation of grey banding to give variation to concrete block walls
- Rock/gravel “lazy river” stormwater infiltration / slow down area

KEY CONSIDERATIONS:

Official Community Plan, Bylaw No. 1854, 2017, DPA 7 – Highway Service Commercial - Conformance

The proposed development meets the requirements of Development Permit Area 7 (Appendix B).

Zoning Bylaw, No. 1123, 1989 - Conformance

The proposed development meets the requirements of the Highway Service Commercial (HSC) Zone.

Development Permit Security

As per s.501 of the *Local Government Act*, the Town may require security from the applicant in order to satisfy landscaping conditions, correct an unsafe condition, or correct damage to the environment.

As the proposed development is an addition to an already existing building, with no changes to the public facing façade, Staff recommend only requiring security in the amount of \$5,000 in order to ensure satisfactory completion of landscaping conditions (including the garbage enclosure).

OPTIONS FOR FOLLOW-UP ACTION:

1. Council direct Staff to draft Development Permit No. 05/20, for Council consideration;
2. Council refer to Staff for further information (to be specified);
3. Council deny Development Permit No. 05/20; or,
4. Other, as per Council direction.

Submitted by:

Ross Beddoes

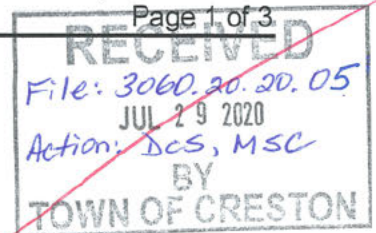
Ross Beddoes, DCS

Schedule "A-5"
to Bylaw No. 1388

Page 1 of 3

TOWN OF CRESTON
DEVELOPMENT PERMIT APPLICATION

APPLICATION NO. DP- 05/20



THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE **FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT** AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the Town of Creston, P.O. Box 1339, 238 10th Avenue, North, Creston, BC V0B 1G0 (Phone: 250.428.2214 or Fax: 250.428.9164)

Registered Owner(s):

Registered Owners' Name(s) 0971585 B.C. LTD.

Address [REDACTED] Postal Code [REDACTED]
Telephone: Business [REDACTED] Home / Fax /

Applicant:

Applicant's Name T. A. RENDEK & ASSOCIATES LTD.
Address [REDACTED] Postal Code [REDACTED]
Telephone: Business [REDACTED] Home / Fax [REDACTED]

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize TERRENCE A.

RENDEK OF to act as applicant in regard to this Development Permit Application.
T. A. RENDEK & ASSOCIATES LTD.

Owners' Signatures:

Walter Mann owner

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the Town of Creston and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensional Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

I/We _____ hereby make application under the provisions of the Municipal Act to the Town of Creston for a Development Permit to undertake the following development (provide full description of proposed use/development):

AN ADDITION TO AN EXISTING AUTO BODY & REPAIR SHOP

The following information is to be provided:

1. Current Legal Description of the Land in Full:

2. Location of the Land (Street Address):

1209 NORTHWEST BLVD

3. Present Zoning of the Land: HIGHWAY SERVICE COMMERCIAL

4. Description of the Existing Use/Development of the Land:

EXISTING: AUTO COLLISION & REPAIR SHOP

DEVELOPMENT: ADDITION TO THE EXISTING BUILDING.

5. Do any buildings currently exist on the land?

Yes X No _____

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

6. If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

Schedule "A-5"
to Bylaw No. 1388
Page 3 of 3

7. The property is within a Development Permit area: Yes X No
8. Reasons and comments in support of the application (use separate sheet if necessary)

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

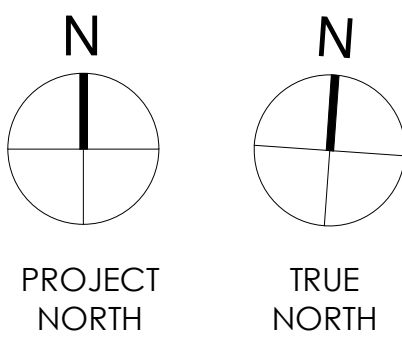
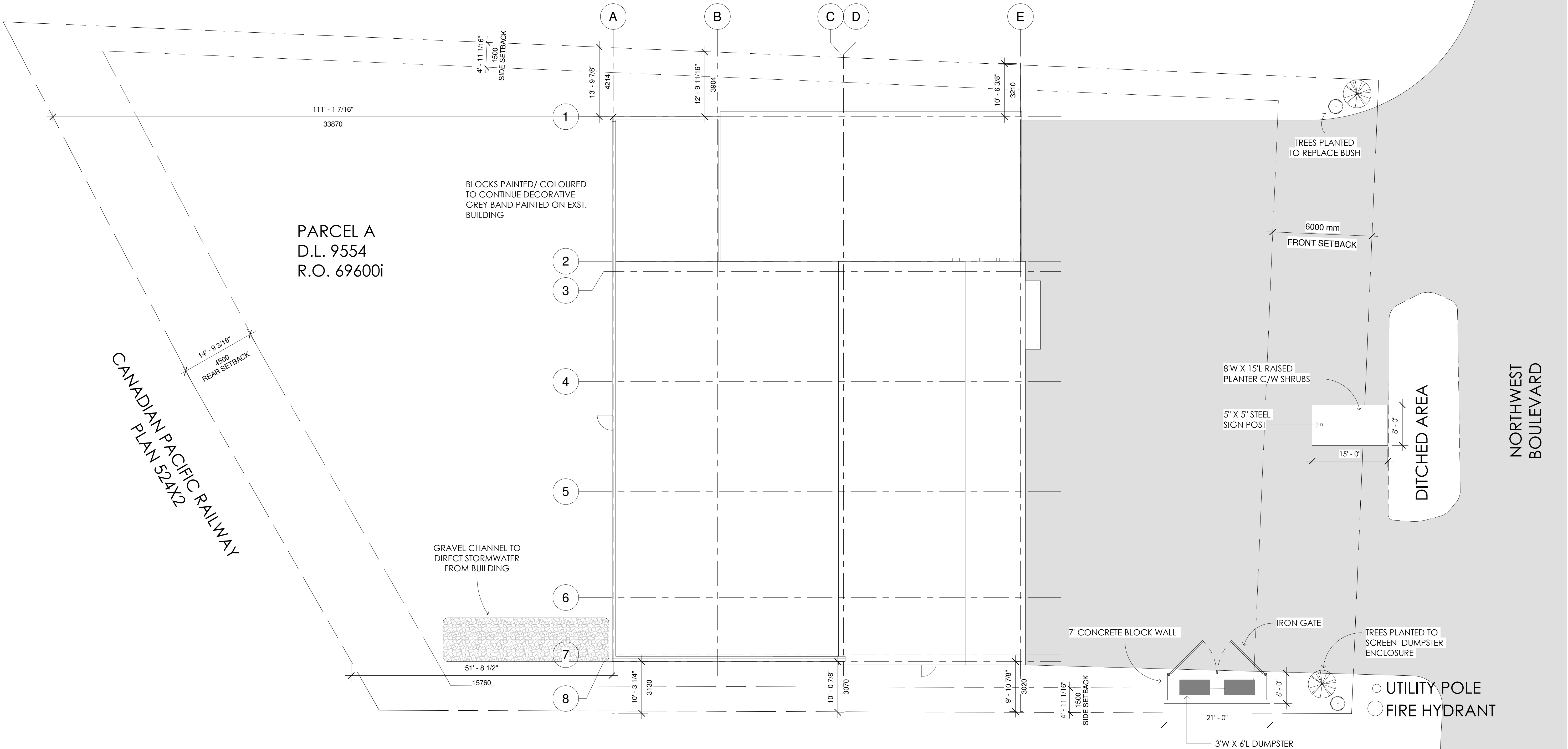
J. Rende and/or Waltman owner
Applicant's Signature Owner's Signature

Dated this 27th day of July, 2020.

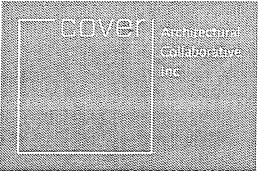
**PLEASE ENCLOSE DEVELOPMENT PERMIT APPLICATION FEE AS PER THE
CURRENT TOWN OF CRESTON'S FEES AND CHARGES BYLAW.**

FOR OFFICE USE ONLY	
Folio No. <u>5187.000</u>	Certificate of Title No. _____
Comments of Technical Planning Committee: _____	

2
PLAN 11764

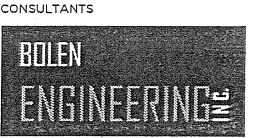


1
PLAN 4186



ARCHITECTURE
81 88 Bays Street
Wesley, BC
V1L 4G7
250 354 4463
coverbc.ca

Copyright reserved. This design and drawing is the exclusive property of COVER Architectural Collaborative Inc. and cannot be used for any purpose without the written consent of the Architect. This drawing shall be used for construction intended for that purpose by the Architect. Prior to commencement of the Work, the Contractor shall verify all dimensions, details and levels to identify any error and - ensure that there are no discrepancies between the drawing and the set Contract Documents and, bring these items to the attention of the Architect for clarification. These drawings must not be scaled. These drawings supersede previous issues.



CLIENT

REVISIONS		
NO.	Description	Date
01	99% IFT	2020.06.22
02	99% IFT-REV.1	2020.06.25
03	99% IFT-REV.2	2020.07.27

HIGH-CALIBER
AUTOBODY

ADDRESS

1209 NW Blvd.
Creston, BC

PROJECT #

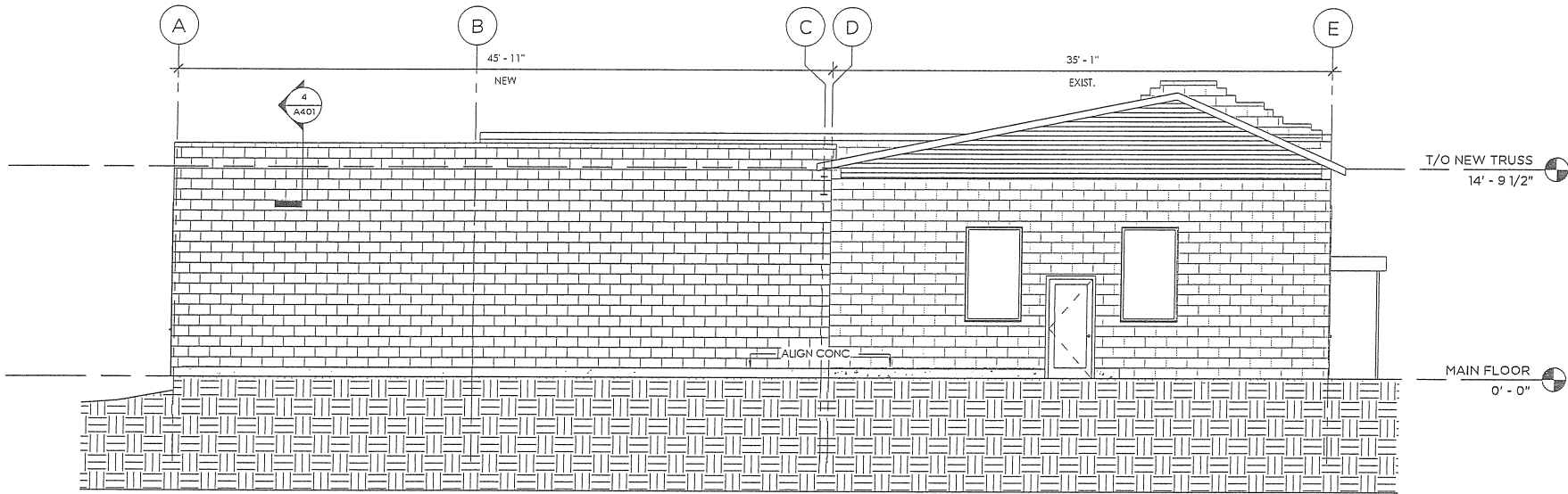
COVER#20031, CLIENT #1917

DATE

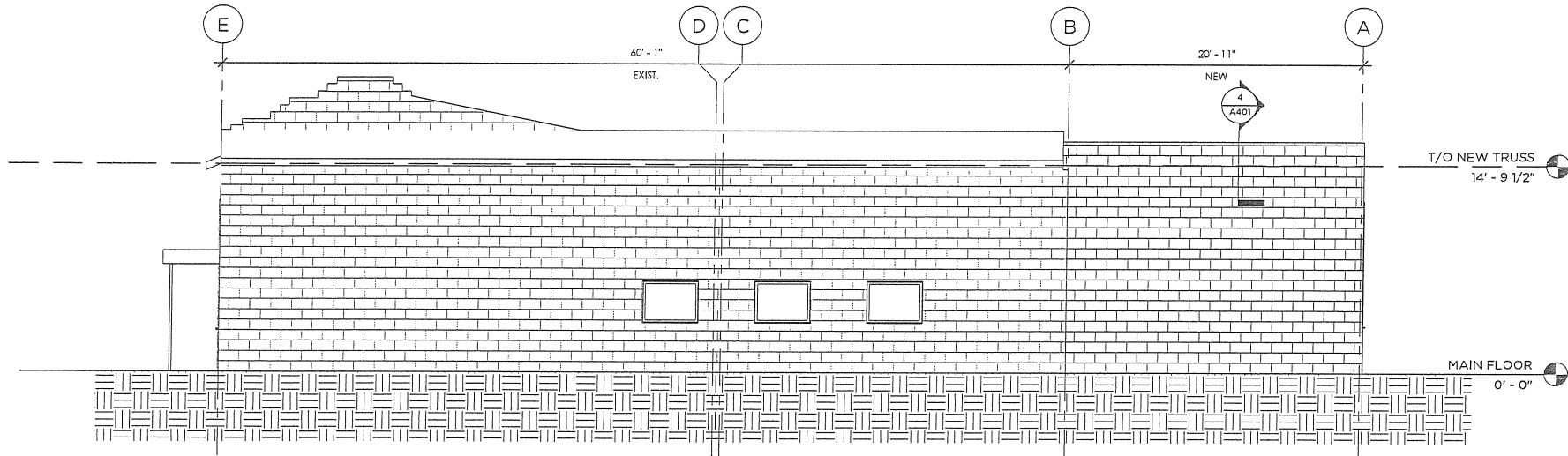
2020-07-27

SHEET
ELEVATIONS

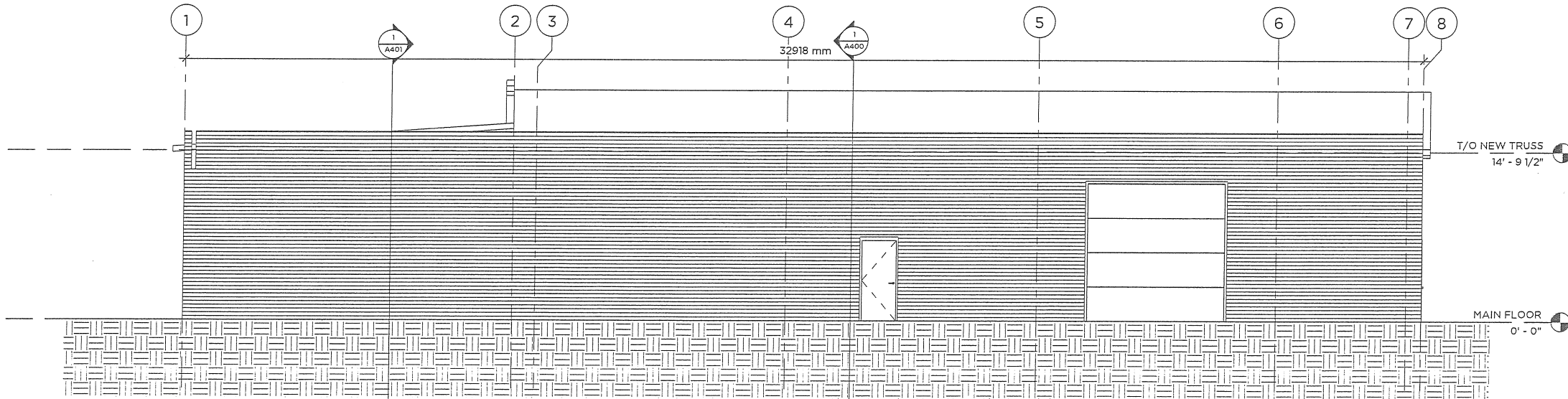
A300



1 SOUTH ELEVATION
3/16" = 1'-0"



2 NORTH ELEVATION
3/16" = 1'-0"



3 WEST ELEVATION
3/16" = 1'-0"

DRAFT

DPA 7 – Highway Service Commercial Development Permit Area

8.3 DPA 7 Guidelines

Development Permits issued in DPA 7 shall be in accordance with the following guidelines:

		Compliant?	Comment
8.3.1	Siting and Orientation of Buildings		
i	Buildings must be oriented to face the street	Yes	
ii	Corner buildings must be oriented to face both streets	N/A	Not a corner building
iii	Building must be located in close proximity to the front property line to encourage a pedestrian-friendly orientation	N/A	Addition to rear of existing building.
iv	Locate drive-thru facilities internally and not between building faces and public streets	Yes	
v	Locate loading bay, outdoor storage and garbage enclosure areas behind buildings and separated from visitor parking areas, where size of property permits	Yes	Size of property does not permit garbage enclosure behind building. Dumpster location to be screened from view by a 1.8m concrete block enclosure with iron gate, and a street tree.
vi	Make loading areas and facilities accessible to service vehicles without interfering with pedestrian circulation	Yes	
vii	All buildings and site design must incorporate Universal Design Guidelines	Yes	New addition and facilities appear to be universally accessible.
8.3.2	Architecture		
i	Commercial buildings shall reflect Creston's small town character	N/A	Existing concrete block building with no major changes to façade.
ii	Buildings must include some form of pedestrian weather protection over the front entry	Yes	Existing
iii	Provision of site amenities near main entrances, such as benches, is encouraged	Yes	Bench at entry
iv	Create architectural interest by varying building materials, colours, roof-lines and other architectural elements	Yes	Interest to be created through painting of coloured band on new walls to match existing building.
v	Monolithic structures and long expanses of straight walls are not permitted	N/A	Straight concrete walls required for fire separation.
vi	Large buildings shall be designed to create the impression of smaller units by encouraging façade relief and variety between sections	N/A	Addition to existing building with no major changes to façade.
vii	All storefronts shall include large display windows	N/A	Not a storefront / existing building
viii	Long expanses of blank, straight facades are not permitted	N/A	Addition to existing building with no major changes to façade.
8.3.3	Exterior Building Treatments		
i	The use of local materials is strongly encouraged, including recycled materials, where appropriate	Yes	Developer encouraged to utilize local materials as appropriate.
ii	Large surface areas of concrete, concrete blocks and similar materials are not permitted	N/A	Existing concrete block building. Straight concrete walls required for fire separation.
iii	The use of vinyl siding as an exterior building treatment is strongly discouraged	Yes	

iv	The use of highly reflective or mirrored glass windows in not permitted	N/A	No major changes to front of building
8.3.4 Landscaping			
i	A site specific landscape plan prepared by a registered Landscape Architect or related professional shall be submitted, as part of the Development Permit Application	Yes	
ii	Healthy, mature trees and vegetation shall be retained where possible	Yes	None existing in front. Trees on west lot line to be retained if possible.
iii	Plantings and planting areas shall:		
a.	screen abutting residential buildings from commercial buildings and associated parking areas where they are not separated by a street or a lane with a vegetated buffer containing mature plantings along the entire property line excepting areas of ingress and egress	N/A	Existing 1.8m fence. Plantings between residential building to South (HSC Zone) and the subject property would likely receive insufficient sunlight.
b.	screen abutting residential buildings from commercial buildings and associated parking areas that are separated by a street or a lane with a minimum 3m vegetated buffer containing mature plantings along the entire property line, excepting areas of ingress and egress	N/A	None
c.	screen commercial buildings and associated parking areas from the edge of the road right-of-way with a minimum 5m vegetated buffer containing mature plantings along the entire property line, excepting areas of ingress and egress	Yes	Planter and street trees on property corners meet this requirement. Additional planting not possible due to parking, ingress and egress.
d.	screen storage areas such as waste receptacles, dumpsters, and building mechanicals from the street	Yes	Street tree to provide screening of dumpster.
e.	be used as a treatment to break up large building façades	N/A	Façade of building is a high traffic working area.
f.	define or frame paths, streets, entrances	Yes	Raised planter provides definition to street entrance.
g.	shade buildings and outdoor spaces	N/A	No space available in parking area or alongside building
h.	slow runoff and facilitate on-site infiltration of stormwater	Yes	Stormwater from building to be directed to the west property line through a gravel infiltration area (lazy river) to slow runoff.
i.	provide street trees along the frontage road	Yes	Two new street trees to be planted.
j.	provide planting in other open space areas not needed for parking, access roads or walkways	Yes	Planter at front of property. Remainder of parking lot fully utilized for business purposes.
8.3.5 Parking and Vehicular Access			
i	Parking areas must not be located between streets and the front of the building	N/A	Existing building location does not allow for parking behind or to the side of the building.
ii	Parking areas shall be broken up with tree plantings and landscaping	Yes	Planter at front of property. Remainder of parking lot fully

			utilized for business purposes.
iii	The use of permeable paving materials is strongly encouraged	N/A	Site currently paved.
iv	On-site retention and infiltration of stormwater is required where achievable	N/A	No changes to existing stormwater drainage on parking area to east of building
v	Provision shall be made for the parking of motorized scooters and bicycles	N/A	Auto service business requires flexibility in parking depending on number and size of client vehicles.
vi	All parking and access routes shall be adequately illuminated utilizing Dark Sky Compliant Lighting Guidelines	N/A	Current parking lot lighting on building (5 lights) and streetlight.
8.3.6 Pedestrian Access			
i	Provide well defined pedestrian access from the adjacent street / sidewalk and / or parking areas to all building entrances	N/A	Auto service business requires flexibility in parking depending on number and size of client vehicles. No defined pedestrian access.
ii	All walkways shall be designed for Universal Accessibility	N/A	Auto service business requires flexibility in parking depending on number and size of client vehicles. No defined walkways.
iii	The use of permeable paving materials is strongly encouraged for walkways and patios	N/A	Parking area currently paved
8.3.7 Signs			
i	All signs must meet the requirements of the Town of Creston Sign Bylaw as amended from time to time	N/A	No new signage indicated in DP application

VI. DEVELOPMENT PERMIT AREAS

DPA 7 - HIGHWAY SERVICE COMMERCIAL

8 DPA 7 - Highway Service Commercial Development Permit Area

8.1 Area Designation

In accordance with the provisions of Section 488(1) (d) (revitalization of an area in which a commercial use is permitted) and (f) (establishment of objectives for the form and character of commercial, industrial or multi-family residential development) of the *Local Government Act*, with supporting designations under Section 488(1)(a) (environmental), (h) (energy conservation), (i) (water conservation) and (j) (*GHG* reduction). All development within those areas designated as Highway Service Commercial DPA on the Development Permit Map (Schedule C of this Plan), shall be subject to approval for Development Permit in accordance with the following Guidelines (8.3 DPA 7 Guidelines).

8.2 Justification

Currently, land uses adjacent to Highway 3 are typical of many commercial “strips” found in similar sized communities, with older, well established buildings mixed with newer ones. Historically, this area had developed without any substantial design guidelines and has resulted in a commercial district that might not provide a comfortable or aesthetically pleasing area in which to stop and shop. Parking, access, landscaping and screening will enhance opportunities reduce functional restrictions, and promote overall revitalization of the area.

The objectives of DPA 7 are to:

- i. revitalize Highway Service Commercial areas to present a positive image that respects the existing cultural and heritage attributes of the built environment;
- ii. address energy conservation and reduction of *GHG* emissions;
- iii. require the retention and infiltration of stormwater on-site where achievable;
- iv. promote a viable marketable environment that is attractive to the public and fosters community pride;
- v. to ensure that development provides a visually pleasing aesthetic;
- vi. respect the form and character of surrounding development;
- vii. improve the pedestrian experience in Highway Service Commercial developments; and,
- viii. minimize any negative impact of commercial development on adjacent residential areas.

8.3 DPA 7 Guidelines

Development Permits issued in DPA 7 shall be in accordance with the following guidelines:

8.3.1 Siting and Orientation of Buildings

- i. Buildings must be oriented to face the street.
- ii. Corner buildings must be oriented to face both adjacent streets.
- iii. Buildings must be located in close proximity to the front property line to encourage a pedestrian-friendly orientation.
- iv. Locate drive-thru facilities internally and not between building faces and public streets.
- v. Locate loading bays, outdoor storage and garbage enclosure areas behind buildings and separated from visitor parking areas, where size of property permits.
- vi. Make loading areas and facilities accessible to service vehicles without interfering with pedestrian circulation.

OCP - FRESHLY PICKED FUTURE

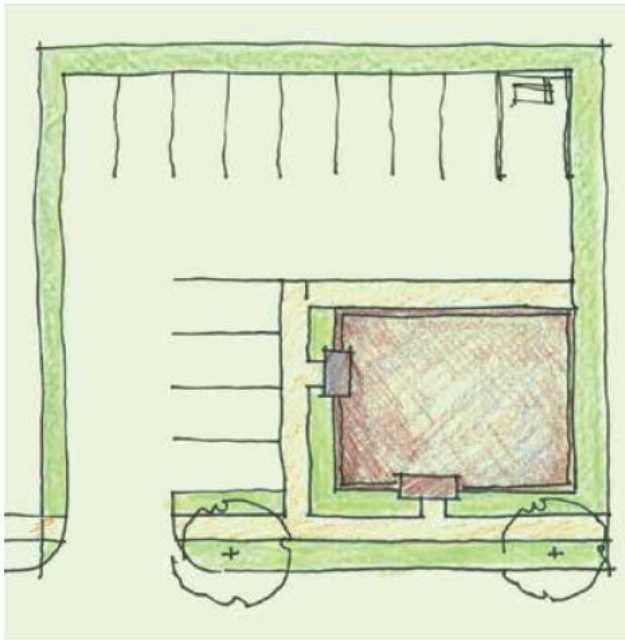
VI. DEVELOPMENT PERMIT AREAS

DPA 7 - HIGHWAY SERVICE COMMERCIAL

- vii. All buildings and site design must incorporate *Universal Design Guidelines*.

8.3.2 Architecture

- i. Commercial buildings shall reflect Creston's small town character.
- ii. Buildings must include some form of pedestrian weather protection over the front entry.



DPA 7 – Highway Service Commercial

- Building faces street
- Parking to rear or side
- Pedestrian access from sidewalk/ street and parking
- Landscape screening at perimeter

- iii. Provision of site amenities near main entrances, such as benches, is encouraged.

- iv. Create architectural interest by varying building materials, colours, roof-lines, and other architectural elements.

- v. Monolithic structures and long expanses of straight walls are not permitted.

- vi. Large buildings shall be designed to create the impression of smaller units by encouraging façade relief and variety between sections.

- vii. All storefronts shall include large display windows.

- viii. Long expanses of blank, straight façades are not permitted.

- ix. All buildings and site design must incorporate *Universal Design Guidelines*.

8.3.3 Exterior Building Treatments

- i. The use of local materials is strongly encouraged, including recycled materials, where appropriate.

- ii. Large surface areas of concrete, concrete blocks and similar materials are not permitted.

- iii. The use of vinyl siding as an exterior building treatment is strongly discouraged.

- iv. The use of highly reflective or mirrored glass windows is not permitted.

8.3.4 Landscaping

- i. A site specific landscape plan prepared by a registered Landscape Architect or related professional shall be submitted, as part of the Development Permit application.

- ii. Healthy, mature trees and vegetation shall be retained where possible.

OCP - FRESHLY PICKED FUTURE

VI. DEVELOPMENT PERMIT AREAS



DPA 7 - HIGHWAY SERVICE COMMERCIAL

iii. Plantings and planting areas shall:

- a. screen abutting residential buildings from commercial buildings and associated parking areas where they are not separated by a street or a lane with a vegetated buffer containing mature plantings along the entire property line excepting areas of ingress and egress;
- b. screen abutting residential buildings from commercial buildings and associated parking areas that are separated by a street or lane with a minimum 3m vegetated buffer containing mature plantings along the entire property line, excepting areas of ingress and egress;
- c. screen commercial buildings and associated parking areas from the edge of the road right-of-way with a minimum 5m vegetated buffer containing mature plantings along the entire property line, excepting areas of ingress and egress;
- d. screen storage areas such as waste receptacles, dumpsters, and building mechanicals from the street;
- e. be used as a treatment to break up large building façades;
- f. define or frame paths, streets, entrances;
- g. shade buildings and outdoor spaces;
- h. slow runoff and facilitate on-site infiltration of stormwater;
- i. provide street trees along the frontage road; and,
- j. provide planting in other open space areas not needed for parking, access roads or walkways.

8.3.5 Parking and Vehicular Access

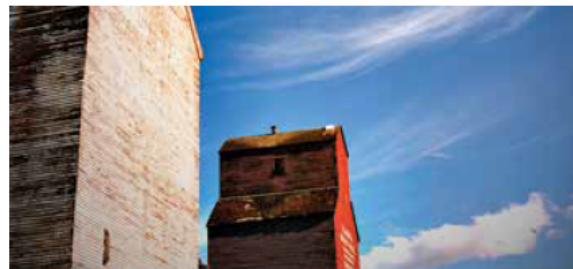
- i. Parking areas must not be located between streets and the front of the building.
- ii. Parking areas shall be broken up with tree plantings and landscaping.
- iii. The use of permeable paving materials is strongly encouraged.
- iv. On-site retention and infiltration of stormwater is required where achievable.
- v. Provision shall be made for the parking of motorized scooters and bicycles.
- vi. All parking and access routes shall be adequately illuminated utilizing *Dark Sky Compliant Lighting Guidelines*.

8.3.6 Pedestrian Access

- i. Provide well defined pedestrian access from the adjacent street/sidewalk and/or parking areas to all building entrances.
- ii. All walkways shall be designed for *Universal Accessibility*.
- iii. The use of permeable paving materials are strongly encouraged for walkways and patios.

8.3.7 Signs

- i. All signs must meet the requirements of the Town of Creston Sign Bylaw as amended from time to time.



OCP - FRESHLY PICKED FUTURE

Appendix "C" – Site Photos



Photo of property frontage from south facing north



Photo of current dumpsters and fencing at southeast corner of property



Photo of existing building from north facing southwest



Photo of existing building and driveway from northwest facing east



Photo of rear of existing building from west facing east



Photo of rear of existing building from south facing north