



COMMITTEE OF THE WHOLE AGENDA

DATE: 2023.05.30

LOCATION: Council Chambers – City Hall

TIME: 6:00 p.m.

413 Fourth Street, Kaslo

1. Call to Order

2. Adoption of the Agenda

3. Business

3.1 **Noise Bylaw**

- 3.1.1 *Review of current regulations*
- 3.1.2 *Discussion regarding possible changes*
- 3.1.3 *Public questions & comments*
- 3.1.4 *Recommendations, if any*

3.2 **Food Trucks**

- 3.2.1 *Review of current regulations*
- 3.2.2 *Discussion regarding possible changes*
- 3.2.3 *Public questions & comments*
- 3.2.4 *Recommendations, if any*

4. Late Items

5. Adjournment

VILLAGE OF KASLO

BYLAW NO. 1079

A BYLAW TO PROHIBIT OR REGULATE NOISES WITHIN THE LIMITS OF THE VILLAGE OF KASLO

WHEREAS Sections 8(3)(h) and 64 of the Community Charter give a municipal Council the authority to regulate, prohibit and impose requirements in relation to noise that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public;

AND WHEREAS the Council of the Village of Kaslo deems it necessary to exercise its authority in relation to noise for the protection and enhancement of the well-being of the inhabitants of the Village of Kaslo;

NOW THEREFORE the Council of the Village of Kaslo, in open meeting assembled, enacts as follows:

1. No person shall make, cause or permit to be made noises or sounds in or on a highway or elsewhere within the boundaries of the Village of Kaslo, which disturb or are liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
2. Without limiting in any way Section 1 of this Bylaw, persons are specifically prohibited from carrying out the following activities within the boundaries of the Village of Kaslo that disturb or are liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public:
 - (a) the playing or operation of any radio, phonograph, stereophonic equipment, television receiving set, electronic device, musical instrument, or any apparatus, equipment or device that makes, plays, reproduces or amplifies sound, regardless of whether the sound emanates either from within or on private property or any public place;
 - (b) the keeping of any animal, dog or fowl that makes or causes noises or sounds;
 - (c) the use or operation of an automobile, motorcycle or other vehicle that produces sounds or noises arising from its state of disrepair;
 - (d) the discharging into the open air of the exhaust of any stationary internal combustion engine, motor vehicle engine or automobile engine;

- (e) the sounding of a horn or other signalling device upon an automobile, motorcycle or other vehicle while it is not in motion;
 - (f) the sounding of a horn or other signalling device upon an automobile, motorcycle or other vehicle while it is in motion, except as a danger or warning signal;
 - (g) the making or causing of noise or sound on a street, highway or lane adjacent to any school, church, hospital, dwelling, hotel, motel or other type of residence, if any of them are occupied by one or more persons;
 - (h) the loading or unloading of any truck, wagon, automobile or motor vehicle in or upon any public or private place or premises;
 - (i) the use of any instrument or any device for the production or amplification of sounds, between ten o'clock PM and eight o'clock AM, in or upon private premises or any public place; and
 - (j) the erecting (including excavating), demolishing, constructing, reconstructing, altering or repairing of any building in any residential district, or the excavating of any street, highway or lane in any residential district, other than on weekdays between the hours of seven o'clock AM and six o'clock PM.
3. This Bylaw does not apply to the following:
- (a) a motor vehicle under the control of the Fire Department while responding to a fire alarm or of a Peace Officer while discharging his duty, or an ambulance responding to an emergency;
 - (b) any activity under Section 2(j) that is carried on to attend to an accident or emergency that threatens public health or safety and is carried out under the authority of a permit issued by the Chief Administrative Officer or designate of the Village of Kaslo;
 - (c) a Village of Kaslo vehicle engaged in the necessary public business of the Village;
 - (d) the sounding of bells or chimes to announce a church service of any kind; and
 - (e) building or vehicle security alarms or fire alarms.

4. The provisions of this bylaw may be varied by application to Council in the form of Schedule A attached hereto, received by Council no less than 30 days in advance of the event requiring varied hours and made by the applicant.
 - (1) Any variance in hours shall be made by resolution of Council adopted in Regular or Special meeting.
5. A person who violates any provision of the Bylaw commits an offence and is liable, upon conviction, to the maximum penalties prescribed by the Community Charter and the Offence Act, plus the costs of prosecution.
6. The Village of Kaslo Noise Abatement Bylaw No. 1035, 2006, is hereby repealed.
7. This Bylaw shall take effect upon its adoption.
8. This Bylaw may be cited for all purposes as "Village of Kaslo Noise Abatement Bylaw No. 1079, 2008".

READ A FIRST TIME this 28th day of October 2008.

READ A SECOND TIME this 28th day of October 2008.

READ A THIRD TIME this 28th day of October 2008.

RECONSIDERED AND ADOPTED this 12th day of November, 2008.

Chief Administrative Officer

Mayor

Certified correct:

Chief Administrative Officer

Bylaw 1079

VILLAGE OF KASLO
SCHEDULE A

APPLICATION TO VARY NOISE ABATEMENT BYLAW 1079

All applications must be received by the Village of Kaslo 30 days in advance of date proposed
for any variance

Name of Applicant:

Mailing address:

Civic address:

Authorized contact:

Telephone Number:

Bylaw section # variance requested:

Dates requested:

Maximum variance permitted is 3 hours.

Reasons for variance:

Supporting documentation attached:

Authorized signatory (Signature):

VILLAGE OF KASLO BYLAW NO. 1079
A BYLAW TO PROHIBIT OR REGULATE NOISES WITHIN THE
LIMITS OF THE VILLAGE OF KASLO

WHEREAS Sections 8(3)(h) and 64 of the Community Charter give a municipal Council the authority to regulate, prohibit and impose requirements in relation to noise;

AND WHEREAS the Council of the Village of Kaslo recognizes that residents have a right to the peaceful enjoyment of their property and community,

AND WHEREAS the Council of the Village of Kaslo recognizes that cultural expression has a positive impact on the economy and sense of well-being of many citizens (see 3.10 (5) of the OCP)

NOW THEREFORE the Council of the Village of Kaslo, in open meeting assembled, enacts as follows:

Quiet time within the Village shall be between the hours of 8pm and 8am. Noise that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public is prohibited during Quiet Time.

Notwithstanding the above, noise created through cultural expression (performing arts events, sporting activities, organized special events) is prohibited between the hours of 10pm and 8am.

Notwithstanding the above, noise created by the erecting (including excavating), demolishing, constructing, reconstructing, altering or repairing of any building in any residential district, or the excavating of any street, highway or lane in any residential district, is prohibited on weekends and week days between the hours of 6pm and 7am.

3. This Bylaw does not apply to the following:
- (a) a motor vehicle under the control of the Fire Department while responding to a fire alarm or of a Peace Officer while discharging his duty, or an ambulance responding to an emergency;
 - (b) any activity that is carried on to attend to an accident or emergency that threatens public health or safety and is carried out under the authority of a permit issued by the Chief Administrative Officer or designate of the Village of Kaslo;
 - (c) a Village of Kaslo vehicle engaged in the necessary public business of the Village;
 - (d) the sounding of bells or whistles emanating from the Village Hall, church or the SS Moyie; and
 - (e) building or vehicle security alarms or fire alarms.

Bylaw 1079-3- 4. The provisions of this bylaw may be varied by application to Council in the form of Schedule A attached hereto, received by Council no less than 30 days in advance of the event requiring varied hours and made by the applicant. (1) Any variance in hours shall be made by resolution of Council adopted in Regular or Special meeting.5. A person who violates any provision of the Bylaw commits an offence and is liable, upon conviction, to the maximum penalties prescribed by the Community Charter and the Offence Act, plus the costs of prosecution.

To Mayor and Council Village of Kaslo
July 25 2022.

On July 17, 2022 We met with members of our extended family for dinner on the deck w at the Kaslo Hotel.

The music emanating from the new stage on Front Street Park was so loud that it was difficult to carry on a conversation with our guests without shouting at each other. I noticed that other patrons were having the same difficulty.. I would urge Council to do some research about acceptable noise levels for outdoor entertainment, and don't get me started on the noice created by the annual onslaught of motor cyclists who seem to think that loudere is better. Thank you for taking noise abatement under consideration.

Yourst truly,

David K. Stewart

507 5th Street Kaslo BC

RECEIVED
AUG 15 2022

May 22, 2023

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: Noise Bylaw

Kaslo's Official Community Plan encourages and the Land Use Bylaw permits **mixed uses** in the Core Commercial/Central Business District. Although mixed-use neighborhoods offer many benefits for diversity and livability, they pose challenges for noise control.

As amplified music travels the sound becomes noise. The bass beat enjoyed at a venue can become an annoying disturbance blocks away. **A balance** between having a good time and preserving the peace and quiet of the neighbourhood is needed.

Excluding emergencies, no one has the privilege to disturb a neighborhood at their discretion. Regardless of the time of day or night, and whether the noise disturbance originates from an outdoor public address system or an amplified music event, a **Noise Bylaw exemption by resolution of Council** should be required for outdoor amplified events, activities and uses.

How often should residents have to go indoors and close their windows because of noise from amplified sound events? To maintain a balance, limits on the number, frequency and duration of outdoor amplified sound events, activities and uses should be established in either the **Noise Bylaw** or a **Policy**.

Should an amplified sound event be heard inside a residence a block away? Exemptions for outdoor amplified events, activities and uses should be conditional on reasonable sound volumes and mitigation of noise transfer.

Submitted electronically,

Vladimir and Anne Malik

█ Front Street

Kaslo

May 1, 2023

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: Noise Bylaw Contravention

Following an event on September 20th, 2022 we wrote to *The Angry Hen Brewing Company* and asked that the sound volume be turned down on all future outdoor events. Our effort was to no avail. The **volume of amplified music** at *The Angry Hen* outdoor patio on April 23, 2023 gives us greater cause for concern as the music was audible inside our home.

As the weather warms, residents will open their windows for fresh air and want to enjoy their yards. Amplified music will disturb the quiet, peace, rest, and enjoyment of our neighborhood.

The opening section of Bylaw 1079 prohibits “the playing or operation of any radio, phonograph, stereophonic equipment, television receiving set, electronic device, musical instrument, or any apparatus, equipment or device that makes, plays, reproduces or amplifies sound, regardless of whether the sound emanates either from within or on private property or any public place.”

We ask the Village to:

- a.) inform the event sponsors *The Angry Hen Brewing Company* and *Propel Studios* that an application for exemption from the Noise Bylaw is required for each event, and
- b.) enforce this establishment’s compliance with the Noise Bylaw.

Requests for exemption from the Noise Bylaw should not be considered in isolation. In consideration of the cumulative effect of these events on community members we urge Council to **establish limits on the number and frequency of amplified outdoor events in our community**. Exemptions should also be **conditional on reasonable sound volumes**.

Vladimir & Anne Malik
[REDACTED] Front Street, Kaslo

cc. The Angry Hen Brewing Company
Propel Studios

Attachments: 2022.09.27 Correspondence to The Angry Hen Brewing Company
2023.04.07 Notice of upcoming live music - April, May 2023
2023.03.31 Propel Studios Facebook Post
2023.04.03 Angry Hen Brewing Facebook Post

September 27, 2022

Angry Hen Brewing Company
343 Front Street
P.O. Box 1049
Kaslo BC, V0G 1M0


Your correspondence to Village of Kaslo Council received on April 12th states:

"Noise issues will be minimized as the patios will be bounded by the manufacturing facility and lounge building as well as the buildings surrounding the former Mountain King patio."

Noise is an issue. On September 20th amplified music from your establishment's outdoor patio could be heard **inside a residence** 300 feet from the rear of your property. Prior events disturbed residents 350 feet to the east of your property.

In consideration of your neighbors, we ask that the sound volume be turned down on all future outdoor events.

Your neighbors on Front Street and A Avenue,


Vladimir & Anne Malik
303 Front Street, Kaslo


Steve Jaksitz
325 A Avenue, Kaslo



Angry Hen Brewing

April 3 at 11:32 AM · 🌐



Come celebrate German Beer Weekend April 21-23 at the Angry Hen Brewery! 🍷



Angry Hen Brewing

April 3 at 11:27 AM · 🌐

🍷 German Beer Weekend at the Angry Hen 🍷

German style brews, food specials, live music and more!

Come on down to the tasting room April 21 - 23 to the enjoy the festivities! We will have German style brews and food specials made for the occasion along with our regular beers on tap, cider, wine, cocktails, non-alcoholic drinks and delicious food!

Calgary art-rock band L'omelette will be rocking the outdoor patio on Sunday, April 23 starting at 6pm. Their high energy show last fall was such a blast - we are excited to have them back!



Upcoming Live Music at The Angry Hen Brewery



April:

Wed, April 5 @ 6pm - Open Mic w/ Kevin John

Fri, April 14 @ 6pm - Heavy Dirt *(Sean Cameron & Paul Hinrichs)*

Fri - Sun April 21-23 - German Beer Weekend! *German beer and food specials!*

Sun, April 23 @ 6pm - L'omelette

Fri, April 28th @ 6pm - Robbie Turnbull

May:

Wed, April 3 @ 6pm - Open Mic w/ Kevin John

Fri, May 19 @ 6pm - Kick-Off to May Days w/ The Heavy Lighters

With Carly Dow & Kevin John

Tickets \$15.00 @ Angry Hen (cash only) or www.theheavylighters.com

May Long: Sat - Sun May 20-21 - Local live music each day!

Featuring: Poly Sonic Tonics, Kevin John, Allie Kane, Dom Fraisard,

Mountain Weather, Jaq Taforo





Kaslo Community Web

Propel Studios · March 31 at 8:45 AM · 🌐



Come kick-off the May Long weekend with a fun evening of great live music on the huge outdoor patio at Angry Hen Brewery! 🌟

On Friday, May 19th you won't want to miss bluegrass inspired Kootenay gents 🎸 The Heavy Lighters getting the dance floor going with their high energy tunes!

🎤 Carly Dow will be opening the night with her beautiful voice and songs and will be joined by Kaslo's own Kevin John!... See more



PROPEL STUDIOS & ANGRY HEN BREWING CO. PRESENT

KICK-OFF TO MAY DAYS

WITH

THE HEAVY LIGHTERS

AND

CARLY DOW

FRIDAY, MAY 19TH

THE ANGRY HEN BREWING CO.

343 FRONT ST. KASLO BC



1
PLUS 1 ONE

TICKETS ARE \$15 AVAILABLE AT ANGRY HEN BREWING CO. (CASH ONLY)
AND ONLINE AT THEHEAVYLIGHTERS.COM



May 1, 2023

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, Leathwood

Re: Noise Bylaw Contravention

After a long tiring drive from Vancouver I was looking forward to retiring early. Amplified music from *The Angry Hen Brewing Company* patio on Sunday, April 23rd didn't enable this as it was audible in my home.

This is not acceptable. Why can I not be in my own home in peace and quiet? There needs to be a conversation between all affected and interested parties.

For your consideration,

Steve Jaksitz

█ A Avenue

Kaslo, BC

May 6, 2023

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, and Leathwood

Re: Live Music

Angry Hen Brewing has endeavoured to conscientiously curate live music events and entertainment both indoors and on our patio. Through the winter months, we have put on many music events for the enjoyment of our local community and visitors. We plan to continue this throughout the summer in an effort to make the most of these valuable tourism months.

Our business is largely tourism based, with a significant portion of our revenue coming from putting on such events regularly. We advertise our events and business locally and provincially in an effort to draw tourists to our area. With advertisements going to craft beer tourism organisations as well as general tourism organisations. These efforts have put Kaslo on the map for craft beer tourists and amplified the experience for visitors to our area. Live music events can be the difference for tourists coming to and staying in Kaslo rather than just staying in Nelson.

We have kept the hours for such events early so as not to disturb our neighbours late into the night. With most events beginning in the afternoon or early evening and ending no later than 9:30PM. We have kept the volume for the events appropriate to create an enjoyable experience for our patrons. Outdoor events are often only well heard on the patio itself, with the sound travelling to the tasting room at a greatly reduced level.

The support we have received from our regular attendees and neighbours has been overwhelming. Live music drives revenue to our village, encouraging tourists to visit Kaslo as well as encouraging locals to stay in town for shows rather than travelling elsewhere. Our partnership with Propel Studios to curate these events has enhanced the quality of our events as well as promoting local and regional musicians.

The difference in revenue we receive from an evening with music versus an evening without is significant. Without running such events regularly, our business would be impacted to the point where we would have to consider shutting our doors.

Sincerely,

Cassie Gerretsen
Angry Hen Brewing Company

P.O. BOX 743
KASLO, BRITISH COLUMBIA, CANADA V0G 1M0
250 353-3474
info@propel-studios.com
www.propel-studios.com



May 7, 2023

To: Mayor Hewat, Councillors Bird, Brown, Lang, and Leathwood

Re: Live Music

Dear Kaslo Mayor and Council,

I am writing to you on behalf of Propel Studios, the co-presenter of live music events at the Angry Hen brewery. We understand you are redrafting your noise bylaw, and we would like to point out the positive impact that live music has on our town.

Music is a vital cultural and economic asset to Kaslo that not only provides entertainment but also creates employment opportunities. In the case of the Hen, live music events require sound engineers, marketers, musicians and additional wait staff, creating jobs and boosting local employment. (Larger events employ many more people, of course.) Additionally, live music events bring in visitors from out of town, increasing tourism and benefiting local businesses such as restaurants, accommodations and retail shops.

Finally, it is hard to overstate the level of pure joy that live music brings to people, from classical to folk to rock 'n' roll. Witness how quickly tickets sell out for live music events such as the Kaslo Jazzfest, the May Days dance at the Legion and the live music events at the Langham, including the upcoming Stephen Fearing performance. If anything, people would welcome more not fewer live music events in Kaslo.

When considering your updated noise bylaw for Kaslo, we would encourage Council to adopt regulations typical of those in most BC municipalities, which allow for live music events from 7 am to 10 pm (or 11 pm in some cases) with exemptions for events that have permission from Council.

Thank you for your consideration, and we look forward to working with you to ensure that live music continues to thrive in Kaslo.

Sincerely,

A handwritten signature in black ink that reads "Chyvonne Lynch".

Chyvonne Lynch

General Manager

Propel Studios

Karissa Stroshein

Subject: Noise Abatement Bylaw

-----Original Message-----

From: Margaret Fry

Sent: Monday, May 8, 2023 6:31 AM

To: Karissa Stroshein <admin@kaslo.ca>

Subject: Fwd: Noise Abatement Bylaw

>

> "The Village of Kaslo supports a full, productive and meaning full life for all citizens, through policies, services and programs that reflect community values and sustainable community development."

>

>

> Dear Mayor and Council Members,

>

> First of all allow me to inform you that I have no financial ties with the Angry Hen although I share a last name with one of the owners.

>

> It has come to my attention that a group of disgruntled Kaslovians are attempting to impose a ban on all live sound events in Kaslo. Such short sighted thinking.

>

> Over and over again statistical data indicates that communities which embrace and support a vibrant art scene flourish and prosper. Live music events are one of the simplest ways to accomplish this. It is clear that the village supports this both in its vision and in the infrastructure. The village has invested significant funds in the development of a stage located on Front Street.

>

> It's very exciting that the Hen, the Langham, the Jazz Fest and other local businesses and organizations support live music and the artists who perform it.

>

> It is also clear that the noise abatement bylaw from 2008 does not reflect the current values around community enrichment and sustainability as it, indeed, leaves the promoters of live music open to the threat tactics of certain citizens. I look forward to inclusive community input into the development of a new sound bylaw that will be reflective of the vision of the village and the will of a majority of Kaslovians. More importantly I look forward to the continued performance of live music and sound art at The Hen, The Langham, The Jazz Fest in the Bay, and Kaslos very own stages .

>

>

> Sent from my iPhone have a great day

From: [Cassie Gerretsen](#)
To: [Catherine Allaway](#)
Cc: [Mayor Hewat](#); [Karissa Stroshein](#); [Erika Bird](#); [Molly Leathwood](#); [Rob Lang](#); [Matthew Brown](#)
Subject: Re: Noise Bylaw and Live Music Letter
Date: May 9, 2023 8:07:38 AM
Attachments: [image003.png](#)

Thanks Catherine.

I am hopeful that council see the importance of live music in our community and votes to include my letter in today's meeting.

I have attached to this email, 123 letters of support from individuals in the community and those traveling through and looking for activities on the weekend. Many have decided to write additional notes in their letters which I would encourage council to read. The positivity from the community is encouraging.

I am not against constraints to the music. But we have ways maintained that our music does not go past 9:30pm.

This is not just an issue that could severely damage one business. It could damage any other organization that wants to provide music to the community. It is an issue that could severely impact the income of our wonderful local performers.

[Redacted]

[Redacted]

Cheers,

Cassie

Angry Hen Brewing Co.

P.O. Box 1049

343 Front St Kaslo. BC, V0G 1M0

Call/Text [Redacted]

On Mon, May 8, 2023, 3:26 p.m. Catherine Allaway <allaway@kaslo.ca> wrote:

Hi Cassie,

|

Thank you for your correspondence which has been forwarded to Council for their information – it came in after the agenda deadline so it will be received at Tuesday’s meeting only if Council votes to include it as a late item (otherwise it will be forwarded to the next meeting on 2023.05.23).

As you may know, at the 2023.04.25 Council meeting, staff was directed to draft a revised Noise Control Bylaw. I appreciate the concerns that you have raised and I’m not unsympathetic but for the time being I am still working with the existing bylaw’s rules. I have attached a copy of the letter that was prepared last week in response to the complaint that we received about the event held on April 23rd. I apologize for the delay in getting it to you, we were unexpectedly short-staffed last week.

Please let me know if you wish to discuss further.

Kind regards,

Catherine

From: Mayor Hewat <mayor@kaslo.ca>
Sent: Saturday, May 6, 2023 4:03 PM
To: Cassie Gerretsen <lounge@angryhenbrewing.com>; Karissa Stroshein <admin@kaslo.ca>
Cc: Catherine Allaway <allaway@kaslo.ca>
Subject: Re: Noise Bylaw and Live Music Letter

Good afternoon Cassie

Thank you for your letter. Since this item is on our agenda for Tuesday night, I am including our Corporate Officer Catherine Allaway in my response as she is putting together the agenda package for our meeting.

Catherine, is it possible to include Cassie's letter on the agenda along with the correspondence we have received?

Thank you,

Suzan

Suzan Hewat

Mayor Village of Kaslo

RDCK Board Director

Village of Kaslo Office

413 Fourth Street, PO Box 576, Kaslo, BC V0G 1M0

Phone: (250) 353-2311 **Cell:** (250) 505-3024

Kaslo Website: www.kaslo.ca

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This email may contain confidential and/or privileged information. If you are not the intended recipient or have received this email in error, please notify the sender immediately and destroy this email. Any unauthorized copying, disclosure or distribution of the information contained in this email is prohibited.

From: Cassie Gerretsen <lounge@angryhenbrewing.com>

Sent: Saturday, May 6, 2023 3:20 PM

To: Karissa Stroshein <admin@kaslo.ca>

Cc: Mayor Hewat <mayor@kaslo.ca>

Subject: Noise Bylaw and Live Music Letter

Hello,

Please see attached letter regarding the Kaslo noise bylaw and live music events.

I will be sending along some additional letters of support on Monday as well.

Should you wish to contact me directly, I am available via phone at [REDACTED] or email anytime.

Cheers,

Cassie

--

Angry Hen Brewing Co.

P.O. Box 1049

343 Front St Kaslo. BC, V0G 1M0

Lounge: 250-353-7446

Karissa Stroshein

Subject: Noise Bylaw and live music

From: Pat Wilson

Sent: Tuesday, May 16, 2023 4:15 PM

To: Karissa Stroshein <admin@kaslo.ca>

Subject: Noise Bylaw and live music

Good day,

I am writing to express my support for live music in Kaslo, specifically being carried out at The Angry Hen, Propel studios and Front Street Pizza.

We reside at [REDACTED] Front Street and are not adversely affected by the music whatsoever. I believe it would be reasonable to set a time of 10 pm or 11 pm for noise reduction purposes. A start time of 7:00 am in my opinion is also reasonable.

Thank you for your consideration in this matter.

Pat Wilson

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, and Leathwood

Re: Live Music at Angry Hen Brewing

I, Gail Jones, am writing to express my support for live music events at Angry Hen Brewing, as well as live music events throughout the village of Kaslo.

I feel that 'The Hen' is a huge asset to our community. As next door neighbours, we are totally in favour of seeing folks having a good time + enjoying the Music!

Gail + Lex Jones.

Sincerely,

Name:

Gail Jones

Address:

[Redacted Address]

Village of Kaslo

Attention: Mayor Hewat, Councillors Bird, Brown, Lang, and Leathwood

Re: Live Music at Angry Hen Brewing

I, LEX JONES, am writing to express my support for live music events at Angry Hen Brewing, as well as live music events throughout the village of Kaslo.

Sincerely



Name: LEX JONES.

Address:



Karissa Stroshein

Subject: Food trucks

From: Nathan Thomson <thetreehouserestaurantkaslo@gmail.com>

Sent: Wednesday, May 3, 2023 11:29 AM

To: Karissa Stroshein <admin@kaslo.ca>

Subject: food trucks

Hello,

I am writing to you to request information on food truck licence to operate permits. I am wondering what if any public/business consultation has or will happen with regard to food trucks operating in our downtown core. I, as a business owner and resident of Kaslo, see the need for more options for our ever growing tourist population during summer months. However, if there is an overlap of business models, taking business away from our brick and mortar establishments within our community, should that not be taken into account for approval? There was a recent letter that went out requesting whether business owners had any problem with the jazz fest extending their hours (in case someone had a problem with it affecting their business)...should something like that not take place for businesses that could become affected by a food truck?

We have only a few restaurants here in Kaslo and a very limited season to actually have financial success. To allow a temporary business to take anything away from that (by doing something that is already offered) would be very detrimental to existing restaurants.

I know as a village, you don't know that The Treehouse Restaurant is going to start doing a few nights a week. We are going to be offering BBQ. Because it's popular, and it's not offered here right now. That's why we're doing it. So imagine my surprise that a BBQ food truck is coming to town to offer BBQ, and breakfast.

I urge you to do your due diligence when approving these things, and make sure that current business models are accepting of these kinds of temporary businesses. They could end up doing a lot more damage long term, for a short term benefit.

Nathan and Carolyn Thomson
The Treehouse Restaurant
419 Front St
Kaslo, BC
VOG 1M0

Subject: Food truck

-----Original Message-----

From: Nathan Thomson <thetreehouserestaurantkaslo@gmail.com>

Sent: Monday, May 8, 2023 12:11 PM

To: Karissa Stroshein <admin@kaslo.ca>

Subject: Food truck

It has come to my attention that there is a food truck sitting up behind the kaslo pharmacy. It has also been brought to my attention, that it does not have a permit to do so.

I was asked to be in touch with the village and make them aware of this.

Regards,

Carolyn and Nathan Thomson
The Treehouse Restaurant
Kaslo, British Columbia

Karissa Stroshein

Subject: A Realtor's remarks and request for Clarification on Lack of Transparency

From: aaron mathers

Sent: Monday, May 8, 2023 1:34 PM

To: Karissa Stroshein <admin@kaslo.ca>

Subject: A Realtor's remarks and request for Clarification on Lack of Transparency

To the Village of Kaslo Mayor and Councillors, for their response.

Food trucks are now a thing in Kaslo. Without consultation of any affected parties the village has issued permits for food trucks. The administrator that I spoke with informed me that, because food trucks are on wheels, there therefore is no need for public consultation. This seems strange to me, surreptitious, and not what I would hope for from my village's mayor and council.

As a realtor a lot of what I do involves calculating value of property. Valuation of a business and building is one of the trickier jobs I perform. It involves a determination of value of land, improvements together with an analysis of the income the business generates.

There are other factors that determine the value of the total package as well. Things that are not part of land, improvements and income. These other things are referred to as externalities. An example of an externality would be a village adopting a new policy permitting a food truck to open next to a restaurant. Well how would that affect the value of the restaurant? Let's study the case of a restaurant in Kaslo, The Bluebelle Bistro.

The Bluebelle has been for sale for 83 days with an asking price of \$478,000. There is currently a food truck setting up directly across the street from the restaurant's patio, the owner of the truck stating that he will be producing similar breakfast products as the Bistro and operate a smoking unit that will create a potential nuisance to the Bistro's patio, whose clientelle currently enjoy a tastefully planted aromatic flower garden.

As a realtor I would obviously say that this will lessen the value of the Bluebelle. Without looking at the books, which are confidential and requiring a non-disclosure statement, I will estimate that this will substantially cut into the Net Operating Income of the property, thereby affecting final market value.

Further, a potential Buyer may feel stigmatized to purchase a business in a village that has just completely, and without due consultation, blindsided the proprietor. Obviously the mayor and council have a complete disregard for the health of the businesses in the downtown core if they would allow something like this to occur without consultation. To knowingly disrupt the Bistro's income stream and not to allow discussion because the truck has tires is an absurdity, so where would it end? This fact would make the Buyer think twice about value, To say nothing about the uncertain cash flow projections moving forward.

So about 100 thousand. That's what I would think. Without studying the income statements and really grinding the calculations I would professionally and conservatively estimate that one hundred thousand dollars of the value of the business and building have been wiped out overnight. So from \$478000 to \$378000.

That's just one business. So what about another business like say Angry Hen Brewing whom I have been told has purchased new equipment for producing a menu of smoked meat. I would have to deliver the same blow to them- that a potential Buyer would likely pay 100K less for that business and building now today than yesterday now that there is somebody doing the same thing in the alley from a food truck. And on and on. Similar prognosis for Teresa's, Buddy's, Treehouse, and to a smaller extent the grocery stores.

Conservatively the price of that one food truck, to the value of the collective businesses and buildings for just the food establishments is easily in excess of \$500,000. Probably more.

This doesn't even take into account how a food truck business generally does not redistribute the money back into the economy. That money is now gone.

But wait it gets worse. Now that the value of these food producing businesses have all shed 100 thousand dollars by using the income approach to appraisal, now non-food producing businesses are affected and their real estate values are

lessened using the comparative method of valuation, so that, ironically, even the guy who thought he would get rich by renting out his back yard is a loser as well.

So there it is. From a Realtor's perspective food trucks erode the value of existing business and erode the long term vitality of the community in general.

Oh but the truck has tires. This is the explanation for the complete blindsiding of the downtown business community? No consultation? This justifies hundreds of thousands of dollars of loss to the downtown businesses? I am asking each council member and the mayor to each respond to this question.

Sneaked through. In secret, by the council and mayor supposedly representing the wishes of the very businesses its actions are harming. Short sighted.

We were, however, consulted about the sea container proposition. Because it's not on wheels. So, by this logic, would it have been correct to say that if the sea container had an axle affixed to the bottom, or remained on the trailer that it had arrived to town on would there then be no consultation required? That if someone wanted to make a business selling horse blankets, drug paraphernalia and F@#\$ Trudeau flags consultation would not be required because, hey, it's on wheels? Is the food's cart's deck for seating on wheels? Are the picnic tables and garbage cans on wheels? What part has to be on wheels to qualify for exemption from consultation? Why are wheels important and negative effects on the community not important? Why the secrecy?

I thank the mayor and councillors individually for their response to my questions.

RECEIVED
MAY 16 2023
May 16, 2023

Dear Mayor and Village Council;

For decades, restaurants in Kaslo have been providing the only read-to-eat food in the downtown core. There have been a select few mobile vendors, such as Hummingbird Coffee, which is a very pleasant addition. For the first time now, local brick and mortar food businesses are faced with competing directly with mobile food vendors, during what is realistically the only lucrative part of the calendar year in downtown Kaslo. The year-round brick and mortar businesses feel that, under the circumstances, a conversation is warranted, and we would like to be a part of that.

There has always been informal discussion and consultation between local businesses to ensure that we can all thrive throughout the year. We don't carry the same products as one another or create similar menu items. Kaslo is just not big enough to be in direct competition with your neighbour. Should this not be considered with new mobile vendors?

Being a business in the heritage zone in downtown Kaslo certainly has its upsides. We collectively work together to create a town that is truly visually unique. This also comes at a cost. As we have just gone through the process of an application for development in the heritage zone, we understand that every detail, down to the paint colour of our buildings, has to conform to Village guidelines. It seems unjust that a mobile vendor can just "pull in" -without having to consider or abide by any of these rules - and begin doing business.

We understand that there has been local concern regarding the lack of ready-to-eat food in downtown Kaslo. This is the reason that Eric's Meat Market decided to build on our own open lot on Front Street, to serve food and promote the sausage products we create. We will be ready to serve Kaslo lunch and dinner, five days a week, May to October. The Treehouse is opening seven days a week this summer, including three nights per week for dinner. The Angry Hen Brewery will also be open 7 days a week this summer for food service. The local, brick-and-mortar businesses have been working hard at solving this problem and this summer will be proof of that.

In regards to the mobile vendor application, we respectfully ask that we and our fellow downtown business owners be notified and consulted through this process.

This will ensure, and I quote from the Kaslo Official Community Plan,

"(To encourage) a compact, visually appealing commercial core that operates year-round to provide a wide range of goods and services"

Thank you for your consideration.

Sincerely,

The owners of Eric's Meat Market Forrest, Bernelle, Daniella, Angus Collier

Karissa Stroshein

Subject: Submission for meeting

From: Spencer Wells
Sent: Tuesday, May 23, 2023 10:17 AM
To: Karissa Stroshein <admin@kaslo.ca>
Subject: Submission for meeting

To the Mayor and council of The Village of Kaslo: Please review our questions and concerns for the meeting next Tuesday.

We have a few questions about mobile vendors that will most likely be covered in the upcoming meeting but getting more clarity might help help us move forward.

Is the village of Kaslo planning on providing an area for mobile vendors with a bathroom, parking, water and power?

Why are only new businesses being made to follow the new rules? Ie parking? Washrooms, site plans, etc. How are existing expanding businesses going to be dealt with?

In the parking bylaw, it talks about paying for "off street parking". Is there an actual area in existence or is the village charging a type monetary penalty but not providing anything to fix the situation other than planning for future provision?

How is the number of parking spaces for a mobile food vendor without any seats which aims to provide services for people already in town- ie tourists wandering around etc. determined?

Does the village of Kaslo plan on writing a new separate plan which pertains more to mobile vendors instead of them being considered to be a totally new development like a new building?

How did the village come up with the number of 5 vending licenses? With many different types of mobile vending becoming more popular why not make categories? For example there is one fruit vendor, one seafood bus, (possibly our food trailer) maybe others we're not aware of. In the future there could be a mobile pet groomer, mechanic, car detailing, tire change trailer etc. The lack of some services in small communities could be supplemented by mobile vendors coming to town which would save locals time and money to travel to get what they need without effecting existing businesses. Having limits based on categories might be advantageous to accommodate different vending possibilities.

We look forward to attending the meeting. Thank you.

Spencer Wells

Jayne Hext

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Karissa Stroshein

Subject: Noise and Food Trucks within the Municipal Boundaries

From: nathan thomson [REDACTED]

Sent: Tuesday, May 23, 2023 11:54 AM

To: Karissa Stroshein <admin@kaslo.ca>; Suzan Hewat <suzan.cpa@kaslo.org>; nathan thomson [REDACTED]

Subject: Re: Noise and Food Trucks within the Municipal Boundaries

Hello,

This is Nathan Thomson from the Treehouse Restaurant. I would like to add to my previous letter that was submitted prior to the May 9th council meeting. As I stated; I would like the bylaw to not circumvent public notice, and my understanding is that if the bylaw for mobile food vendors is required to apply for a Development Permit in order to obtain a Temporary Use Permit, then notice would be required.

I think having a designated area for mobile food vendors (such as the area they set up during May Days) would be ideal as it is out of our downtown core. Electrical hook ups are available, as well as washrooms and available seating, so it would seem like a logical space to utilize. If moving forward with local property owners 'renting' their backyards to mobile vendors, we must hold the property owners just as accountable as the mobile vendor when it comes to noise complaints/garbage complaints.

I would also like to put forward, and I'm not sure what process or how this could be accomplished, but something should be done for models like Kevin Flaherty - Hummingbird Coffee. He *is* a local. Lives and shops and supports our community. Has a home based business that is important to our community. He has also been approved from previous (or current) bylaws.

The last thing I would like to bring to the attention of council, is some sort of emergency amendment for times of hardships (recessions), so that the village can stop mobile vendors from coming into Kaslo during these times all together.

Regards

Nathan Thomson

On Thu, May 18, 2023 at 9:49 AM Karissa Stroshein <admin@kaslo.ca> wrote:

Hello,

You are receiving this email because the Village of Kaslo has recently received correspondence from you about issues that will be on the agenda for the Tuesday, May 30, 2023 Committee of the Whole meeting. At this meeting Council will discuss options for regulating both **noise** and **food trucks** within the municipal boundaries. The meeting will be held beginning at 6:00 p.m. at City Hall (413 Fourth Street) and you can join online using the following link:

<https://us02web.zoom.us/j/4857930110>

Please note that at this meeting, Council will be discussing possible changes to the existing rules. This process will take time and until changes are finalized the current rules will continue to apply. This means, for example, that up to 5 mobile vendors will be permitted in Kaslo, subject to the rules in the Official Community Plan, Business Licence and Land Use (zoning) bylaws.

The meeting on May 30th will be open to the public, and although discussion will be confined to Council members there will be an opportunity for members of the public to speak briefly about their views. In order to communicate your position as effectively as possible, you are encouraged to provide your written comments in advance – submissions received before noon on Tuesday, May 23rd can be included in the agenda package for Council's review prior to the meeting. Correspondence received after this deadline may be added as a late item, but only with the consent of Council. You can share your ideas with us by emailing admin@kaslo.ca, sending a letter to PO Box 576, Kaslo, BC V0G 1S0 or dropping it off at City Hall (open weekdays except statutory holidays from 10 a.m. until 3 p.m.).

Thank you for your interest in municipal affairs, we look forward to hearing more from you.

Sincerely,



Catherine Allaway
Corporate Officer
Village of Kaslo
250-353-2311 x105