



The Corporation of the City of Grand Forks

Regular Meeting

AGENDA

Meeting #: R-2020-04
Date: Monday, February 24, 2020, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

1. CALL TO ORDER

2. ADOPTION OF AGENDA

- a. Adopt agenda
February 24, 2020, Regular Meeting agenda

Recommendation

THAT Council adopts the February 24, 2020, Regular Meeting agenda as presented.

3. MINUTES

- a. Adopt minutes - Special to go In-Camera
February 10, 2020, Special to go In-Camera Meeting minutes

5 - 6

Recommendation

THAT Council adopts the February 10, 2020, Special to go In-Camera Meeting minutes as presented.

- b. Adopt minutes - Public Hearing
February 10, 2020, Public Hearing Meeting minutes

7 - 9

Recommendation

THAT Council adopts the February 10, 2020, Public Hearing Meeting minutes as presented.

- c. Adopt minutes - Regular
February 10, 2020, Regular Meeting minutes

10 - 16

Recommendation

THAT Council adopts the February 10, 2020, Regular Meeting minutes as presented.

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

- a. Reports of Council
Councillors

17 - 19

Recommendation

THAT all reports of Council at the February 24, 2020, Regular Meeting be received.

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

- a. Verbal Report - RDKB Representative 20 - 20
Verbal report from Council's representative to the Regional District of Kootenay Boundary

Read the RDKB agendas here: <https://rdkb.civicweb.net/filepro/documents/314>

Recommendation

THAT the report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting be received.

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

- a. ICIP Green Infrastructure: Environmental Quality Sub-Stream: Stormwater Management & Treatment grant application 21 - 24
Development, Engineering & Planning

Recommendation

WHEREAS the City of Grand Forks is committed to improving the management and treatment of its stormwater to improve the environmental quality of the Granby and Kettle Rivers; BE IT RESOLVED THAT staff submit an application for grant funding for the improvement of stormwater management and treatment in the downtown core through the ICIP- Green Infrastructure: Environmental Quality Sub-stream and THAT Council supports the project and commits to funding its share (\$1,134,000) of the project from asset renewal reserves or borrowing.

- b. Final Approval – Temporary Use Permit – 7454 - 19th Street 25 - 46
Development, Engineering & Planning

Recommendation

THAT Council grants a Temporary Use Permit for a micro\craft brewery at 7454 - 19th Street; legally described as Lot 2, Plan KAP54160, District Lot 380, Similkameen Division of Yale District; PID 019-142-927.

- c. Development Variance Permit No. DVP2001-Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive 47 - 118
Development, Engineering & Planning

Recommendation

THAT Council select one of the proposed resolution OPTIONS listed at the end of this report, subject to their consideration to approve or deny the reduction of setback distances as requested in the Development Variance Permit.

- d. Policy 115 – One Employee of Council 119 - 123
Corporate Services

Recommendation

THAT Council approves Policy #115 "CAO - One Employee of Council".

- e. 2020 Budget Recommendations
Interim CAO

124 - 141

Recommendation

THAT Council consider a general taxation increase of between 3 and 4% as per Policy 808.

Recommendation

THAT Council direct Staff to increase the utility rates for water and wastewater by 3.5% as per Policy 808.

Recommendation

THAT Council, considering an anticipated electrical surplus, use a portion of that surplus to offset shortfalls in roads, water and sewer reserves.

Recommendation

THAT Council direct staff to develop a policy outlining the amount, time frame and direction of the electrical surplus re-allocations.

9. REQUESTS ARISING FROM CORRESPONDENCE

- a. Summer Events Special Occasion Liquor Licences
Corporate Services

142 - 147

Recommendation

THAT Council approves the issuing of a Special Occasion Liquor Licence to the Grand Forks International Baseball Tournament Society from June 28-July 5, 2020, from 11:00 am-11:59 pm (depending on projected end time of last game), at James Donaldson Park, subject to obtaining third party (party alcohol) liability insurance naming the City of Grand Forks as an additional insured on that policy; all event liquor providers to hold a Serving It Right Licence Certificate; and ICBC "Drinking and Driving" warning posters to be displayed.

Recommendation

THAT Council approves a variance to the Noise Control Bylaw #1681 from June 28 to July 5, 2020, to permit the Grand Forks International to utilize the speakers at James Donaldson Park during scheduled games which may run later than 10:00 pm.

Recommendation

THAT Council approves the issuing of a Special Occasion Liquor Licence to the Grand Forks Events Manager on July 18, 2020, from 12:00 pm-10:30 pm, at Market Avenue and 3rd Street for 'Party in the Street', subject to obtaining third party (party alcohol) liability insurance naming the City of Grand Forks as an additional insured on that policy; all event liquor providers to hold a Serving It Right Licence Certificate; and ICBC "Drinking and Driving" warning posters to be displayed.

Recommendation

THAT Council approves a variance to the Noise Control Bylaw #1681 on July 18, 2020, to permit the "Party in the Street" to run until 10:30 pm.

10. INFORMATION ITEMS

11. BYLAWS

- a. Bylaw 2069 - Inter-Community Business Licencing
Development, Engineering & Planning

148 - 162

Recommendation

**THAT Council give fourth reading to Kootenay-Wide Inter-Community Business Licence
Bylaw No. 2069.**

12. LATE ITEMS

13. ITEMS RELEASED FROM IN-CAMERA

14. QUESTIONS FROM THE PUBLIC AND THE MEDIA

15. ADJOURNMENT



**The Corporation of the City of Grand Forks
Special to go In-Camera Meeting of Council
MINUTES**

Meeting #: SP-2020-06
Date: Monday, February 10, 2020, 9:30 am
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Brian Taylor
Councillor Zak Eburne-Stoodley
Councillor Cathy Korolek
Councillor Neil Krog
Councillor Chris Moslin
Councillor Christine Thompson
Councillor Rod Zielinski

Staff: Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Ron Mattiussi - Interim Chief Administrative Officer

GALLERY

1. CALL TO ORDER

Mayor Taylor called the February 10, 2020, Special to go In-Camera Meeting to order at 10:59 am.

2. IN-CAMERA RESOLUTION

- a. Adopt Resolution as per Section 90
MOVED / SECONDED

THAT Council convene an In-Camera Meeting as outlined under Section 90 of the Community Charter to discuss matters in a closed meeting which are subject to Section 90 (1)

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

BE IT FURTHER RESOLVED THAT persons, other than members, officers, or other persons to whom Council may deem necessary to conduct City business, will be excluded from the In-Camera Meeting.

Carried

3. LATE ITEMS

4. ADJOURNMENT

The February 10, 2020, Special to go In-Camera Meeting was adjourned at 10:59 am.

Mayor Brian Taylor

Dep. Corporate Officer - Kevin McKinnon



The Corporation of the City of Grand Forks
Public Hearing of Council
MINUTES

PH-2020-01

Monday, February 10, 2020, 6:00 pm

7217 - 4th Street, City Hall Council Chambers

Present: Mayor Brian Taylor
Councillor Zak Eburne-Stoodley
Councillor Cathy Korolek
Councillor Chris Moslin
Councillor Christine Thompson
Councillor Rod Zielinski

Absent: Councillor Neil Krog

Staff: Kevin McKinnon - Deputy Corporate Officer
Dolores Sheets - Manager of Development & Engineering Services
Ron Mattiussi - Interim Chief Administrative Officer

GALLERY

1. Call to Order

Mayor Taylor called the February 10, 2020, Public Hearing to order at 6:00 pm. Councillor Thompson read the preamble:

(a) The purpose of this Hearing is to consider Bylaw 2069 to participate in Kootenay-Wide Inter-Community Business Licencing in accordance with the Community Charter, Section 59(2)(b).

(b) All persons who consider they are affected by the bylaw shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw(s) that are the subject of this Hearing. No one will be or should feel discouraged or prevented from making their views known. This Hearing is open to the public and all representations to Council form part of the public record. A live video and audio feed may be broadcast and recorded by GFTV.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after January 29, 2020 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Members of Council may ask questions, if they so wish; however, the main function of Council members is to listen to the views of the public. It is not the function of Council to debate the merits of the proposed bylaw with individual citizens or with each other at this Hearing.

(e) Council debate on the proposed bylaw(s) is scheduled to take place during the next Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached at that meeting.

(f) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Hearing.

(g) During a Public Hearing, people sometimes become enthusiastic or emotional. Regardless of whether you favour or oppose any application or argument, please refrain from applause or other expressions of emotion. Restraint enables others whose views may or may not coincide with your own to exercise their right to express their views and have them heard in as impartial a forum as possible.

2. Notification of Meeting

The Deputy Corporate Officer confirmed that Public Notice was provided in compliance with Section 466 of the *Local Government Act*.

3. Individual Bylaw Submissions

- a. BACKGROUND INFORMATION – Proposed Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.

Development, Engineering & Planning

The Manager of Development, Engineering, and Planning reviewed the purpose of this bylaw and that it had been prepared with the support of the province.

There was no feedback received prior to the hearing, and no members of the gallery spoke about the proposed bylaw.

4. Adjournment

The February 10, 2020, Public Hearing was adjourned at 6:11 pm.

Mayor Brian Taylor

Dep. Corporate Officer – Kevin McKinnon



The Corporation of the City of Grand Forks
Regular Meeting of Council
MINUTES

Meeting #: R-2020-03
Date: Monday, February 10, 2020, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Brian Taylor
Councillor Zak Eburne-Stoodley
Councillor Cathy Korolek
Councillor Neil Krog
Councillor Chris Moslin
Councillor Christine Thompson
Councillor Rod Zielinski

Staff: Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Ron Mattiussi - Acting Chief Administrative Officer
Dolores Sheets – Manager of Development, Engineering, and Planning
Maurice Wutzke – Interim Manager of Operations

GALLERY

1. CALL TO ORDER

Mayor Taylor called the February 10, 2020, Regular Meeting to order at 7:00 pm.

2. **ADOPTION OF AGENDA**

- a. Adopt agenda

February 10, 2020, Regular Meeting agenda

Resolution #: R030/20/02/10 MOVED/SECONDED

THAT Council adopts the February 10, 2020, Regular Meeting agenda as presented.

Carried

3. **MINUTES**

- a. Adopt minutes - Special to go In-Camera

January 27, 2020, Special to go In-Camera Meeting minutes

Resolution #: R031/20/02/10 MOVED/SECONDED

THAT Council adopts the January 27, 2020, Special to go In-Camera Meeting minutes as presented.

Carried

- b. Adopt minutes - Regular

January 27, 2020, Regular Meeting minutes

Resolution #: R032/20/02/10 MOVED/SECONDED

THAT Council adopts the January 27, 2020, Regular Meeting minutes as presented.

Carried

4. **REGISTERED PETITIONS AND DELEGATIONS**

5. **UNFINISHED BUSINESS**

6. **REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL**

a. Reports of Council

Councillors

Councillor Moslin discussed a plan to conduct a Point-in-Time count of area homeless in late March, with the methodology based on a standardized Federal "Homeless Partnering Strategy". More information will be presented to Council at the February 24 meeting. The organizers hope to do a follow-up survey to find the "hidden homeless" including those couch surfing.

Councillor Korolek discussed upcoming Boundary Museum plans.

Councillor Zielinski spoke about the recent budget discussions and thanked staff for their presentations. In anticipation of Spring freshet season, he discussed the flood response plan and what trigger points are part of the flood response.

Councillor Stoodley also spoke about the budget process, noted that the City was almost ready to announce new CAO, and mentioned upcoming Family Day activities downtown.

Resolution #: R033/20/02/10 MOVED/SECONDED

THAT all reports of Council at the February 10, 2020, Regular Meeting be received.

Carried

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

a. Verbal Report - RDKB Representative

Verbal report from Council's representative to the Regional District of Kootenay Boundary

Read the RDKB agendas here:

<https://rdkb.civicweb.net/filepro/documents/314>

<https://rdkb.civicweb.net/filepro/documents/314>

There will be a significant tourism briefing tomorrow at BCDC, including additional funding for the film commission.

Public hearings will be the next step in discussions around regional transit.

Council's motion to AKBLG regarding extreme weather will be considered as part of emergency plan updates. A plan to work on a poverty reduction strategy was approved at the board level.

Resolution #: R034/20/02/10 MOVED/SECONDED

THAT Mayor's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting be received.

Carried

Resolution #: R035/20/02/10 MOVED/SECONDED

THAT Council appoints Councillor Korolek as the City of Grand Forks' representative to the Board of Directors of the Regional District of Kootenay Boundary;

Carried

Resolution #: R036/20/02/10 MOVED/SECONDED

THAT Council appoints Mayor Taylor to be the alternate representative to the Board of Directors of the Regional District of Kootenay Boundary.

Carried

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

a. Temporary Use Permit Application – Micro / Craft Brewery

Development, Engineering & Planning

Discussion including:

- Clarification of zoning definitions and duration of a temporary use permit
 - Three years is typical in legislation for a temporary use permit;
 - Micro-brewery falls with the the definition of "establishment" under the BC Liquor Control and Licensing Act.

- The process schedule includes time for a Development Variance Permit
 - DVP is related to parking. Typically, this is applied only to new construction.

Resolution #: R037/20/02/10 MOVED/SECONDED

THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a micro/craft brewery at 7454 - 19th Street.

Carried

b. Active Transportation & Wayfinding Grant

Development, Engineering & Planning

The Manager of Strategic Initiatives explained that this grant is an evolution of BikeBC grants which funds planning and infrastructure work. This grant would cover Active Transportation Plan as well as Wayfinding signage.

Discussion included whether this funding was included in the 2020 budget and the concern of applying for a grant to do planning work and then not having funding available for construction.

Resolution #: R038/20/02/10 MOVED/SECONDED

THAT Council directs staff to apply for the BC Active Transportation Infrastructure Grant for an active transportation network plan and wayfinding strategy for up to \$80,000, with the 50% City of Grand Forks contribution funded from planning and engineering budgets subject to grant approval.

Carried

9. **REQUESTS ARISING FROM CORRESPONDENCE**

10. **INFORMATION ITEMS**

11. **BYLAWS**

- a. Bylaw 2069 - Inter-Community Business Licencing

Development, Engineering & Planning

Resolution #: R039/20/02/10 MOVED/SECONDED

THAT Council gives third reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.

Carried

- b. Bylaws 2065 (Water Regulations) and 2066 (Wastewater Regulations) - First Three Readings

Corporate Services / Operations

Resolution #: R040/20/02/10 MOVED/SECONDED

THAT Council gives first three readings of the “Water Regulations Bylaw No. 2065”.

Carried

Resolution #: R041/20/02/10 MOVED/SECONDED

THAT Council gives first three readings of the “Water Regulations Repeal Bylaw No. 1973-R”.

Carried

Resolution #: R042/20/02/10 MOVED/SECONDED

THAT Council gives first three readings to the “Wastewater Regulations Bylaw No. 2066”.

Carried

Resolution #: R043/20/02/10 MOVED/SECONDED

THAT Council gives first three readings to the “Sewer Regulations Repeal Bylaw No. 1974-R”.

Carried

- c. Bylaw 2067 (Electrical Regulations) – First Three Readings
Corporate Services / Operations

Resolution #: R044/20/02/10 MOVED/SECONDED

THAT Council gives first three readings to the “Electrical Regulations Bylaw No. 2067”.

Carried

Resolution #: R045/20/02/10 MOVED/SECONDED

THAT Council gives first three readings to the “Electrical Utility Regulatory Bylaw No. 2015-R”.

Carried

12. LATE ITEMS

13. ITEMS RELEASED FROM IN-CAMERA

14. QUESTIONS FROM THE PUBLIC AND THE MEDIA

There was discussion regarding Councillor Korolek's recent experience regarding accessibility issues in Grand Forks, which included sidewalk clearing, sidewalk "letdowns" at intersections, and paving stone walkways.

15. ADJOURNMENT

The February 10, 2020, Regular Meeting was adjourned at 7:46pm.

Resolution #: R046/20/02/10 MOVED/SECONDED

THAT the Regular Meeting be adjourned.

Carried

Mayor Brian Taylor

Dep. Corporate Officer – Kevin McKinnon

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: February 24, 2020
Subject: Reports, Questions and Inquiries from the Members of Council
Recommendation: **THAT all reports by members of Council be received.**

Background

Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the members of Council to report to the Community on issues, bring community issues for discussion and initiate action through motions of Council, ask questions on matters pertaining to the City Operations and inquire on any issues and reports.

Benefits or Impacts

General

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

Strategic Impact



Community Engagement

- Members of Council may ask questions, seek clarification and report on issues.

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT all reports by members of Council be received.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Council Report

February 17, 2020

Since last meeting, I have participated in 3 budgeting meetings. None of which have been approved and passed. Process takes a while.

Attended BCDC, Feb 11th. Budgeting process underway. Discussion of transit in the Boundary. Now moved to public input March 3rd at the High School. Discussion with Regional Director, Roly Russell, Tuesday Feb 19th to discuss Transit.

Also Trails Master Plan Discussion. Phase 1 completed now moving on to Phase 2 which will entail Public consultation. Date to be determined.

Feb 12th. Participated in budget discussions for RDKB in Trail. As I learn more, I will be able to share information.

Gallery 2 awarded \$5000 for computer Stations. Good news!

I have been appointed to Trails Master Plan and BCDC (Boundary Community Development Committee)

Thank you to all those who assisted me when the City elevator broke down.

Thank you,

Cathy Korolek

GFSSAG

This advisory group met on Feb. 12 and was attended by myself and Councillor Thompson, who ably chaired the meeting. There were various updates from different agencies as well as a report by the Point-in-Time subcommittee. The update from the Safe Stay Shelter informed us that there is an average of 5 clients per night. There have been no complaints for far. There was a public meeting for the neighbours of the shelter on Feb 14 at the curling rink that about a dozen people attended. More importantly, it was reported that BFSS will submit an Extreme Weather Response Plan for next year. Finally, we have a local provider for next year who should take this issue out of Council's hands. Thank-you BFSS for a job well done! The GFSSAG meeting was also informed that the GF Seniors Society is no longer in Veronica Lodge as the pipes froze and forced their eviction. Once again, they have been flooded out. This is truly unfortunate and I wonder what, if anything, the city can do. Gary Smith from the Phoenix Foundation also brought the group's attention to the Feb 20 release of the Vital Signs 2020 project which measure the health of our community.

At this time, it appears that the PiT count is going to need administrative support in the form of photocopying for the survey. I would like to formally request that assistance now.

"moved that the City of Grand Forks provide photocopying assistance to the Point-in-Time count."

Fortunately, experienced assistance has been recruited in the form of the provincial outreach person, Heather Elliot. Deb Claus who works for BC Housing and is in charge of other provincial counts has also come online.

Finally, one suggestion that did come from the meeting is that the group should eventually compile a social services 'Wish List' to put to the community, NPO's, as well as local and senior governments.

Discover Grand Forks

At the Feb 11th meeting it was announced that a new marketing coordinator, Sara Dinsdale, will be starting on March 23. Part of her duties will be to coordinate this committee and guide it towards implementation of the Roger Brooks plan. At this meeting it was proposed that a new outdoor skating rink be built near the old Whisper's site. Two businesses, Dave Dale Insurance and Ultimate Hockey, would sponsor this build. This is very difficult with the planned infrastructure works, but it does show the attraction and potential of this part of town. This is the third proposal for this site I have seen in the past few months. I am hopeful that our flood mitigation works will eventually take into account community aspirations for 'the forks'. Finally, plans for new maps and brochures are moving ahead with a budget allocation being given to their design. The Trails subcommittee is working hard on this proposal and hopes to have it developed enough for Council's consideration for the April 6 COTW presentation by the Discover GF Committee.

Recreation Commission

On Feb. 13th I attended a regular meeting of the Recreation Commission which was established by bylaw in 1997 to guide the administration of the arena and aquatic center. There is some concern from this group of citizen volunteers because 5 of its members will no longer be able to serve past this year, having reached the end of their 6-year terms. The other concern of the group is that if the Community Center proposal and referendum is successful the governing bylaw is going to have to be revisited to assist with the governance of the new facility. One really good recommendation that did come from this meeting was brought to the committee by one of its members, Nigel James. Nigel requested and the committee approved that drop-in fees for anyone over 80 visiting the facilities would be waived. It pays to stay fit while getting older!

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: February 24, 2020
Subject: Report – from the Council's Representative to the Regional District of Kootenay Boundary
Recommendation: **THAT the report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.**

Background

Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the City's representative to the Regional District of Kootenay to report to Council and the Community on issues, and actions of the Regional District of Kootenay Boundary.

Benefits or Impacts

General

The main advantage is that all of Council and the Public is provided with information on the Regional District of Kootenay Boundary.

Strategic Impact



Community Engagement

- Information sharing with members of Council and the Public regarding regional issues.

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT the report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: February 24, 2020

Subject: ICIP Green Infrastructure: Environmental Quality Sub-Stream: Stormwater Management & Treatment grant application

Recommendation: **WHEREAS the City of Grand Forks is committed to improving the management and treatment of its stormwater to improve the environmental quality of the Granby and Kettle Rivers;**
BE IT RESOLVED THAT staff submit an application for grant funding for the improvement of stormwater management and treatment in the downtown core through the ICIP- Green Infrastructure: Environmental Quality Sub-stream and
THAT Council supports the project and commits to funding its share (\$1,134,000) of the project from asset renewal reserves or borrowing.

Background

The City of Grand Forks has a strong sense of understanding the role of natural assets, the impacts of a changing climate on our infrastructure and is advanced in terms of asset management and water resource planning. There are numerous interconnected water issues facing the City including:

1. local and regional flooding,
2. unconfirmed aquifer sensitivity and recharge,
3. aging infrastructure including cross connections between its stormwater and sanitary systems (and the impacts to effluent treatment & discharge), and
4. most of the City's storm outfalls drain directly into productive fish-bearing streams and rivers.

In order to support tackling these issues as well as supporting our flood recovery and mitigation efforts, improvements to the management and treatment of stormwater in the downtown core is required. The works related to improving the management of stormwater will also support the economic recovery of downtown businesses by improving stormwater service levels.

As part of the Disaster Mitigation and Adaptation Fund (DMAF) works, dikes, floodwall and a stormwater interceptor main will be installed on Riverside Drive in the downtown core. We are proposing that in order to improve the management of water in the downtown core, the City's drainage system be designed to connect to the DMAF interceptor main, be treated to improve water quality and then released into the Kettle River.

The works involve improving stormwater management along 72nd Street, Market Avenue, 2nd Street, 3rd Street and 4th Street. These works would involve the installation of approximately 2100m of storm sewer pipes, catch basins, manholes, oil/grit separators as well as incorporating rain gardens and low impact development alternatives where possible. The estimated costs for these works are \$4,200,000 (Class 'D').

The funding for this project is expected to come from the Investing in Canada Infrastructure Program (ICIP) grant of 73% (\$3,066,000) and from our asset renewal reserves (or borrowing) (27%) in the amount of (\$1,134,000). The award of the grant program is not expected until the Spring of 2021 and therefore would impact our 2021 financial and capital plan. Projects must be complete by March 31, 2026. If the grant application is successful, program design will consider the asset management plan, funding availability and potential efficiencies coinciding with the DMAF program. Staff resources are expected to be required to manage consultants and contractors to deliver this project.

Link to the program web page can be found at:

<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/investing-in-canada-infrastructure-program/green-infrastructure/environmental-quality>

Benefits or Impacts

General

This project supports initiatives to revitalize, beautify, and improve the City and is an implementation measure to mitigate future flooding.

Strategic Impact

This project prioritizes the asset management / asset replacement plan and supports the goal of ensuring that community service needs are delivered in a socially, economically and environmentally responsible manner that do not compromise the ability of future generations to meet their own needs. Failure to care for our infrastructure and manage our natural resources risks degrading, or even losing, the services our community enjoys, and that future generations may rely on.

Policy/Legislation

Policy 808

Attachments

N/A

Recommendation

WHEREAS the City of Grand Forks is committed to improving the management and treatment of its stormwater to improve the environmental quality of the Granby and Kettle Rivers;

BE IT RESOLVED THAT staff submit an application for grant funding for the improvement of stormwater management and treatment in the downtown core through the ICIP- Green Infrastructure: Environmental Quality Sub-stream and THAT Council supports the project and commits to funding its share (\$1,134,000) of the project from asset renewal reserves or borrowing.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 20200224 ICIP Stormwater Management and Treatment Grant.docx |
| Attachments: | |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 10:33 AM

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: February 24, 2020
Subject: Final Approval – Temporary Use Permit – 7454 19th Street (File: TUP2001)
Recommendation: **THAT Council grants a Temporary Use Permit for a micro\craft brewery at 7454 19th Street; Legally described as Lot 2, Plan KAP54160, District Lot 380, Similkameen Division of Yale District; PID 019-142-927.**

Background

At its Regular meeting on February 10, 2020, Council considered this application for a Temporary Use Permit for a micro/craft brewery at 7454 19th Street and directed staff to proceed with the statutory requirements for public notice as required by the Local Government Act.

Proposal

The Temporary Use Permit, if approved, will allow the proponent to install the equipment and facilities required to run a micro\craft brewery with seating capacity of 10 to 15 patrons. The micro\craft brewery will produce beer onsite, for consumption onsite and offsite. The temporary use permit will allow the property owner to utilize vacant and underutilized building space.

The temporary use permit, if approved, would be valid for a period of three (3) years and is renewable, upon application, for an additional three (3) years.

Background information for this temporary use permit application for this 0.183 acre (0.074 Hectare) parcel is included in Appendix 1 attached.

Public Notification

Notification of the permit application was advertised in the February 19th, 2020 issue of the Grand Forks Gazette and letters were sent to property owners and tenants within 30 meters of the property boundary of the subject property. Any comments received from the public from the time of submission of this report for inclusion in the agenda will be provided to City Council prior to or at the Council meeting on February 24, 2020.

Conclusion

The legislative requirements and public notification process for this temporary use permit application are complete and at time of submission of this report for inclusion in the agenda, no comments had been received. Subject to Council's consideration of any

public input received as a result of the afore mentioned notification, it is appropriate to approve Temporary Use Permit No. 2001. The draft permit is attached as Appendix 2.

Benefits or Impacts

General

As a temporary use, the property can be redeveloped at any time for the permitted uses in the I-1 (Light Industrial) zone.

Strategic Impact



Community Engagement

- An Ad was placed in the February 19, 2020 issue of the Grand Forks Gazette and a notice was sent to neighbours within 30m of the property boundary encouraging comments regarding this temporary use permit.



Community Livability

- The intended use is generally compatible with the surrounding properties and is consistent with the Official Community Plan.



Economic Growth

- The temporary use permit will allow the property owner to utilize vacant and underutilized building space.



Fiscal Responsibility

- It is anticipated that no City financial or staff resources will be required for this temporary use.

Policy/Legislation

Local Government Act, Official Community Plan, Community Charter, Floodplain Bylaw, Zoning bylaw

Attachments

Appendix 1 – Temporary Use Permit application package and Staff Report from the February 10, 2020 Regular Council Meeting.

Appendix 2 – Draft Temporary Use Permit No. TUP2001

Recommendation

THAT Council grants a Temporary Use Permit for a micro\craft brewery at 7454 19th Street; Legally described as Lot 2, Plan KAP54160, District Lot 380, Similkameen Division of Yale District; PID 019-142-927.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 20200224 TUP2001 7454 19St Micro Brew 2nd RFD.docx |
| Attachments: | - 20202024 TUP2001 Appendix 1 7454 19th St Micro Craft Brew Rev1.pdf - 20200224 TUP2001 Appendix 2 DRAFT Permit 7454 19TH St Micro Brew.pdf |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Feb 14, 2020 - 12:09 PM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 10:43 AM

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: February 10, 2020

Subject: Temporary Use Permit Application – Micro / Craft Brewery

Recommendation: **THAT Council direct staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a micro/craft brewery at 7454 19th Street.**

Background

The City has received a Temporary Use Permit application from the authorized agent of the owner of 7454 - 19th Street to construct and operate a micro/craft brewery in a portion of the building. The Temporary Use Permit (TUP) will allow the proponent to install the equipment and facilities required to run a micro / craft brewery. The micro/craft brewery will produce beer onsite for consumption onsite and offsite.

The proponent proposes a seating capacity of 10 to 15 patrons pending finalization of design and determination of requirements.

In addition to meeting local bylaws and regulations, the proponent has committed to separately, obtain any licenses, permits and authorizations required and to obtain any other thing required to legally operate a micro/craft brewery at 7454 19th Street.

The TUP would be valid for a period of 3 years if approved. The temporary use permit is renewable, upon application by the permit holder, for an additional period of three (3) years.

Consistent with the OCP this development encourages the reuse of an older underutilized building space while increasing the use of existing infrastructure. The building space being converted for this use has apparently been vacant or underutilized for some time.

Application Details and Policy Review

Property details are summarized in Table 1.

| Table 1 Property Permit Details | |
|---------------------------------|------------------------------------|
| Property Area | 740 m ² (0.183 acres) |
| Zoning | I - 1 (Light Industrial) |
| Total Building Area | 653 m ² (approximately) |
| Micro/Craft Brewery Area | 90.8 m ² |

| Table 1 Property Permit Details | |
|--|----------------------|
| Contracting Area for Romaine Industries Ltd – Plumbing, Heating & Air Conditioning contractor. | 562.2 m ² |

Additional application and site information is attached as Appendix 1 and Appendix 2.

Schedule B of the Official Community Plan (OCP) shows future use of this property as Highway & Tourist Commercial. As outlined in the OCP, within areas with this designation, automobile-oriented tourist services, and areas for visitors and residents are encouraged along Central Avenue/Highway #3. This building is easily visible from Central Avenue/Highway #3. Consistent with the OCP this development encourages the reuse of an older underutilized building space while increasing the use of existing infrastructure.

Parking Requirements are outlined in Table 2. As shown in Appendix 2, this existing building was built with close to zero setbacks from the property line. The property fronts two highways, namely 19th Street and Donaldson Drive. Reportedly, although the primary entrance to the business is off 19th Street, existing contracting activity, including loading and unloading, takes place from the Donaldson Drive side of the building.

The existing contracting business is legal nonconforming in that there is an insufficient number of offstreet parking spaces, although the allotted 2 to 3 angled parking spots for the contracting business shown in Appendix 2 are rarely, if ever, used. There are reportedly no plans to change the operating model of the existing contracting business.

As shown in the attached Google Earth image included in Appendix 2, patrons to businesses along this section of 19th Street park on both City and private property without causing traffic disruption. Approximately 5 angled parking spots could be accommodated fronting the building on 19th Street, enough to meet the bylaw requirements for a public house.

As a condition of this TUP the proponent will be required to set up and promote alternative transportation initiatives such as bike racks and carpooling. Additionally, the lack of readily available offstreet parking spaces should encourage patrons to use alternative modes of transportation. This building is only a 2 - 30 minute walk from residentially zoned areas within the City and a 5 minute walk to the recreation complex.

This property is in the Commercial Development Permit Area (CP) and the proposed development fits the conditions for which a development permit is not required.

| Table 2 Off Street Parking Space Requirements (s26.10 Zoning bylaw 2039) | | |
|---|----------------------------------|----------------------------------|
| Class of Building/Use | Required Number of Spaces | Number of Spaces Required |

| Table 2 Off Street Parking Space Requirements (s26.10 Zoning bylaw 2039) | | |
|---|---|---|
| Contractors Shop and Yard | One Space per every 50 square metres of the shop floor area | =562.2m ² /50m ² = 11 spaces |
| Public house (Liquor licensed premises) | One space per every 3 seats for the patrons | =15 seats x (1 space /3 seats) = 5 spaces |
| Total Parking Spaces Required = | | 16 |

Timing

Proposed timing of the next steps for this temporary use permit application is shown in Table 3 below.

| Table 3 Tentative Timeframe | |
|--|--------------------------|
| ACTIVITY | TIMING |
| Regular Council Meeting – Council directs staff to proceed with statutory notice requirements | February 10, 2020 |
| Notice published in the February 19, 2020 issue of the newspaper. | February 19, 2020 |
| Regular Council Meeting – Council gives consideration of the Development Variance Permit | February 24, 2020 |

Benefits or Impacts

General

As a temporary use the property can be redeveloped at anytime for its current use as I- 1 (Light Industrial).

Strategic Impact



Community Engagement

- An ad will be placed in the local newspaper and comments will be encouraged regarding this temporary use permit.



Community Livability

- This temporary use is generally compatible with surrounding properties.



Economic Growth

- The temporary use permit will allow the owner to utilize vacant space in the building.



Fiscal Responsibility

- This is a private sector development and other than time to research and prepare staff reports, and pre-development meeting(s) it is anticipated that there will be minimal staff resources required for this project.

Policy/Legislation

Local Government Act, The Official Community Plan, The Community Charter, The Zoning bylaw.

Attachments

Appendix 1 - Temporary Use Permit Application Package

Appendix 2 - Location Plan and Supporting Information.

Recommendation

THAT Council direct staff to proceed with the statutory requirements for public notice respecting a Temporary Use Permit Application for a micro/craft brewery at 7454 19th Street.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 20200210 TUP2001 6454 19th St Micro Brew RFD.docx |
| Attachments: | - 20200127 TUP2001 Appendix 1 7454 19th St Micro Brewery_Redacted.pdf - 20200210 TUP2001 Appendix 2 7454 19th St Micro Brew Rev02.pdf |
| Final Approval Date: | Jan 31, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jan 31, 2020 - 11:46 AM

Ron Mattiussi - Jan 31, 2020 - 12:15 PM

THE CORPORATION OF THE CITY OF GRAND FORKS

7217 - 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266



AGENT'S AUTHORIZATION FORM

(to authorize an agent or representative for a development/subdivision application)

Property Information

Civic Address of Property: 7454 19TH ST Grand Fork BC

P.I.D.: 019-142-927

Agent's Information

Agent's Name: [REDACTED]

Agent's Company: micro/craft Brewery

Mailing Address:

[REDACTED]

E-mail Address: [REDACTED]

Telephone: [REDACTED]

Owners Authorization

I/we, the registered owner(s) of the above-mentioned property, hereby authorize the person/company listed above to act on my/our behalf with respect to this application.

[REDACTED]
Owner's Signature(s)

[REDACTED]
Owner's Name(s) (please print)

JAN 13/2020
Date

THE CORPORATION OF THE CITY OF GRAND FORKS

7217-4th Street
P.O. Box 220
Grand Forks, B.C.
VOH 1H0

Telephone: 250-442-8266
Fax: 250-442-8000

TEMPORARY USE PERMIT APPLICATION

APPLICATION FEE **\$750.00**

Receipt No. _____

Registered Owner(s): _____

Mailing Address: _____

Telephone: _____

Cell
Work

Legal Description:

Plan: KAP54160 / Lot: 2

District Lot: 380 / Street: 7454 19TH ST

Taxes: 210 / Roll: 780050 / PID: 019-142-927

Street Address: _____

7454 19TH ST

.OVER.....

Description of proposed use and reason for application:

nano/micro brewery - manufacture and sale
of craft beer


Submit the following information with the application:

1. A legible site plan showing the following:

- (a) The boundaries and dimensions of the subject property.
- (b) The location of any proposed or present buildings.
- (c) The location of off-street parking facilities.
- (d) The location of off-street loading facilities.
- (e) The location of any proposed access roads, screening, landscaping or fencing.
- (f) The location of refuse containers and parking area lighting.

2. Professionally drawn site elevations, façade applications for proposed or present buildings, identifying colours, canopies, window trim and sign specifications.

Other information or more detailed information may be requested by the City of Grand Forks upon review of your application.


Signature of Owner

JAN 13 / 2020
Date

AGENT'S AUTHORIZATION

I hereby authorize the person/company listed below to act on my behalf with respect to this application and that the information provided is full and complete and to the best of knowledge to be a true statement of the facts.

Name of Authorized Agent: _____

Mailing Address: _____

Telephone: _____


Owner(s) Signature of Authorization



7454 19th Street



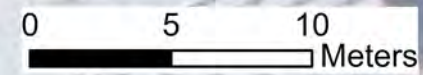
7474

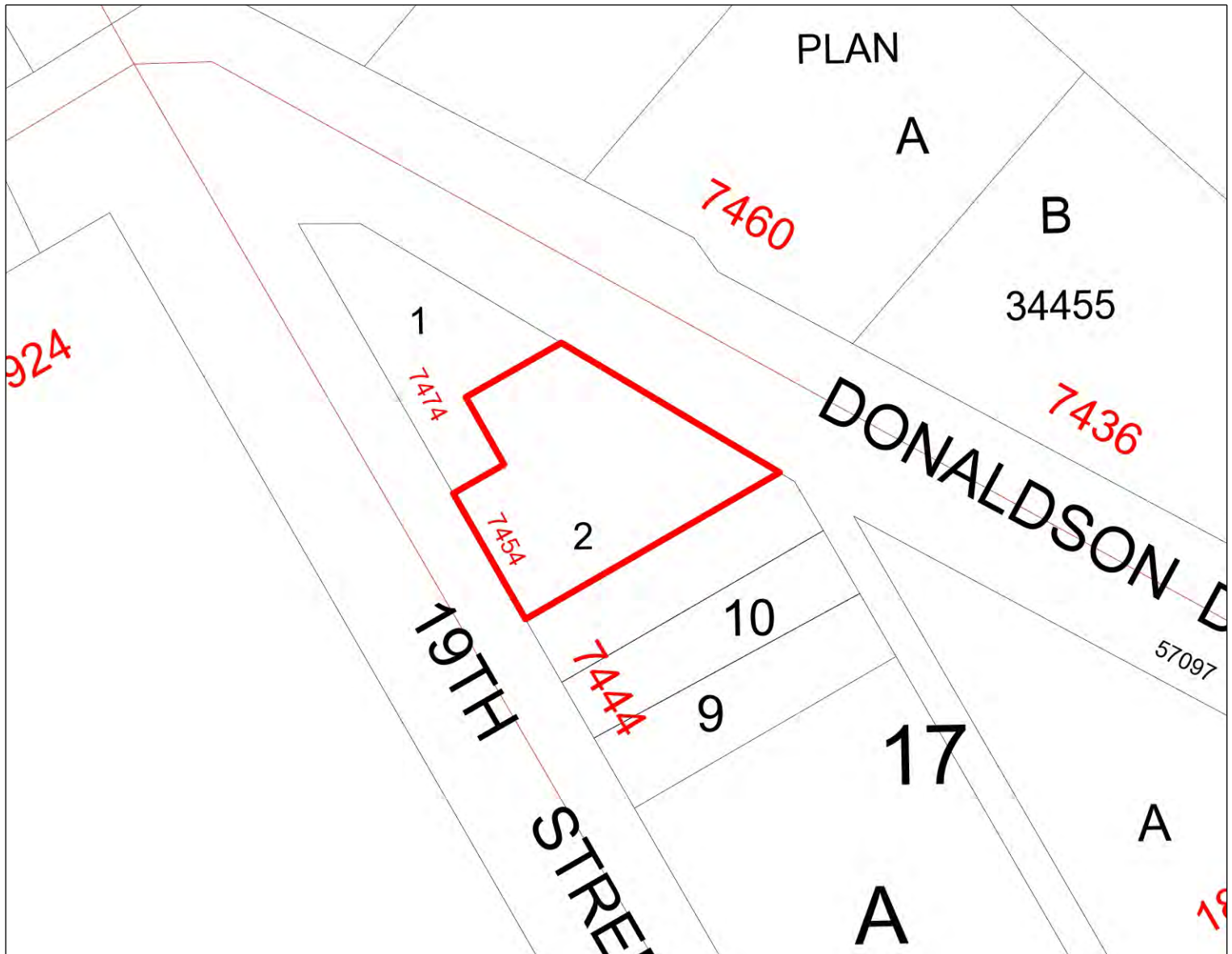
Donaldson Drive

7454

19th Street

7444



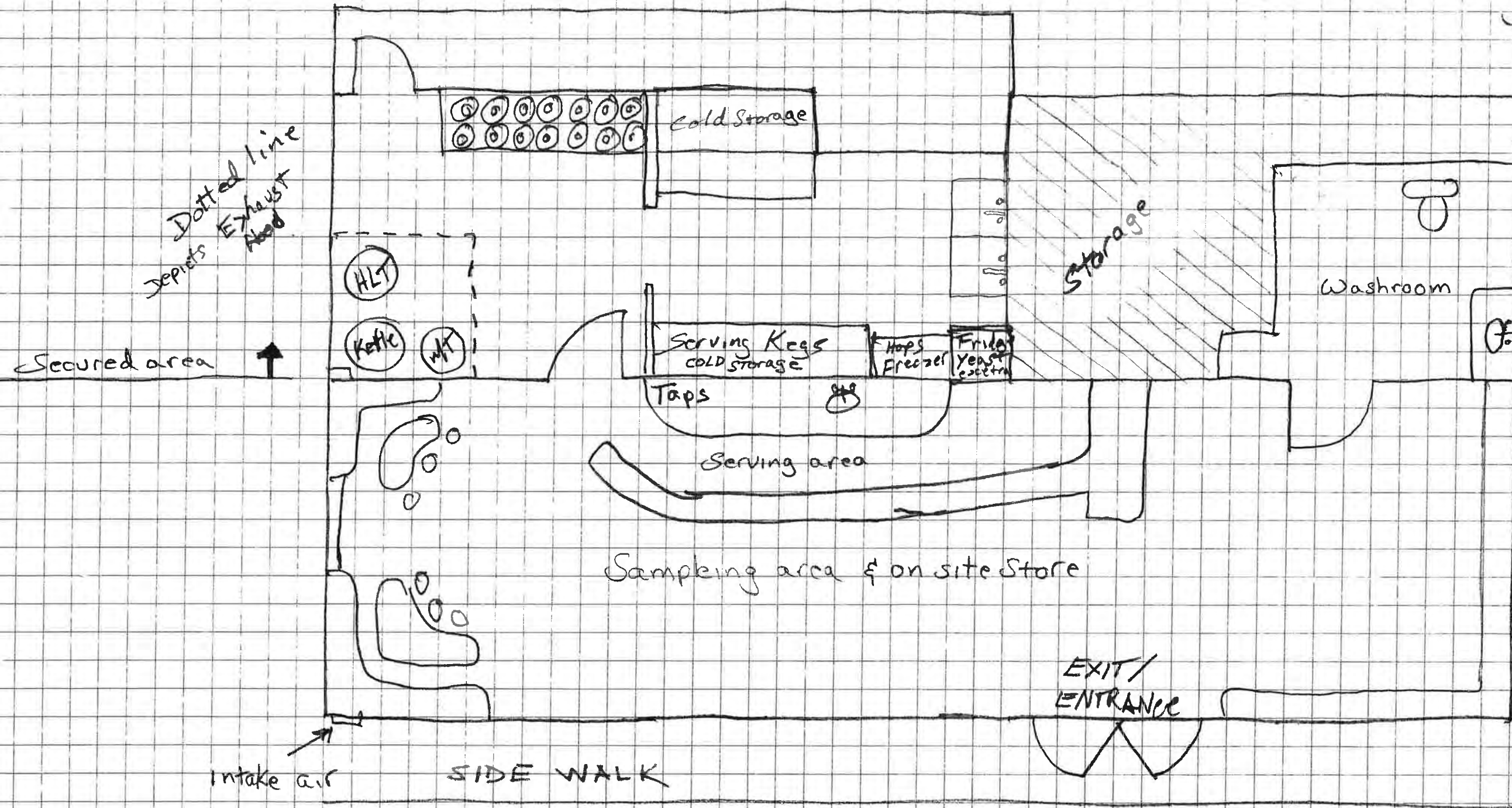


Scale 1: 564

Legal Information

| | | | |
|--|-------------------------------------|----------------|-----------------|
| Plan: KAP54160 | Section: | Jurs: 210 | Lot Area: 0.183 |
| Block: | Township: | Roll: 780050 | Area Unit: acr |
| Lot: 2 | Land District: 54 | PID: 019142927 | Width (ft): |
| District Lot: 380 | Electoral Area: City of Grand Forks | | Depth (ft): |
| Street: 7454 19TH ST | | | |
| Description: Lot 2, Plan KAP54160, District Lot 380, Similkameen Div of Yale Land District | | | |

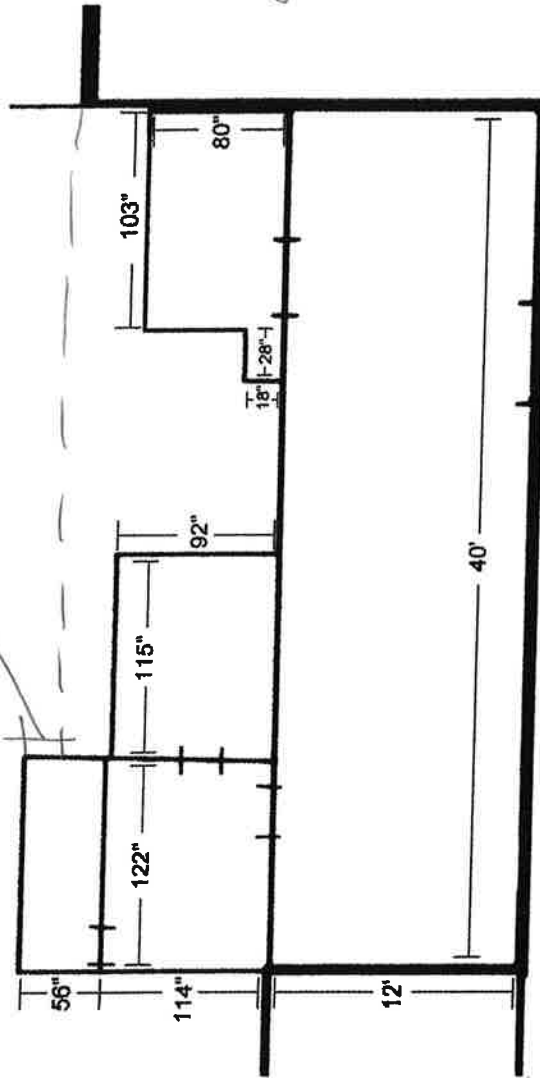
Scale $\square = 1'$



← PARKING →

← PARKING →

28" APPROX



CRAFT BREWERY
AREA

90.8m²

Smilez Floor Plan

7454 19th Street



7454 19th Street

7474

Donaldson Drive

TOTAL AREA = 653m²

APPROXIMATE
BLDG OUTLINE

7454

Existing 2-3 off
street angle
parking spaces

Proposed 5 new
angle parking spots

19th Street

7444

0 5 10 Meters

7454 19th Street

Legend

- Motel 99



THE CORPORATION OF THE CITY OF GRAND FORKS

7217 – 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266



TEMPORARY USE PERMIT NO. 2001 Micro\Craft Brewery 7454 19th Street

Issued to: DAVID ROMAINE
TINAYA JORGENSEN

(the "Owner")

Address of Owner: 7454 – 19th Street
GRAND FORKS, BC, V0H 1H2

Date of Issuance: _____, 2020

1. This Temporary Use Permit is issued subject to compliance with all statutes, bylaws, orders or agreements, except as specifically varied by this permit.
2. This Temporary Use Permit applies to those lands within the City of Grand Forks, with the legal description as follows:

Lot 2, Plan KAP54160, District Lot 380, Similkameen Division of Yale Land District

(the "Land")

3. The current compliant use of 562.2 m² of the 653 m² building for a mechanical contracting business (Romaine Industries Ltd. – Plumbing, Heating & Air Conditioning) will continue.
4. The temporary use permitted on the Land shall be:
 - a. To allow 90.8 m² of the building to be used as a Micro \ Craft brewery.
 - b. To install the equipment and facilities required in (1) above.
 - c. To allow for the production of beer onsite and for the consumption onsite and offsite.
 - d. To permit a seating capacity of 10 to 15 patrons.
5. The temporary use shall be carried out according to the following:

- a. In addition to meeting local bylaw and other regulations, the proponent will separately obtain any licences, permits and authorizations required and to obtain any other thing required to legally operate a micro/craft brewery at 7454 19th Street.
 - b. The proponent shall at all times comply with any requests, or directions from authorized City of Grand Forks representatives to do anything required to ensure there is no detrimental effect on the City's wastewater collection and treatment system of waste discharge from the premise.
6. Notice of this permit shall be filed in the Land Titles Office at Kamloops, B.C. under Section 503 of the Local Government Act and upon such filing, the terms of this permit or any amendment hereto, shall be binding upon all persons who acquire an interest in the land affected by this permit.
 7. This permit shall lapse on or before three (3) years from the date of issuance.
 8. The Land shall be developed strictly in accordance with the terms and conditions and provisions of the temporary use permit. This temporary use permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL FOR THE CORPORATION OF THE CITY OF GRAND FORKS AT A REGULAR MEETING HELD THE _____ DAY OF _____ 2020.

ISSUED THIS _____ day of _____, 2020.

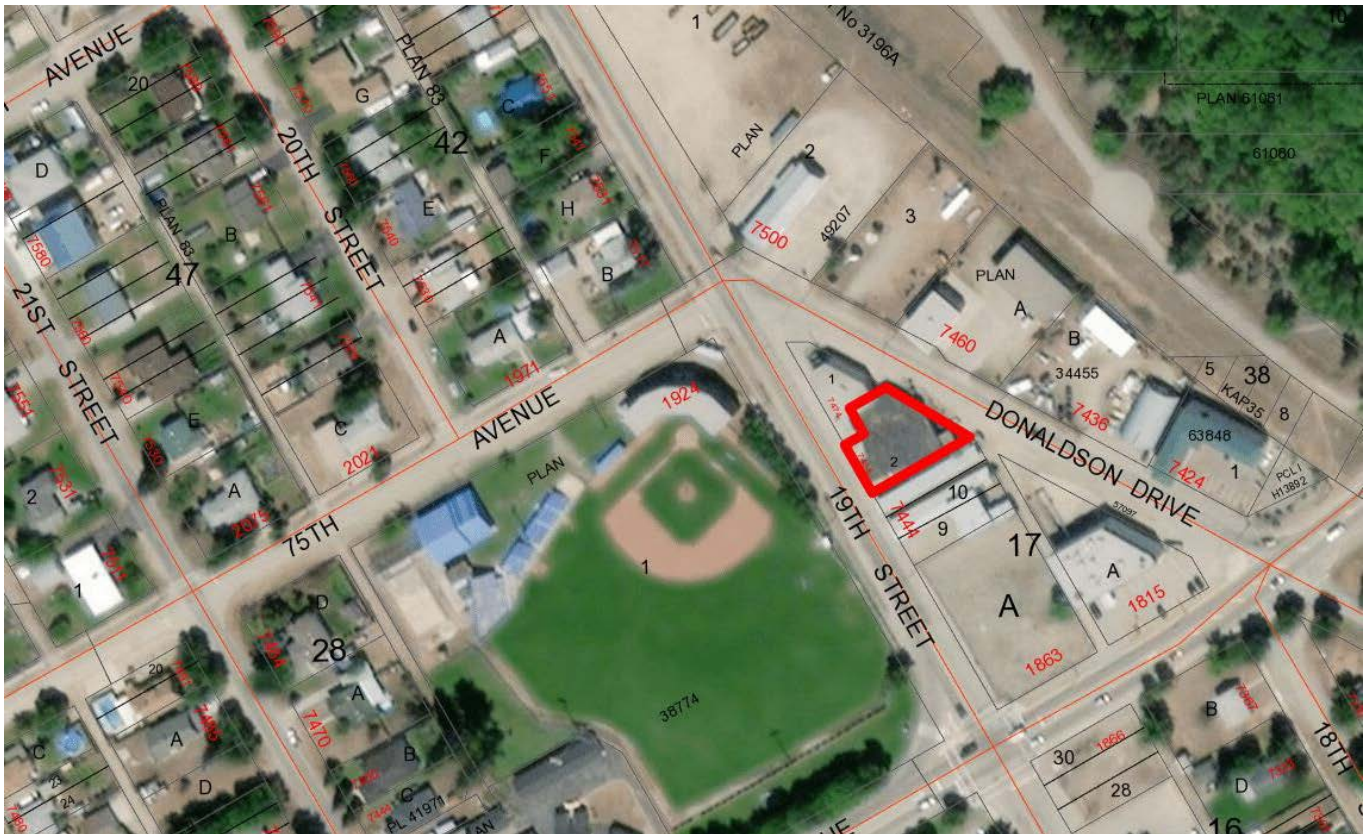
MAYOR BRYAN TAYLOR

CORPORATE OFFICER
DANIEL DREXLER

Property Location: AS SHOWN ATTACHED AS APPENDIX 1

APPENDIX 1

Property Location – Temporary Use Permit No 2001



Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: February 24, 2020

Subject: Development Variance Permit No. DVP2001 Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive.

Recommendation: **THAT Council select one of the proposed resolution OPTIONS listed at the end of this report, subject to their consideration to approve or deny the reduction of setback distances as requested in the Development Variance Permit.**

Background

This Development Variance Permit application was reintroduced to council at the January 27, 2020 regular council meeting where council directed staff to move forward with the statutory requirements necessary for council to reconsider the application to vary the setback distance between a non-medical cannabis retail store and a community use zone.

As per the local government act, notices were mailed to property owners and tenants within 30m of the property boundary of 7500 Donaldson Drive. Any written responses received will be provided to council prior to council's deliberation on this item.

The applicant, 1179711 BC LTD, has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) Licence for 7500 Donaldson Drive.

Because the building to house the CRS is within 100m of the nearest parcel boundary of a lot in the Community Use (CU) zone, the owner has applied to the City of Grand Forks for a Development Variance Permit (DVP) to vary subsection 58.3 of Zoning Bylaw 2039.

The civic address of the property is 7500 Donaldson Drive. The legal description of the property is Lot 2, Plan KAP49207, SDYD, DL 380. The parcel identification number (PID) for the property is 018-155-588. The property is zoned I-1 (Light Industrial).

Council resolved to deny the DVP application at the July 15, 2019 regular council meeting. The application is coming before council for reconsideration.

The proposed hours of operation are 9:00 am to 11:00 pm daily.

The January 27th, 2019 staff report, complete with appendices, is attached as Appendix 1.

Ownership

Owner(s):

1179711 BC Ltd
1350 William Street
Vancouver, BC
V5L 2P5

Agent:

Jim Kennedy/Weeds Glass & Gifts Ltd.
1108 Richards Street,
Vancouver, BC
V6B 3E6

Timing

The following next steps and tentative time frames are outlined in Table 1 below:

| Table 1. PROPOSED TIMEFRAME | |
|---|--------------------------|
| ACTIVITY | TIMING |
| Regular Council Meeting – Council Direct staff to proceed with statutory notice (letters to adjacent property owners) | January 27, 2020 |
| Letters sent to adjacent property owners within 30m of subject property | January 31, 2020 |
| Regular Council Meeting – Council Decision on DVP application | February 24, 2020 |
| If Council grants the DVP staff will move forward with the statutory requirements for consideration of the location as a Non-Medical Cannabis Retail Store. | March 2020 |

Benefits or Impacts

General

The regime to legalize the non-medical use and sale of cannabis is relatively new to British Columbia and Canada. The proposed location is close to a community park facility. Interior Health Authority's position is that in order to reduce harmful cannabis patterns of consumption in the general population, council should consider supporting a public health approach to the retail sale of non-medical cannabis and that locations that reduce exposure to cannabis marketing to youth and discourage harmful patterns of consumption in the general population are the desired option.

Strategic Impact



Community Engagement

- Written notice was provided to adjacent property owners.

Policy/Legislation

Local Government Act; Official Community Plan; Zoning Bylaw; Cannabis Control Licencing Act.

Attachments

Appendix 1

Staff report and re-introduction package to the January 27, 2020 regular council meeting.

Recommendation

THAT Council select one of the proposed resolution OPTIONS listed at the end of this report, subject to their consideration to approve or deny the reduction of setback distances as requested in the Development Variance Permit.

Options

1. **THAT Council APPROVE the issuance of a Development Variance Permit to reduce the setback distance, from 100m to 36m, between the proposed location of a Non-Medical Cannabis Retail Store at 7500 Donaldson Drive, legally described as Lot 2, DL 380, Plan KAP49207, SDYD, and the parcel boundary of the Community Use zoned property at 1924-75th Avenue (James Donaldson Park).**
2. **THAT Council NOT APPROVE the issuance of a Development Variance Permit to reduce the setback distance from, 100m to 36m, between the proposed location of a Non-Medical Cannabis Retail Store at 7500 Donaldson Drive, legally described as Lot 2, DL 380, Plan KAP49207, SDYD, and the parcel boundary of the Community Use zoned property at 1924-75th Avenue (James Donaldson Park).**
3. **THAT Council refers the matter back to staff for further information.**

Report Approval Details

| | |
|----------------------|---|
| Document Title: | 20200224 DVP2001 7500 Donaldson Cannabis Reintro 2nd RFD.docx |
| Attachments: | - 20200224 DVP2001 Appendix 1 7500 Donaldson Drive.pdf |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Feb 14, 2020 - 10:04 AM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 10:55 AM

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: January 27, 2020

Subject: Development Variance Permit No. DVP2001 Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive.

Recommendation: **THAT Council direct staff to proceed with the statutory requirements for public notice respecting a Development Variance Permit application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone in order to allow Non-Medical Cannabis Retail Store as a use on the property.**

Background

The applicant, 1179711 BC LTD, has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) Licence for 7500 Donaldson Drive.

Because the building to house the CRS is within 100m of the nearest parcel boundary of a lot in the Community Use (CU) zone, the owner has applied to the City of Grand Forks for a Development Variance Permit (DVP) to vary subsection 58.3 of Zoning Bylaw 2039.

The civic address of the property is 7500 Donaldson Drive. The legal description of the property is Lot 2, Plan KAP49207, SDYD, DL 380. The parcel identification number (PID) for the property is 018-155-588. The property is zoned I-1 (Light Industrial).

Council resolved to deny the DVP application at the July 15, 2019 regular council meeting. The application is coming before council for reconsideration.

The proposed hours of operation are 9:00 am to 11:00 pm daily.

Ownership

Owner(s):
1179711 BC Ltd
1350 William Street
Vancouver, BC
V5L 2P5

Agent:
Jim Kennedy/Weeds Glass & Gifts Ltd.
1108 Richards Street,
Vancouver, BC
V6B 3E6

Zoning and Policy Context

The property is zoned I-1 (Light Industrial 1) and is 0.576 acres or 0.233 hectares in size. Non-Medical Cannabis Retail is a permitted use in the I-1 zone. The property is not in a development permit area.

The building proposed to house the Non-Medical Cannabis Retail Store is 36m from the property boundary of 1924-75th Avenue (James Donaldson Park). The zoning for 1924 75th Avenue is Community Use (CU).

Events held at James Donaldson Park include:

1. Ball tournaments and games for all ages
2. Grand Forks International Baseball Tournament
3. Cannafest Music Festival.

The property owner has applied for the variance outlined in Table 1.

| Table 1. Variance Requested | |
|---|-----------------------------------|
| Zoning Bylaw Section Reference | Variance Requested |
| 58.3 Cannabis Retail Overlay (CRO) - No building or structure may be within 100m of the nearest parcel boundary of a lot in a Community Use Zone , | Reduce the distance to 36m |

Location maps are attached as Appendix 1. The owner's rationale for the variance is outlined in Appendix 2 attached.

Proposed Hours of Operation:

As outlined in Appendix 2, the proposed hours of operation are 9:00am to 11:00pm daily.

The zoning bylaw is silent on the permitted hours of operation for a Non-Medical Cannabis Retail Store. The LCRB regulations state that a licensee may sell non-medical cannabis at their store between the hours of 9 am and 11 pm unless their hours are further restricted by the local government and/or indigenous nation for the area in which the store is located giving council the ability to restrict the hours of operation.

Comments from Referral Agencies

The June 24th letter from the Interior Health Authority (IHA) is attached as Appendix 3. The IHA letter recommends that the city consider supporting a public health approach to retail sale of non-medical cannabis. The letter further speaks to selecting locations that reduce exposure to cannabis marketing to youth and discourage harmful patterns of consumption in the general population as the desired option. Additionally, the letter speaks to James Donaldson park being potentially used by kids and the arena and aquatic centre being within 350m of the proposed cannabis retail store. There is relatively little in

terms of peer reviewed research on the effects of cannabis use therefore the accepted approach has been one of caution especially with respect to cannabis use in children.

Timing

The following next steps and time frames are outlined in Table 2 below:

| Table 2. Proposed Timeframe | |
|---|--------------------------------|
| ACTIVITY | TIMING |
| <i>Regular Council Meeting – Council Direct staff to proceed with statutory notice (letters to adjacent property owners)</i> | <i>January 27, 2020</i> |
| Letters sent to adjacent property owners within 30m of subject property | January 28, 2020 |
| Regular Council Meeting – Council Decision on DVP application | February 24, 2020 |

Benefits or Impacts

General

The regime to legalize the non-medical use and sale of cannabis is relatively new to British Columbia and Canada. The proposed location is close to a community park facility. Interior Health Authority's position is that in order to reduce harmful cannabis patterns of consumption in the general population, council should consider supporting a public health approach to the retail sale of non-medical cannabis and that locations that reduce exposure to cannabis marketing to youth and discourage harmful patterns of consumption in the general population are the desired option.

Strategic Impact



Community Engagement

- Written notice will be provided to adjacent property owners.

Policy/Legislation

Local Government Act; Official Community Plan; Zoning Bylaw; Cannabis Control Licencing Act.

Attachments

Appendix 1

- Page 1: Aerial Photo showing the subject property
- Page 2: Map showing zoning
- Page 3: Aerial Photo showing 100m buffer area

Appendix 2

Pages 1-59: DVP package submitted by applicant.

Appendix 3

Page 1: Interior Health Authority Letter.

Recommendation

THAT Council direct staff to proceed with the statutory requirements for public notice respecting a Development Variance Permit application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone in order to allow Non-Medical Cannabis Retail Store as a use on the property.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|---|
| Document Title: | 20200127 DVP2001 7500 Donaldson Cannabis ReIntro RFD.docx |
| Attachments: | <ul style="list-style-type: none">- 20200127 Appendix 3 DVP2001 IHA Letter_Redacted.pdf- 20200127 Appendix 2 DVP2001 Application Package rev01_Redacted.pdf- 20200127 Appendix 1 DVP2001 Location Rev01.pdf |
| Final Approval Date: | Jan 22, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jan 22, 2020 - 11:46 AM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

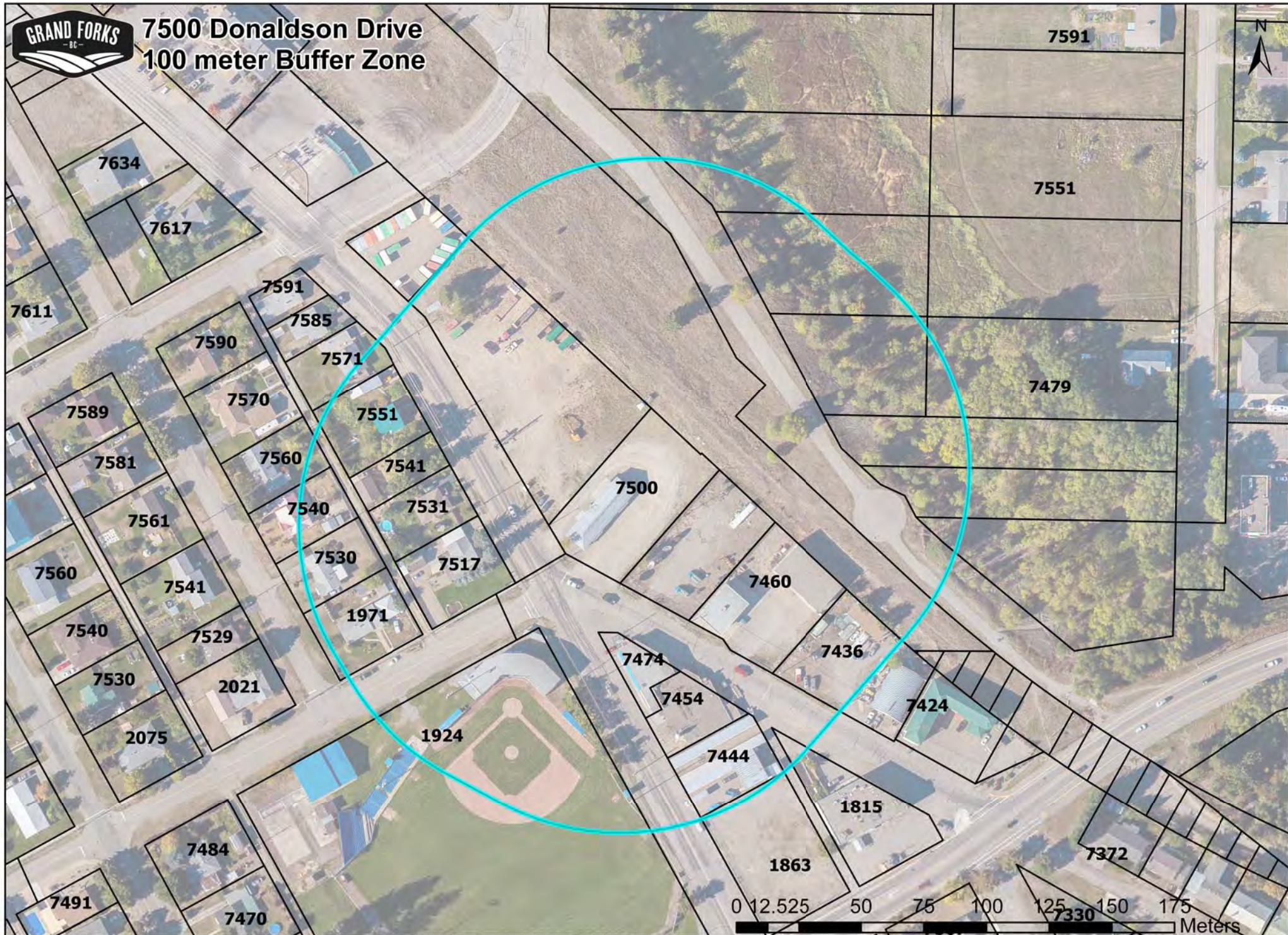
Ron Mattiussi - Jan 22, 2020 - 11:49 AM







7500 Donaldson Drive 100 meter Buffer Zone



May 31, 2019
Map Produced By: Planning

The City of Grand Forks makes every effort to ensure that this map is free of errors but cannot guarantee accuracy or fitness for any purpose, and does not provide warranty of any kind. The City accepts no liability for any expenses, losses, damages or costs relating to the use of this map or data. Data must not be used for direct marketing or be used in the breach of the privacy laws, it is intended only for the requested use. The data must not be circulated or copied without prior consent of the City of Grand Forks.

THE CORPORATION OF THE CITY OF GRAND FORKS

7217 – 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266



DEVELOPMENT VARIANCE PERMIT APPLICATION

LOCAL GOVERNMENT ACT, SECTION 498

APPLICATION FEE \$350.00

Receipt No. _____

Registered Owner(s): 1179711 B.C. Ltd.

Mailing Address: 1350 William St. Vancouver, BC V5L 2P5

1350 William St. Vancouver, BC V5L 2P5

Telephone:

Home:

Work:

Email:

Legal Description: Lot 2 PLAN KAP49207 DISTRICT LOT 380 DISTRICT 54

P.I.D: 018-155-588

Street Address: 7500 Donaldson Drive, Grand Forks, BC V0H 1H2

DECLARATION PURSUANT TO THE WASTE MANAGEMENT ACT

I, [REDACTED], owner of the subject property described on this application form, hereby declare that the land which is the subject of this application has not, to my knowledge been used for industrial or commercial activity as defined in the list of "Industrial Purposes and Activities" (Schedule 2) of the Contaminated Sites Regulation (B.C. Reg. 375/96). I therefore declare that I am not required to submit a Site Profile under Section 26.1 or any other section of the Waste Management Act.

[REDACTED]
(signature)

14 May, 2019

(date)

Outline the provisions of the respective Bylaw(s) that you wish to vary and give your reasons for making this request:

Supporting documents are included in this pdf as follows:

- 1. Appendix A: Development Variance Permit Application
- 2. Affidavit #1: Alice Huynh

Submit the following information with the application:

- 1. A legible site plan showing the following:
 - (a) The boundaries and dimensions of the subject property.
 - (b) The location of permanent or proposed buildings and structures existing on the property.
 - (c) The location of any proposed access roads, parking, screening, landscaping or fencing.
 - (d) The location and nature of any physical or topographic constraints on the property (stream, ravines, marshes, steep slopes, etc.)

Other information or more detailed information may be requested by the City of Grand Forks upon review of your application.

The information provided is full and complete and to the best of knowledge to be a true statement of the facts, relating to this application.


Signature of Owner

14 May, 2019
Date

AGENT'S AUTHORIZATION

I hereby authorize the person/company listed below to act on my behalf with respect to this application:

Name of Authorized Agent: Jim Kennedy/Weeds Glass & Gifts Ltd

Mailing Address: 1108 Richards Street, Vancouver

BC V6B 3E6

Telephone: [REDACTED]

Email: [REDACTED]

[REDACTED]
Owner(s) Signature of Authorization

DEVELOPMENT VARIANCE PERMIT APPLICATION

APPENDIX A

To: The Corporation of the City of Grand Forks
7217 – 4th Street
P.O. Box 220
Grand Forks, B.C.
Fax: (250) 442-8000

Submitted by: Weeds Glass & Gifts Ltd.

Provisions Sought to Vary

1. The applicant, Weeds Glass & Gifts Ltd. (the “Applicant”), is seeking to vary section 58.3 of Zoning Bylaw 2039-A1 and Zoning Bylaw 2039-A3, as applicable, in relation to cannabis retail stores (“Cannabis Stores”, each a “Cannabis Store”):
 - a. Zoning Bylaw 2039-A1, section 58.3: “unless otherwise permitted in this bylaw, no building or structure may be within 100 m of the nearest parcel boundary of a lot in a Community Use Zone, or a youth-centred facility; or from the nearest edge of building of another Cannabis Retail site”; and
 - b. Zoning Bylaw 2039-A3, section 58.3: “unless otherwise permitted by this bylaw, no building or structure may be within 100m of the nearest parcel boundary of a lot in a Community Use Zone or a youth-centred facility.”

for the premises located at 7500 Donaldson Drive, Grand Forks, BC V0H 1H0 (the “Premises”).

2. Pursuant to section 490(1)(a) the *Local Government Act* [RSBC 2015] ch.1, “a local government may, by resolution, issue a development permit that... varies or supplements a land use regulation bylaw”.

Reasons for Request

3. On February 13, 2018, City Council members discussed the timeline for the amendment to the Zoning Bylaw 2039 for Cannabis Stores, and advised the Director of Development and Engineering (the “Director”) that the proposed amendments should be compared with other municipalities and to consider the potential of working collectively with other municipalities in drafting the amendments to the Zoning Bylaw.

(Affidavit #1 of Alice Huynh [“AHuynh”], Exhibit A)

4. Summary of Zoning Bylaws regarding Cannabis Stores in some other jurisdictions:

| City | Distancing Requirement |
|-----------|---|
| Castlegar | No restrictions ¹ |
| Rossland | Not permitted within 150m of the property line of a site containing a school or a youth centre ² |
| Sooke | Not permitted within 300m of the nearest property line of a site containing a school ^{3, 4} |
| Trail | Not permitted within 100m of any school, recreation centre, youth centre or daycare centre ⁵ |
| Vancouver | Not permitted within 300m of the nearest property line of a site containing a School – Elementary or Secondary, Community Centre, or Neighbourhood House ⁶ |

5. However, the Director proposed Zoning Bylaw 2039-A1 that differed from the other jurisdictions drastically, as it required a distancing requirement of 100m for a complete zoning area, Community Use Zone (“CU Zone”) in addition to the broad 100m distancing requirement from “youth centred facilities”. As per Zoning Bylaw 2039-A1, “Youth Centered Facility” “means any school, daycare, playground, community garden, recreation facility, or other facility designed for use primarily by minors”. In addition to this, facility is not defined in Zoning Bylaw 2039-A1, Zoning Bylaw 2039-A3, or in the general Zoning Bylaw 2039.
6. On April 9, 2018, City Council members discussed the proposed Zoning Bylaw 2039-A1, which would provide restrictions on where Cannabis Stores can be located within the City. During the Council meeting, Councillor Tripp questioned the Director of Development and Engineering, as to the number of locations that would be permitted with the proposed Zoning Bylaw 2039-A1. The Director of Development and Engineering responded that given the

¹ <https://www.castlegar.ca/city-hall/informationmaterials/bylaws/find?Search=zoning+bylaw+800>

² <https://rossland.civicweb.net/filepro/documents/5307>

³ <https://sooke.civicweb.net/filepro/document/30187/Regular%20Council%20-%202008%20Apr%202019%20Agenda.pdf?widget=true>

⁴ <https://sooke.civicweb.net/filepro/document/30442/Regular%20Council%20-%202023%20Apr%202019%20Agenda.pdf?widget=true>

⁵ <http://www.trail.ca/en/inside-city-hall/resources/Consolidated-Zoning-Bylaw-July-2018.pdf>

⁶ <https://bylaws.vancouver.ca/zoning/Sec11.pdf>

spatial restrictions, upon application of the Zoning Bylaw 2039 A-1, many prospective Cannabis Stores would be eliminated, and that he assumes that about four (4) to six (6) would be able to operate within the commercial area.

(Affidavit #1 of AHuynh, para. 3)

7. In reality, applying section 58.3 of the Zoning Bylaw 2039-A1, or 2039-A3, renders nearly all of the Core Commercial Use zone as impermissible for Cannabis Stores. In addition to this, of the limited area that is permissible for a Cannabis Store to operate in, there may only be one Cannabis Store within the Core Commercial Use Zone. This is because of the following:
 - a. Boundary Child Care, provides free drop-in playtime and is listed as a daycare is located at 7320 4th Street;
 - b. Jazzercise Grand Forks, provides free childcare to its attendees for four classes per week, and classes only occur once or twice a day;
 - c. Dazzle Dance and Fitness, primarily provides dance classes to children and youth is located at 7375 second street; and
 - d. CU Zones found near and throughout the Core Commercial Use zone.

(Affidavit #1 of AHuynh, Exhibit B)

8. Schedule A-1 of the consolidated Zoning Bylaw 2039 provides a map of the “Cannabis Product and Retail Zoning: Eligible Underlying Zones”, which lists Core Commercial and Neighbourhood Commercial zones as eligible for Cannabis Retail locations. However, section 46.2 of the consolidated Zoning Bylaw 2039 states that the following uses and no others are permitted:
 - a. convenience stores;
 - b. restaurants and liquor licensed premises;
 - c. personal service establishments;
 - d. dwelling units above or in conjunction with the commercial operation;
 - e. professional services;
 - f. post office;
 - g. *animal hospitals*. [Bylaw 2039-A3]

Although the City amended section 46 regarding Neighbourhood Commercial Zone to include animal hospitals, it did not include Cannabis Stores, and as a result, Cannabis Stores would not be permissible within Neighbourhood Commercial Zones as well. Accordingly, if the strict application of Zoning Bylaw 2039, and the amending Zoning 2039-A3 is applied, then Cannabis Stores are restricted even further, and would almost only be operable within industrial zones.

9. Section 56 of the consolidated Zoning Bylaw 2039 states that only the following uses are permitted within the CU Zone:
 - a. libraries;
 - b. museums;
 - c. cemeteries;
 - d. hospital, including medical clinic, dental clinic, ambulance station, rest home or
 - e. private hospitals;
 - f. post office;
 - g. community events centre;
 - h. community use service;
 - i. open space passive recreational areas;
 - j. municipal, local government or educational buildings, day care centers;
 - k. senior citizen complexes, senior activity centres and congregate care facilities;
 - l. any building or structure operating under a Private-Council partnership agreement.
10. The requirement of a 100m distancing requirement from a CU Zone is unduly restrictive, as it limits the permissible locations for Cannabis Stores to such a degree that renders Zoning Bylaw 2039-A3 as legislation that prohibits the operation of Cannabis Stores within the City, rather than legislation that is facilitating or supporting it. Furthermore, most of the permitted uses within the CU Zone are of a nature that other jurisdictions have not provided setback requirements for Cannabis Stores relative to those specific uses. For example, other jurisdictions have not set distancing requirements from cemeteries, which would potentially, occur with the City given the 100m setback requirement from a CU Zone, rather than providing for a distancing requirement given a specific use found within the CU Zone. Moreover, maintaining a setback requirement of 100m from a CU Zone, which may include a senior citizen complex or may not, would be contrary to intention of City Council to meet the needs of their constituents. This is because, as stated during the City Council meeting on May 15, 2017, there are many elderly individuals and those with medical conditions that rely on cannabis to alleviate their symptoms (Affidavit #1 of AHuynh, para. 5)
11. Thus, applying a strict distancing requirement of 100m from a CU Zone would be contrary to the intention of Council to provide reasonable access to cannabis for its constituents, whether it is for medical or recreational purposes, as well as contrary to the intention of City Council to provide more equitable access to the cannabis retail market (Affidavit #1 of AHuynh, Exhibit C). It is submitted by the Applicant that the intention of Council and the needs of the constituents to have reasonable access to cannabis, both from a consumer level and the community's economic development requires a flexible approach to the application of the 100m distancing requirement from a CU Zone. Accordingly, the needs of the constituents may be addressed by determining the specific use of the parcel within the CU Zone that renders the Cannabis Store impermissible under section 58.3 of the Zoning Bylaw

2039-A3 and determining whether to approve the Applicant's development variance for the Premises. Otherwise, as evidenced from the 100m buffer placed surrounding CU Zones in the Core Commercial Zone, Cannabis Stores would be impermissible in a large portion of the City (Affidavit #1 of AHuynh, Exhibit D).

12. The Zoning Bylaw 2039 defines community use services as meaning, "the use of land, buildings or facilities for the following purposes:
 - a. community sponsored and funded passive or active recreational activities;
 - b. community sponsored and funded educational activities;
 - c. health activities, which includes congregate care facilities, intermediate care facilities, personal care facilities and hospitals;
 - d. or any combination of the above."
13. Based on this definition, it is apparent that the intention of City Council in implementing CU Zones is to protect those areas from the proliferation of businesses solely for an economic purpose that does not contribute to the wellbeing of the City's community members. However, in this case, and as considered during the May 15, 2017 Council meeting, cannabis assists many individuals with a number of medical and mental health conditions (Affidavit #1 of AHuynh, para. 5). This is also evidenced in the summary of affidavits of people that the Applicant assisted (found below) by providing a product that contributes to their personal care and is a "health activity" for those individuals, as provided for in the definition of "community use services". Arguably then, creating a distancing requirement for Cannabis Stores from CU Zones, would be contrary to the implementation of CU Zones and definition of "community use service", as Cannabis Stores may be construed as a business that is providing a "community use service".
14. Furthermore, it is not the intention of City Council in implementing the CU Zones to create a barrier for businesses seeking to operate outside of that zone, but more so, it is evident that City Council wanted to encourage businesses that provide a "community use service" to operate within the City by enacting the CU Zones. Accordingly, using CU Zones to restrict businesses outside of said zone, is contrary to City Council's intention to encourage businesses that provide "community use services". In other words, it is City Council's intention to foster a certain type of business in implementing CU Zones, rather than using said zone to restrict businesses and activities outside of said zone. Hence, it would be contrary to the intention of the City Council to create a distancing requirement for Cannabis Stores from businesses that provide "community use services", as it is apparent that in implementing CU Zones, City Council members were concerned that the City will be proliferated with businesses with a sole economic purpose that did not contribute to the community members' wellbeing, which is not how the Applicant intends to operate.

15. On April 29, 2019, the Applicant was informed by a delegate of the Director that “upon preliminary review we note that the proposed location is less than the required 100 m distance from a community use zone... as you may already know, council rejected the last application that did not meet the setback distance requirement from a community use zone *and* from a youth centred facility” (italics added).
16. In this case, the Applicant is within 100m of a CU Zone, but not within 100m of a youth centered facility. Accordingly, the Applicant is seeking a development variance in relation to the 100m distancing requirement from a CU Zone. The specific use within the CU Zone that the Applicant is within 100m of is James Donaldson Park, which is not a “youth centred facility” as it is not a school, daycare, playground, community garden, recreation facility, or other facility designed for use primarily by minors. James Donaldson Park is a baseball field that hosts baseball tournaments, and this is in addition to, allowing any member of the community to use the baseball park to play baseball (the “Baseball Park”).
(Affidavit of AHuynh #1, Exhibit E)
17. In particular, the Baseball Park hosts an “International Baseball Tournament”, and although it is a family-friendly event, the baseball players are all adults, and most of the attendees are adults, rather than minors.
(Affidavit of AHuynh #1, Exhibit F)
18. Presumptively, the City Council members’ primary rationale for the distancing requirement of section 58.3 of the Zoning Bylaw 2039-A1 and 2039-A3 is concerning youth exposure to cannabis. However, the Applicant has operated other Cannabis Stores across the country and has never been alleged to have exposed minors to cannabis. This is because the Applicant has implemented the following to reduce youth’s exposure to cannabis in other locations:
 - a. The windows used obscure the view of the contents of the store unless an individual is very close to the windows. The lighting fixtures used also diminish visibility of the contents of the store, as the light used in the store are specific blue lights meant to mimic and simulate daylight, which makes it more difficult to view its contents.
(Affidavit #1 of Taizo Ellis sworn 24 April 2019 [“Affidavit #1 of TELLIS”], para. 17)
 - b. The entrance to the store is locked and requires ringing a doorbell to notify staff members to permit or deny entry through a buzzer.
(Affidavit #1 of TELLIS, para. 14)
 - c. Because of the specific lighting used in the store, staff members are able to see people who are seeking entry into the store through the windows of the front door,

and in the evening, there is a light above the front door located on the outside to illuminate anyone seeking entrance.

(Affidavit #1 of TELLIS, para. 15)

- d. Staff members of the store does not allow any individual that appears to be a minor enter the store. These individuals are notified that entrance is denied through the intercom that is connected to the front doors.

(Affidavit #1 of TELLIS, para. 16)

- e. Generally, staff members will ask customers that linger around the front of the store to move along.

(Affidavit #1 of TELLIS, para. 22)

- f. The employees then require any customer to show identification confirming that they are over the age of 19 prior to making any sales. Staff members do not allow any cannabis or cannabis products to be sold to individuals under the age of 19. They ensure this by checking the identification of each person who appears under the age of 30. There are staff members who have lived out-of-province that will check the identification of customers with out-of-province identification. They have an ultra violet light at the store to check the authenticity of any suspicious-looking identification. Any individual without identification or with fake identification are asked to leave the store immediately even if they are regular customers that have shown identification previously.

(Affidavit #1 of TELLIS, para. 11)

- g. The vast majority of customers who visit the store are between the ages of 30 and 50 years old, with approximately 15% over the age of 60.

(Affidavit #1 of TELLIS, para. 12)

- 19. If permitted to operate on the Premises, the Applicant expects to employ similar safeguards against youth exposure, as well as complying with the applicable bylaws and legislation.

- 20. The following are the site-specific circumstances of the Premises that minimizes youth exposure to the Cannabis Store, which is then eliminated by virtue of the Applicant's operational mechanisms, as stated above:

- a. The location of the Premises, relative to the Baseball Park, obscures the view of the Premises from any minor attending the Baseball Park. This is because at the corner of 75th Avenue and 19th Street of the Baseball Park, there is a large cement wall of the stadium that obscures the view of the Premises from the Baseball Park.

(Affidavit #1 of AHuynh, Exhibit G)

- b. The Premises is a standalone building without any neighbouring business on the same lot that youths would attend.

(Affidavit #1 of AHuynh, Exhibit H)

- c. The distance from the entrance of the Premises to the entrance of James Donaldson park is approximately 61.74m.

(Affidavit #1 of AHuynh, Exhibit I)

- d. The Premises is located within the light industrial zone, an area that is less frequented than Core Commercial Zone.

(Affidavit #1 of AHuynh, Exhibit J)

- 21. A secondary concern that Council members may have had in adopting section 58.3 of the Zoning Bylaw 2039-A1 and Zoning Bylaw 2039-A3 is community safety. The Applicant is able to assuage this concern as the Applicant has not had any policing incidents in relation to safety concerns. The Applicant also implements a number of security measures to ensure the safety of the public and its staff members, which includes installing several cameras throughout the store, a lock and buzzer on the front door that does not allow anyone to enter the store without the approval of an employee, and the bulk of the products are stored in locked storage area (Affidavit #1 of TELLIS, paras. 13 and 14).

- 22. In addition, the Applicant has received support from property owners from whom the Applicant has leased other locations. In one such letter of support from a property owner leasing to the Applicant, the property owner applauded the Applicant's dedication to the community in ensuring that the property remains clean and tidy both within the building and in the surrounding area. The following are pertinent excerpts from the letter of support the Applicant received from the landlord of their location in Vancouver:

- a. "As an Owner/Property Manager for over 45 years, (both residential and commercial property), I can honestly say that 'Weeds' has been the best tenant I have ever had. Being my Tenant for over 5 years, they have never been late with the rent, have never complained to me (except when their toilet was plugged), always kept the adjoining vacant lot free of garbage (I learned later that Don Briere, the proprietor of Weeds, started a regular block clean up by the store staff when garbage was an issue) and most importantly, showed the utmost respect to not only me but others as well. It is well known they donate funds resources and their time to many good causes."

- b. “There are 5 residential units above the Weeds and for the past 5 years, I have never received any complaints from them or any other neighbours in the area as it relates to noise or selling to youths.”
- c. “It will be very difficult to find another tenant as responsible as Weeds.”
- d. “...if Weeds was to close, it will be a hardship for me to find a tenant as responsible and responsive. I anticipate the community in general will also suffer.”

(Affidavit #1 of AHuynh, Exhibit K)

23. The Applicant also provides safety to the community through the products that it provides and adds to the character of the community by ensuring that staff members adhere to high levels of service and dedication to its customers. This is evidenced in the affidavits of customers that attest to the excellent quality of products, professionalism and courtesy of its staff members, and the general cleanliness of the store. While these affidavits relate to locations in Vancouver where the Applicants dispensed medical cannabis while awaiting a decision surrounding their legality, even though the proposed business at the Premises is not for a medical cannabis dispensary, but for a recreational Cannabis Store, the testimonials of their clientele speak to the Applicant’s professionalism and levels of customer service:

- a. Daniel Obcena suffers from anxiety and insomnia, and finds that the Applicant provides him with the most reliable and most convenient way for him to obtain medicinal cannabis. He chooses to return time and time again because he liked the hospitality and the product selection, and feels that there is a real sense of community there and he has become friends with many of its staff. He believes that the products are of high quality because he achieves the desired relief from his extreme bouts of anxiety and exhaustion that inhibits his ability to work. He also feels that the store is safe because you can see security cameras around the store and he has never seen any suspicious activity near or inside the Premises. It would be difficult for him to go elsewhere because the Premises are conveniently located and he has visited numerous other Cannabis Stores and found that none of them have provided the consistent quality and service as the Applicant.

(Affidavit #1 of DObcena, paras. 6, 7, 12, 14, 16, and 17)

- b. Denna White was diagnosed with Attention Deficit Hyperactivity Disorder, Depression, insomnia, Post-Traumatic Stress Disorder, and alcoholism. As a result of these medical and mental health conditions, she experiences overwhelming feelings of hopelessness, invasive thoughts of self-harm, flash-backs, vivid nightmares, and difficulty sleeping, eating, and focusing, which in general, causes her to have difficulty functioning on a daily-basis. She was prescribed a number of

pharmaceutical medications, which did not help but caused the state of her mental health to worsen drastically, and because of this, she started relying on alcohol to relieve her symptoms which led to her alcohol dependency. Cannabis helps her manage and address the symptoms of her conditions, function on a daily-basis, and her alcoholism. She relies on the Applicant because she feels safe purchasing her medicine from the Applicant, as feeling safe is a very important and high priority for her. She finds that the staff members are kind and professional, and the quality of the products is great, and the store is always clean. If the Applicant were to close down, she is unsure where she would purchase her medication, as she requires specific strains and products that she is only aware that the Applicant provides. If the Applicant was shut down, she may have to rely on the illicit market again, which she is very hesitant in doing so, as the illicit market is prevalently dominated by men who often make unwelcomed advances towards her.

(Affidavit #1 of DWhite, paras. 5-10, and 12-13)

- c. Duane Christopher Barrett suffers from a number of sports-related injuries, knee surgery, and broken a number of bones in his hand, which subsequently resulted in chronic pain. He was prescribed OxyContin, but stopped after two days as it affected him badly. When he uses cannabis, he finds that the pain he experiences on a daily basis is almost gone. The Applicant provides him with a welcoming and pleasant place to purchase his medicine, as he is consistently provided with excellent customer service. He visited a different Cannabis Store previously but had a negative experience, and has since only visited the Applicant because of the quality product and excellent and personable customer service and friendly atmosphere. He does not like the idea of ordering cannabis online, and if was unable to purchase his cannabis at the Premises, he is not sure where he would purchase his medicine.

(Affidavit #1 of DBarrett, paras. 4, 5, 6, 10, 15, 16, 17, and 18)

- d. Gulnara Bakhtadze suffers from anxiety that causes severe bouts that resemble panic attacks, and was prescribed anti-anxiety medication from her family physician. If she was unable to purchase the products she requires from the Applicant, she would have to purchase from Tilray, the Licensed Producer, which would affect her negatively both financially and physically, as they do not carry the product she requires and the products that they do carry costs a lot more.

(Affidavit #1 of GBakhtadze, paras. 4, 6, 8, and 9)

- e. Jeffrey Dale was diagnosed with Complex Regional Pain Syndrome (“CRPS”), and experiences pain throughout his body from his neck to his ankles, all day and every day. He was prescribed with medications including Dilaudid, Gabapentin, Lyrica,

Demerol, and Tylenol 3; however, none were helpful in treating his pain from CRPS and caused side effects including itchiness, constipation, and breathing problems, and increased the pain in other areas of his body. In using medicinal cannabis, he found it much more effective, and assisted him in taking his mind off of the pain so that he could focus on other things and continue with his day. He relies on the Applicant as he finds them to be the safest, most reliable, and most convenient place for him to obtain his medicine.

(Affidavit #1 of DBarrett, paras. 5, 6, 7, 9, 11, and 16)

- f. Julia Shuker, a professor in the School of Criminology and Criminal Justice at the University of Fraser Valley, worked at two maximum security facilities for 25 years, and was subsequently diagnosed with PTSD, and soon after, internal bleeding in her gastrointestinal tract resulted in a diagnosis of anemia. After her lack of success with Tylenol No. 3, Morphine, and Effexor, her doctor prescribed Nabilone, a synthetic cannabinoid as well as medical cannabis. Ms. Shuker notes that ordering medical cannabis through an LP took 8 months to a year to complete and obtain a license, and renewals are required every year and takes 3 months to complete. When she did try to purchase from the LP, she found that they only offered medical cannabis in dried form and some oils, but did not offer edibles. She relies on the Applicant to purchase her medication because it is of high quality and has a variety of products that help alleviate her symptoms.

(Affidavit #1 of Julia Shuker, paras. 3, 5, 7, 16, 18, 20, 22, 24, and 25)

24. To reiterate, above are some of the affidavits of customers that the Applicant has been able to assist by providing quality products and services, and this is only a small sample of people that the Applicant is able to serve and help on a daily basis through its responsible operation, since on average, one of the Applicant's location in Vancouver sees about 800 people per day (Affidavit #1 of TELLIS, para. 6).
25. Not only is the Applicant able to assuage the potential concerns of the City regarding community safety, youth exposure, and additional costs related to policing, but also benefit the community, as the Applicant feels strongly about social responsibility and supporting the community in which it operates. While awaiting for the decision of City Council, the Applicant has donated the Premises to be used as a homeless warning centre, and intends to continue being an active and supportive member of the community if the Applicant's development variance application is granted but if they are not granted the exemption, they will have to make a difficult business decision.
26. The Applicant's commitment to continue operating as an active and supportive member of the community is also evidenced in the financial investment that the Applicant has made.

The Premises are owned by the numbered company 1179711 B.C. Ltd., where the director is Devon Briere (“Devon”). Devon is the son of Don Briere (“Don”), the director of the Applicant. The Applicant is a family-operated business, where Don’s investment through purchasing the Premises is to provide Devon with the opportunity to become a committed member of the community. It is Don and Devon’s intention to apply the family values which are central to the Applicant’s operation into the development and use of the Premises as a Cannabis Store by contributing to and supporting the community, and its members.

27. The Applicant has also assisted the economic growth of the community, as evidenced in the other location it operates, where the Applicant employs 15 staff members to operate and provide the employees with a wage that is above B.C. minimum wage standards. The highest level of education that nearly all staff members have obtained in that location is their high school diploma. Accordingly, it would be unlikely, without the requisite experience for a given position, that the staff members hired by the Applicant would be able to obtain a wage that is well above the B.C. minimum wage standards in addition to providing health and dental benefits.

(Affidavit #1 of TELLIS, paras. 22-24)

Conclusion

28. The Applicant submits that a strict application of section 58.3 of the Zoning Bylaw 2039-A1 and Zoning Bylaw 2039-A3 would render a majority of the City impermissible for Cannabis Stores to operate within, as the 100m buffer surrounding CU Zones renders nearly all of the Core Commercial Zone impermissible for Cannabis Stores, and the 100m buffer surrounding CU Zones, present throughout the City, renders a number of areas throughout the City impermissible for Cannabis Stores. This impermissibility of Cannabis Stores to operate within the City is aggravated further by operation of section 46 of the consolidated Zoning Bylaw 2039, Zoning Bylaw 2039-A1, and Zoning Bylaw 2039-A3, where Cannabis Stores are not listed expressly as a permitted use under section 46.2, Neighbourhood Commercial Zone.
29. Any concerns of the City in allowing the development variance can be assuaged by the site-specific circumstances surrounding the Premises along with the operational mechanisms that the Applicant will implement to ensure the safety of youth and the community. Furthermore, the Applicant is socially responsible, and its operation will benefit the community at large, as they have countless customers who have attested to the excellent quality of products they carry, professionalism and courtesy of its staff members, and the general cleanliness of the store, both within and surrounding. The Applicant will benefit the local economy by employing staff members from the community and providing them with wages well above the minimum wage in BC along, and health and dental benefits. In addition, the Applicant has presently donated the Premises as a homeless warning centre until a decision is rendered,

and the Applicant intends to continue being an active and supportive member of the community.

30. Therefore, the Applicant requests that the City approve its application for development variance, since although the Premises are located within 100m of a CU Zone, the specific use in which it is 100m within is not a “youth centred facility” as defined in Zoning Bylaw 2039-A1. The Baseball Park is not attended and primarily used by minors – use by youth is merely incidental to the overall use of the Baseball Park as public recreational space. Even if the Baseball Park is used mostly by minors, which it is not, the mechanisms that the Applicant will be placing on the Premises will ensure that youth exposure to cannabis will be eliminated. Furthermore, to emphasize, the Applicant intends to be an active, engaging, and supportive member of the community, and will cooperate with the City to address any concerns, regardless as to the remoteness of the possibility of that occurring.

This is the *1st Affidavit* of
Alice Huynh in this case and
was made on May 9, 2019

DEVELOPMENT VARIANCE PERMIT APPLICATION

To: The Corporation of the City of Grand Forks
7217 – 4th Street
P.O. Box 220
Grand Forks, B.C.
Fax: (250) 442-8000

Submitted by: Weeds Glass & Gifts Ltd. (the “Applicant”)

AFFIDAVIT OF ALICE HUYNH

I, Alice Huynh, c/o Davison Law Group, 1650 – 1130 West Pender Street, Vancouver, BC, V6E 4A4, SWEAR (OR AFFIRM) THAT:

1. I am a lawyer with Davison Law Group, counsel for the Applicant in this matter and as such I have personal knowledge of the facts and information deposed of herein save and except where I state such facts to be on information and belief and where so stated I verily believe those facts to be true.
2. Attached to this my Affidavit and marked as **Exhibit “A”** is a true copy of the minutes of the meeting of the Committee of the Whole of the City of Grand Forks (the “City”) that occurred on February 13, 2018.
3. On or about May 3, 2019, I reviewed the video of the City Council meeting that occurred on April 1, 2018, which was posted online, and I noted the discussions.
4. Attached to this my Affidavit and marked as **Exhibit “B”** are true copies of the services offered at Boundary Child Care, Jazzercise Grand Forks, and Dazzle Dance and Fitness.
5. On or about May 3, 2019, I reviewed the video of the City Council meeting that occurred on May 15, 2017, which was posted online, and I noted the discussions.
6. Attached to this my Affidavit and marked as **Exhibit “C”** is a true copy of the City’s Agenda for February 11, 2019.

7. Attached to this my Affidavit and marked as **Exhibit “D”** is a true copy of the map of a 100m buffer surrounding businesses found within the Core Commercial Use zone.
8. Attached to this my Affidavit and marked as **Exhibit “E”** is a true copy of the google map view of James Donaldson Park.
9. Attached to this my Affidavit and marked as **Exhibit “F”** are true copies of the photo gallery from the website www.grandforksbaseball.com/photos.
10. Attached to this my Affidavit and marked as **Exhibit “G”** is a true copy of the street view image outside of James Donaldson Park.
11. Attached to this my Affidavit and marked as **Exhibit “H”** is a true copy of the street view image outside of the property located at 7500 Donaldson Drive.
12. Attached to this my Affidavit and marked as **Exhibit “I”** is a true copy of the distance measured on google maps from the entrance of the property at 7500 Donaldson Drive to the entrance of James Donaldson Park.
13. Attached to this my Affidavit and marked as **Exhibit “J”** is a true copy of a map of the property at 7500 Donaldson Drive with various use zones labelled.
14. Attached to this my Affidavit and marked as **Exhibit “K”** is a true copy of the letter of support from the owner of the premises in which the Applicant leased from in Vancouver dated April 24, 2019.

SWORN (OR AFFIRMED) BEFORE ME)
 at Vancouver, British Columbia)
 on May 9, 2019.)

 A commissioner for taking affidavits)
 For British Columbia)

JENNIFER CAO
DAVISON LAW GROUP
Barristers & Solicitors
 1650-1130 West Pender Street
 Vancouver, BC, V6E 4A4
 Tel: 604-424-9472 Fax: 604-629-7810

 Alice Huynh

February 13, 2018



This is Exhibit "A" referred to in the
affidavit of Alice Huynh
sworn before me at Vancouver, BC
this 9th day of May 2019

.....
A Commissioner for taking Affidavits
for British Columbia

The Corporation of the City of Grand Forks
Committee of the Whole
MINUTES

Meeting #: C-2018-02
Date: Tuesday, February 13, 2018, 9:00 am
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Frank Konrad
Councillor Julia Butler
Councillor Chris Hammett
Councillor Neil Krog (joined at 9:53 am)
Councillor Colleen Ross (joined at 9:04 am)
Councillor Christine Thompson
Councillor Beverley Tripp

Staff: Diane Heinrich - Chief Administrative Officer / Corporate Officer
Daniel Drexler - Deputy Corporate Officer
Juliette Rhodes - Chief Financial Officer
David Reid - Manager of Operations
Dolores Sheets - Manager of Development & Engineering
Services
Dale Heriot - Fire Chief
Cavan Gates - Deputy Manager of Operations & Sustainability
(joined at 9:50 am)
Graham Watt - Senior Planner
David Bruce - Manager of Inspection & Bylaw Services
Bud Alcock - Bylaw Enforcement Officer

GALLERY

1. CALL TO ORDER

The Committee of the Whole Meeting was called to order at 9:00 am.

2. COMMITTEE OF THE WHOLE AGENDA**a. Adopt agenda**

February 13, 2018, Committee of the Whole

Moved by: Thompson

THAT the COTW adopts the agenda as presented.

Carried

b. In-Camera Meeting Reminder

Reminder:

A Special to go In-Camera meeting of Council will be held directly following the Committee of the Whole.

3. MINUTES**a. Adopt minutes - COTW**

January 15, 2018, Committee of the Whole Meeting minutes

Moved by: Thompson

THAT the COTW adopts the January 15, 2018, Committee of the Whole Meeting minutes as presented.

Carried

4. REGISTERED PETITIONS AND DELEGATIONS**a. Request to submit BikeBC Grant and investigate plowing across Nursery Trestle**

Grand Forks Community Trails Society

Councillor Ross joined the meeting at 9:04 am.

Chris Moslin of the Grand Forks Community Trail Society gave a presentation and discussion ensued regarding:

- 2017 year review

- Trails throughout the City
- Possibility to apply for Bike BC grant
- 2 proposed upgrades to the trail system in Grand Forks
- possibly extension of plowing the Trans Canada Trail into a section of the RDKB area of the trail

Moved by: Tripp

THAT the COTW receives the delegation and presentation from The Grand Forks Community Trails Society for information and the proposed motions for discussion.

Carried

b. 2017 Year-End Summary as per Fee for Service Agreement

The Boundary Museum Society

Shannon Profili and Lee Derhousoff of the Boundary Museum Society gave a presentation and discussion ensued regarding:

- 2017 year in review
- various user groups use the Museum meeting room
- upgrade to meeting room equipment to make the area more user friendly
- various events throughout the year
- restoration of antiques
- Indigenous exhibit and education
- upcoming events for 2018
- trial run of admission fees compared to donations only
- great & important facility to have in community
- possible "passport" in conjunction with other venues in the community

Moved by: Thompson

THAT the COTW receives for information the delegation presentation from The Boundary Museum Society.

Carried

c. Quarterly Update

Grand Forks Art Gallery Society

Tim van Wijk and Gary Babin of the Art Gallery Society gave a presentation and discussion ensued:

- new exhibits at the Gallery facility
- fundraising events
- AGM - retirements, new board members, renaming of a Gallery wing as the "Ted Fogg Gallery"
- planned events for 2018
- other initiatives - strategic plan updates, brand review, asset management and capital budgeting
- year end financials are on track
- importance of arts and culture for the community
- possible admission pricing compared to donations
- comparison to other gallery's in the country
- compensation for artists compared to sales of art work

Moved by: Ross

THAT the COTW receives for information the delegation presentation from the Grand Forks Art Gallery Society.

Carried

5. REGIONAL TOPICS FOR DISCUSSION - WITH AREA D

6. PRESENTATIONS FROM STAFF

- a. Revision of Policy 1603 – Risk Management City Electrical

Outside Works

Councillor Krog joined the meeting at 9:53 am.

Discussion ensued regarding the proposed policy:

- comparison regarding language between new and old policy
- meant as an over-arching governance policy
- electrical review and safety procedures are in a separate document
- guiding principle is focused on health & safety and risk management of the utility to go hand in hand as part of the overall safety procedures

- procedures are in separate document that are operational in nature
- Councils responsibility is to set policy, not procedures

Moved by: Thompson

THAT the Committee of the Whole recommends to Council to adopt the revised “Policy 1603 – Risk Management City Electrical” at the February 26, 2018, Regular Meeting.

Carried

b. Cannabis Legalization Critical Path

Engineering and Development

Discussion ensued regarding:

- timeline for bylaw changes required
- staff resources required to meet timelines
- comparison with other municipalities and potential of working collectively
- legal counsel consultation and input
- goals of the public survey - to determine possible public consumption and possible retail location
- possible mute point regarding public consultation
- provincial and federal regulations will dictate what the municipality can legislate through a local bylaw
- public survey will be used to draft a smoking bylaw to fill the gaps in provincial and federal legislation

Moved by: Hammett

THAT the Committee of the Whole recommends to Council to approve the bylaw introduction and amendment timeline as presented, at the February 26, 2018, Regular Meeting.

Carried

c. Monthly Highlight Reports

Department Managers

Discussion ensued regarding:

- fire at a homeless camp
- LGMA Bootcamp update
- Right of Way under the rail road as part of the WWTP project
- Second hand dealers bylaw is currently under internal review

Moved by: Ross

THAT the COTW receives the monthly highlight reports from department managers.

Carried

7. REPORTS AND DISCUSSION

8. PROPOSED BYLAWS FOR DISCUSSION

9. INFORMATION ITEMS

10. CORRESPONDENCE ITEMS

11. LATE ITEMS

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

13. QUESTION PERIOD FROM THE PUBLIC

Rod Zielinski:

- sewer phasing plan project - grant project has to be completed by March 31, 2018
- expressed concerns regarding the Electrical Safety Plan

Gene Koch:

- Vienna Woods information submitted to Council
- history of the Vienna Woods area and past Council discussions

- possibility for Council to make a firm commitment to the continued support of the Vienna Woods area - previous resolution did not result in a status change of the property
- bylaw or covenant on the property would be required to ensure protection of the area
- importance of bird habitat for the community
- possible protection of forested areas
- process for advertisement of property due to inquiry from a developer
- sensitive systems inventory by an independent biologist is in final stages, review should be available to Council in March 2018
- danger tree removals on airport grounds in 2016
- environmentally sensitive staff is currently employed at the City
- possible cleanup procedures
- types of owls in the area: grey horned owl, boreal owl, screech owl

14. **ADJOURNMENT**

The Committee of the Whole Meeting was adjourned at 11:07 am.

Moved by: Ross

THAT the Committee of the Whole Meeting be adjourned at 11:07 am.

Carried

Mayor Frank Konrad

Deputy Corporate Officer – Daniel
Drexler



Child Care Resource and Referral Program - Boundary

Serves Boundary communities including Beaverdell, Bridesville, Christina Lake, Grand Forks, Greenwood, Midway, Rock Creek and Westbridge.

Works toward enhancing the availability and quality of a wide range of child care options and events for children and families throughout the Boundary.

Services include:

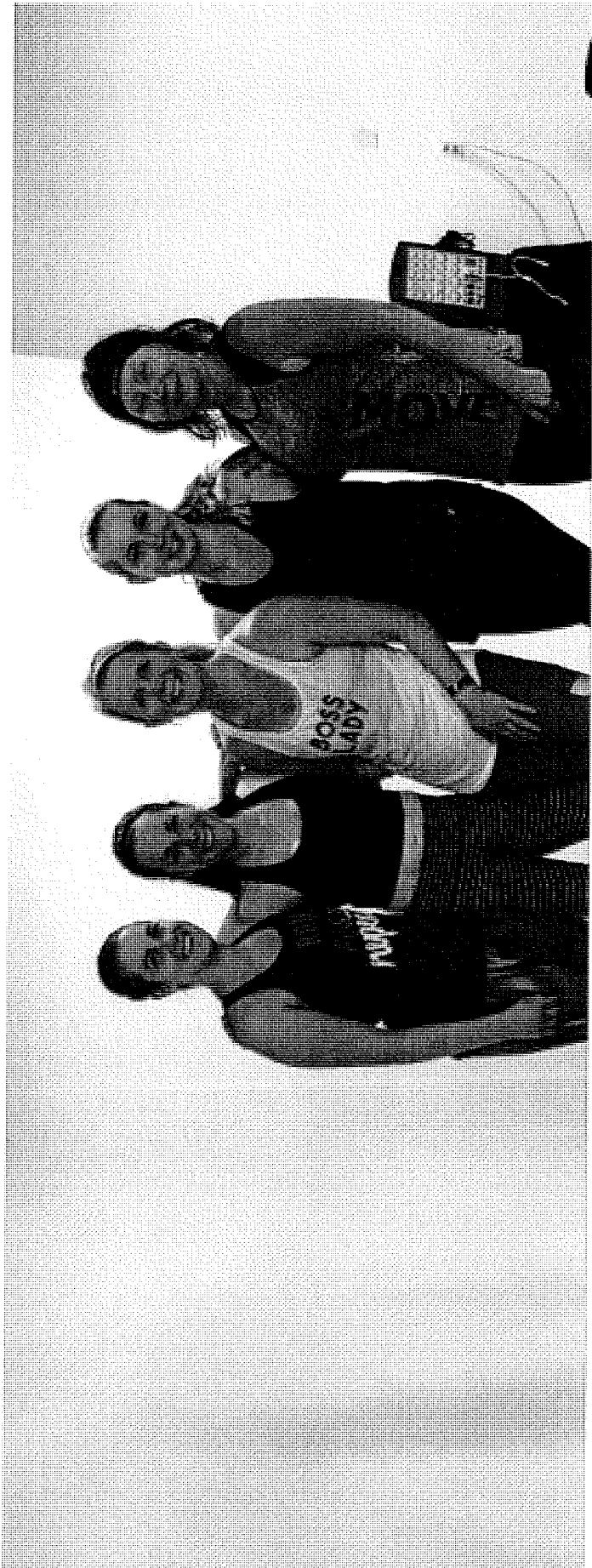
- Free or low cost training opportunities for parents and care providers
- Bi-monthly newsletter for parents and care providers
- Extensive toy lending and resource library which is free for care providers and for a low annual fee for parents
- Readily available support and consultations
- Public access computer
- Free referrals to child care providers and programs
- Free drop-in Playtime

Call to confirm when open and times of weekly playgroup and other parent / child activities.

| Address / Contact Info | | Phone Numbers | |
|---|--|--|------------------|
| 7320 4th Street Grand Forks, BC V0H 1H0 | | Phone | : (250) 442-5152 |
| | | Toll-free | : 1-800-475-2823 |
| | | Fax | : (250) 442-2811 |
| Coordinator : Louise Heck | | Hours of Operation | |
| Mailing address: Box 435 Grand Forks, BC V0H 1H0 | | Regular hours: Monday to Thursday, 10am - 4pm | |

This is Exhibit " B " referred to in the affidavit of Alice Huynh sworn before me at Vancouver, BC this 9th day of May, 2019

A Commissioner for taking Affidavits
for British Columbia



Our Story

JAZZercise GRAND FORKS · THURSDAY, SEPTEMBER 27, 2018

Child-minding available for 4 classes a week.

Dazzle Dance + Fitness 2018-2019 Class Schedule

Monday

5pm Inter Jazz (7-9yrs) (Miss Sophia)
6pm Pre-Teen Jazz (9-11yrs) (Miss Sophia)
815pm Bruins Yoga (Miss Jillian)

Tuesday

4pm Preteen/Teen Lyrical (Miss Kayla)
5pm Teen Musical Theatre (10+) (Miss Kayla)
6pm Teen/Pre-Comp Jazz (12+) (Miss Kayla)
7pm * Pre-Comp/Comp Jazz Tech (12+) (Miss Kayla)
8-9:30pm Adult Lyrical (18+) (Miss Kayla)

Wednesday

3pm Creative Dance (3-5yrs) (Miss Stacey)
4pm Creative Dance (3-5yrs) (Miss Stacey)
5pm Junior Ballet (5-7yrs) (Miss Stacey)
6pm Junior Jazz (5-7yrs) (Miss Stacey)
7pm Hip Hop (Miss Stacey + Mr Jalin)

Thursday

4pm Jr tap (5-8yrs) (Miss Kristy)
5pm Inter Tap (9-12yrs) (Miss Kristy)
6pm Pre-Teen/Teen Belly Dance Fusion (9+) (Miss Michele)
7pm Adult Belly Dance (18+) (Miss Michele)
8pm – 10pm Rented

Friday

10am Pre-Teen Ballet (8-11yrs) (Miss Lucy/Miss Sophia/Miss Kayla)
11am *Comp Musical Theatre (12+) (Miss Lucy/Miss Kayla/Miss Sophia)
12pm *Comp Jazz (12+) (Miss Lucy/Miss Sophia/Miss Kayla)
1pm * Comp Lyrical (12+) (Miss Lucy/Miss Sophia/Miss Kayla)
2pm Teen Ballet (12+) (Miss Lucy/Miss Kayla/Miss Sophia)

Sunday

12pm Acro (5-7yrs) (Miss Dawn)
1pm Acro (8+) (Miss Dawn)

Minimum of 4 students/class to run

*** By audition and invitation only**

*** At times this class will be used for cleaning competition dances**

© 2023 by Name of Template. Proudly created with Wix.com



The Corporation of the City of Grand Forks

Public Hearing AGENDA

Meeting #: PH-2019-01
Date: Monday, February 11, 2019, 6:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

This is Exhibit "C" referred to in the affidavit of Alice Huynh sworn before me at Vancouver BC this 9th day of May 2019.

A Commissioner for taking Affidavits for British Columbia
Pages

1. Call to Order

The Chair will call the Hearing to Order:

(a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend the City of Grand Forks Zoning Bylaw No. 2039.

(b) All persons who believe that their interest in property within the boundaries of the City is affected by the proposed bylaw(s) shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw(s) that are the subject of this Hearing. No one will be or should feel discouraged or prevented from making their views known. This Hearing is open to the public and all representations to Council form part of the public record. A live video and audio feed may be broadcast and recorded by GFTV.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after Jan 30, 2019 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Members of Council may ask questions, if they so wish; however, the main function of Council members is to listen to the views of the public. It is not the function of Council to debate the merits of the proposed bylaw with individual citizens or with each other at this Hearing.

(e) Council debate on the proposed bylaw(s) is scheduled to take place during the next Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached at that meeting.

(f) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Hearing.

(g) During a Public Hearing, people sometimes become enthusiastic or emotional. Regardless of whether you favour or oppose any application or argument, please refrain from applause or other expressions of emotion. Restraint enables others whose views may or may not coincide with your own to exercise their right to express their views and have them heard in as impartial a forum as possible.

2. Notification of Meeting

3. Individual Bylaw Submissions

- a. Public Hearing – Rezoning from R1 - Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone) to accommodate a Mobile Home Park and Ecological Reserve – Boundary Drive North (File: ZA1803) 3 - 6
Development, Engineering and Planning
- b. Public Hearing - Zoning Amendment Bylaw 2039-A3 7 - 13
Development, Engineering & Planning

4. Adjournment

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Planning Department);
- (b) The Chair will request that the Corporate Officer indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - i. The microphone at the delegates table has been provided for any person(s) wishing to make representation at the Hearing.
 - ii. The Chair will recognize ONLY speakers at the delegation table.
 - iii. Those who wish to speak concerning the proposed bylaw should, at the appropriate time, commence your address to the Council and the meeting by clearly stating your name and address.
 - iv. Speakers are encouraged to limit their remarks to 5 minutes; however, if they have additional information, they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the next Regular Meeting, unless for clarification.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. Please ask staff for assistance prior to the Hearing if required.

Request for Decision



To: Regular Meeting
From: **Development, Engineering and Planning**
Date: January 28, 2019
Subject: First and Second Reading – Rezoning from R1 - Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone) to accommodate a Mobile Home Park and Ecological Reserve – Boundary Drive North (File: ZA1803)
Recommendation: **THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A2.**

Background

Overview

At the Committee of the Whole meeting on January 14, 2019 (see Agenda item No. 8.c.), Council recommended that first and second reading be given to Zoning Bylaw Amendment No. 2019-A2 which would rezone 1.2 hectares (3 acres) from R1 – Residential (Single and Two Family Zone) to CD - 1 (Comprehensive Development 1 Zone). This rezoning would accommodate a 25-unit mobile home park and ecological reserve at the northerly extent of Boundary Drive (see proposed bylaw attached).

Once the rezoning bylaw receives first and second reading, Council must hold a Public Hearing to receive community input prior to adopting the bylaw. Notice of the Public Hearing is advertised for two consecutive weeks in the Gazette and sent to all owner/occupants within 30 metres of the site. The Public Hearing is tentatively scheduled for February 11, 2019 (6pm).

Application Details

Details about the applicant and the site are as follows:

Applicant/Owner: Vadim Kobasew, PO Box 779, Osoyoos, BC V0H 1V0

Agent: Orchard Lane Properties Inc., PO Box 779, Osoyoos, BC V0H 1V (250-490-7959)

Civic Address: 7900/8000 Block of Boundary Drive (including 8051 Boundary Drive)

Legal Descriptions (three lots to be consolidated):

Lot 16, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-136 (1 acre).

Lot 17, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-152 (1 acre).

Lot 18, Block 1, Plan KAP586, District Lot 380, Land District 54; PID: 012-190-217 (1 acre).

Current Zoning: R1 (Residential – Single and Two-Family) Zone.

Proposed Zoning: Comprehensive Development (“CD”) Zone 1 which generally includes a) specific regulations regarding setbacks, fencing, landscaping and size of mobile home spaces; b) site layout and development tied to site specific plans contained in the bylaw; and, c) designation of an ecological reserve area to protect the existing wetland and ensure adequate building setbacks from it.

Issues to be Resolved Prior to Bylaw Adoption

The applicant will be required to address the following matters prior to final adoption of the rezoning bylaw:

- Completion and execution of a Works and Services agreement with the City (as per Bylaw No. 1970) which will specify duties and obligations respecting the provision of sewer, water, roads, drainage, stormwater management, fire protection, electrical and performance securities to ensure that servicing infrastructure is adequately installed and maintained;
- Consolidation of the three parcels into one and submission of a survey of the wetland as endorsed by a qualified environmental professional;
- Landscaping and screening to mitigate impacts on adjacent development and the wetlands including bonding/security to ensure that the landscaping is undertaken and maintained to a specified standard;
- Payment of Development Cost Charges (DCCs) as per City bylaws. *(Note: The applicant is requesting that DCCs be waived for the smaller mobile homes. DCCs are payable at the time of building permit for each dwelling unit and requests to waive DCCs must be made on a case by case basis. DCCs must be paid by the land owner/developer and not be passed on to the owners of the mobile homes);* and
- City acceptance of any latecomer or related agreements proposed as per the Local Government Act or Community Charter.

Timing

If the rezoning application receives first and second reading, the next steps and estimated time frame are outlined below:

| Activity | Timing |
|--|---|
| First and second reading of the rezoning bylaw. | January 28, 2019 |
| Public Hearing advertised twice and residents within 30 metres notified in writing of the application. | January 30 & February 6 th , 2019 |
| Public Hearing held by City Council. | February 11, 2019 |
| Third reading of the rezoning bylaw. | February 11, 2019 (subject to results of Public Hearing) |
| Works and services agreements finalized; MOTI approval; development permit reviewed. | February/March, 2019 |
| Final reading of the bylaw and Development Permit (Environmental) considered for approval. | March 11 or 25 th , 2019 |

| Activity | Timing |
|---|-------------|
| Site servicing; building permit applications reviewed and issued. | April, 2019 |

Benefits or Impacts

General

This bylaw enacts a zoning provision to accommodate comprehensively designed, site specific developments in the City that involve sensitive ecosystem protection, contain unique elements of benefit to the community or deliver affordable and innovative housing.

Strategic Impact



Community Engagement

- The public will be advised and invited to comment on the rezoning application in writing and through advertisements in the Gazette. A public hearing will be held to allow Council to hear any comments or concerns respecting the proposal.



Community Livability

- The project would contribute much needed affordable housing to the City and offer an alternative to regular rental or fee simple ownership.



Economic Growth

- An alternative housing type may make it easier and more affordable for the local work force to relocate to or remain in Grand Forks. Once a municipal sewer/water line is brought to this site, fronting land owners may be able to utilize the servicing which may induce new developments in the area.

Policy/Legislation

The Official Community Plan, Zoning Bylaw, Local Government Act and the Planning Process and Fees Bylaw.

Attachments

Bylaw No. 2039-A2

Recommendation

THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A2.

Options

1. THAT Council accepts the report and gives first and second readings to Bylaw No. 2039 – A2.
2. THAT Council does not accept the report or undertake the bylaw readings.
3. THAT Council refers the matter back to staff for further information.

Request for Decision



To: Regular Meeting
From: Development, Engineering & Planning
Date: January 28, 2019
Subject: First and Second Reading –Amendments to the Zoning Bylaw with respect to cannabis retail stores, accessible parking spaces and other minor changes (File: ZA1901)
Recommendation: **THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A3, 2019.**

Background

Overview

At the regular meeting on January 14, 2019, Council passed a resolution directing staff to bring forward a zoning bylaw amendment to eliminate the 100 metre separation distance between cannabis retail stores in the City and to eliminate the requirement for signs and the front face on these stores to be at least 50 metres from a controlled highway (i.e., Highway No. 3).

Bylaw No. 2039-A3 (attached) addressed these two regulations as well as several other minor “housekeeping” issues intended to clarify the intent of the zoning bylaw and update certain regulations as summarized in Table 1 below.

| Table 1: Summary of Proposed Zoning Bylaw Amendments | | |
|--|---|--|
| Section Reference | Amendment | Intent |
| 58.3 Cannabis Retail Overlay (CRO) | To delete the 100 metre separation distance required between cannabis retail stores in the City. | To streamline the provincial licencing and municipal approval process and to create market access equity among cannabis retail store applicants. Eliminates municipal involvement in market competition in this retail sector. |
| 58.4 Cannabis Retail Overlay (CRO) | To delete the requirement for building facades and signage to be set back 50 metres from Highway No. 3. | To permit more equitable access to the cannabis retail market among stores in the city. |
| 26.6 Offstreet Parking | To require 2% of parking spaces for non-residential uses to be accessible, with a minimum of one space per site. To require the size of these spaces to | To ensure that suitably sized accessible parking stalls are provided for non-residential land uses in the City. The British Columbia Building Code 2018 no longer regulates accessible parking so it now the responsibility of the City. This |

| Table 1: Summary of Proposed Zoning Bylaw Amendments | | |
|--|--|--|
| Section Reference | Amendment | Intent |
| | be at least 2.8 metres wide with an additional 1.2 metres on both sides of the stall to allow wheelchair access. | amendment brings in regulations for the number and size of accessible parking spaces required for non-residential land uses. The new regulation is based on standards recommended by the <i>Ministry of Transportation and Infrastructure</i> and the <i>Institute of Transportation Engineer's</i> publication entitled "Guidelines for Parking Facility Location and Design". |
| Sections 36.4 (R-1 zone), 39.5 (R-2 zone) and 40.7 (R-3 zone) | Clarify the types of dwelling units permitted in certain residential zones. | To eliminate ambiguity with respect to the interpretation of these sections. |
| Various sections; NC, I-1, I-2, I-3, I-4, LF, R-4 and R-4A | Add "animal hospitals" as a permitted use in commercial, industrial and rural residential zones. | To allow animal hospitals to locate in areas other than in the downtown or highway commercial areas. |
| Section 47 HC Highway Commercial Zone and Section 50 I-1 Light Industrial Zone | Add "professional services" as a permitted use in the HC and I-1 zones. | To allow additional flexibility as to where professional offices (i.e., doctors, lawyers) can locate in the City. |

Timing

If the zoning amendment receives first and second reading, the next steps and estimated time frame are outlined below:

| Activity | Timing |
|---|---|
| First and second reading of the zoning bylaw amendment. | January 28, 2019 |
| Public Hearing advertised for two consecutive weeks. | January 30 & February 6 th , 2019 |
| Public Hearing held by City Council. | February 11, 2019 |
| Third and final reading of the zoning bylaw amendment. | February 11, 2019 (subject to results of Public Hearing) |
| Implementation. | February, 2019 |

Benefits or Impacts

General

The amendments to the cannabis separation/setback distances will create more equitable access to the market for potential retailers and streamline the provincial/municipal licencing process without compromising other siting regulations related to neighbourhood impacts, safety, etc.

The text amendments will eliminate some regulation ambiguities and allow more flexibility for animal hospitals and professional services to locate in the City.

Strategic Impact



Community Engagement

- A statutory Public Hearing will be held to encourage and receive feedback from the community on the zoning amendment proposals.



Community Livability

- Adding best practices for accessible parking into the zoning bylaw will improve community livability for community members with accessibility challenges.



Economic Growth

- The process for applying for a cannabis retail store licence will be more transparent allowing applicants to make more informed decisions as to where they may propose to establish a store.
- Requiring accessible parking will make it easier for those with mobility challenges to fully participate in the local economy.



Fiscal Responsibility

- The text amendments will provide clarification to the zoning bylaw and reduces staff time associated with interpreting and clarifying the intent of the bylaw.

Policy/Legislation

Freedom of Information and Protection of Privacy Act, Zoning Bylaw, Official Community Plan, Local Government Act, Ministry of Transportation and Infrastructure Policy No. 5.2.4 and "Guidelines for Parking Facility Location and Design" (Institute of Transportation Engineers).

Attachments

Zoning Bylaw Amendment No. 2039-A3, 2019

Recommendation

THAT Council gives first and second reading to Zoning Bylaw Amendment No. 2039-A3, 2019.

Options

1. THAT Council accepts the report and gives first and second reading to the bylaw.
2. THAT Council does not accept the report.
3. THAT Council refers the bylaw back to staff for further information.

THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A3

**A Bylaw to Amend the City of Grand Forks
Zoning Bylaw No. 2039, 2018.**

=====

The Corporation of the City of Grand Forks **ENACTS** as follows:

1. This bylaw may be cited for all purposes as “**Zoning Bylaw Amendment Bylaw No. 2039-A3, 2019**”.
2. **Amend Bylaw No. 2039 as follows:**
 - 2.1. **DELETE** subsection 58.3 and replace with:

58.3 Unless otherwise permitted in this bylaw, no building or structure may be within 100m of the nearest parcel boundary of a lot in a Community Use Zone or a youth-centred facility.
 - 2.2. **DELETE** subsection 58.4 and renumber accordingly.
 - 2.3. **DELETE** subsection 26.6 and replace with:

26.6 For non-residential uses, at least 2% of the required offstreet parking areas shall be designated as accessible for persons with disabilities, with a minimum of one space per site. Each offstreet accessible parking spaces for persons with disabilities shall not be smaller than 2.8 metres wide with an additional 1.2 metres on both sides of the space to allow for wheelchair access.
 - 2.4. **DELETE** section 2 (Definitions), subsection 2.1, dwelling unit classification (a) and replace with:
 - (a) Single-family dwelling, detached, generally designed for and occupied by one family.
 - 2.5. **DELETE** subsection 36.4 and 39.5 and replace subsection 36.4 and 39.5 with:

The following types of dwelling units are allowed on a parcel of land:

 - (a) One single-family dwelling, plus one secondary suite and one garden suite; or
 - (b) One two-family dwelling, plus one garden suite;
 - 2.6. **DELETE** subsection 40.7 and replace with:

40.7 The following types of dwelling units are allowed:

 - (a) multi-family dwellings;

(b) apartment buildings.

2.7. **INSERT** *animal hospitals* as a permitted use in the following zones: NC (Neighbourhood Commercial), I-1 (Light Industrial), I-2 (General Industrial), I-3 (Value Added Industrial), I-4 (Gravel/Mineral Processing), LF (Landfill), R-4 (Rural Residential) and R-4A (Rural Residential), and renumber the relevant section(s) or subsection(s) accordingly.

2.8. **INSERT** *professional services* as a permitted use in the following zones: HC (Highway Commercial) and I-1 (Light Industrial) and renumber the relevant section(s) or subsection(s) accordingly.

Read a **FIRST** time this ____ day of _____, 2019.

Read a **SECOND** time this ____ day of _____, 2019.

PUBLIC HEARING HELD this ____ day of _____, 2019.

Read a **THIRD** time this ____ day of _____, 2019.

FINALLY ADOPTED this ____ day of _____, 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true copy of Bylaw No. 2039-A3 as passed by the Council of the City of Grand Forks on the _____ day of _____ ,

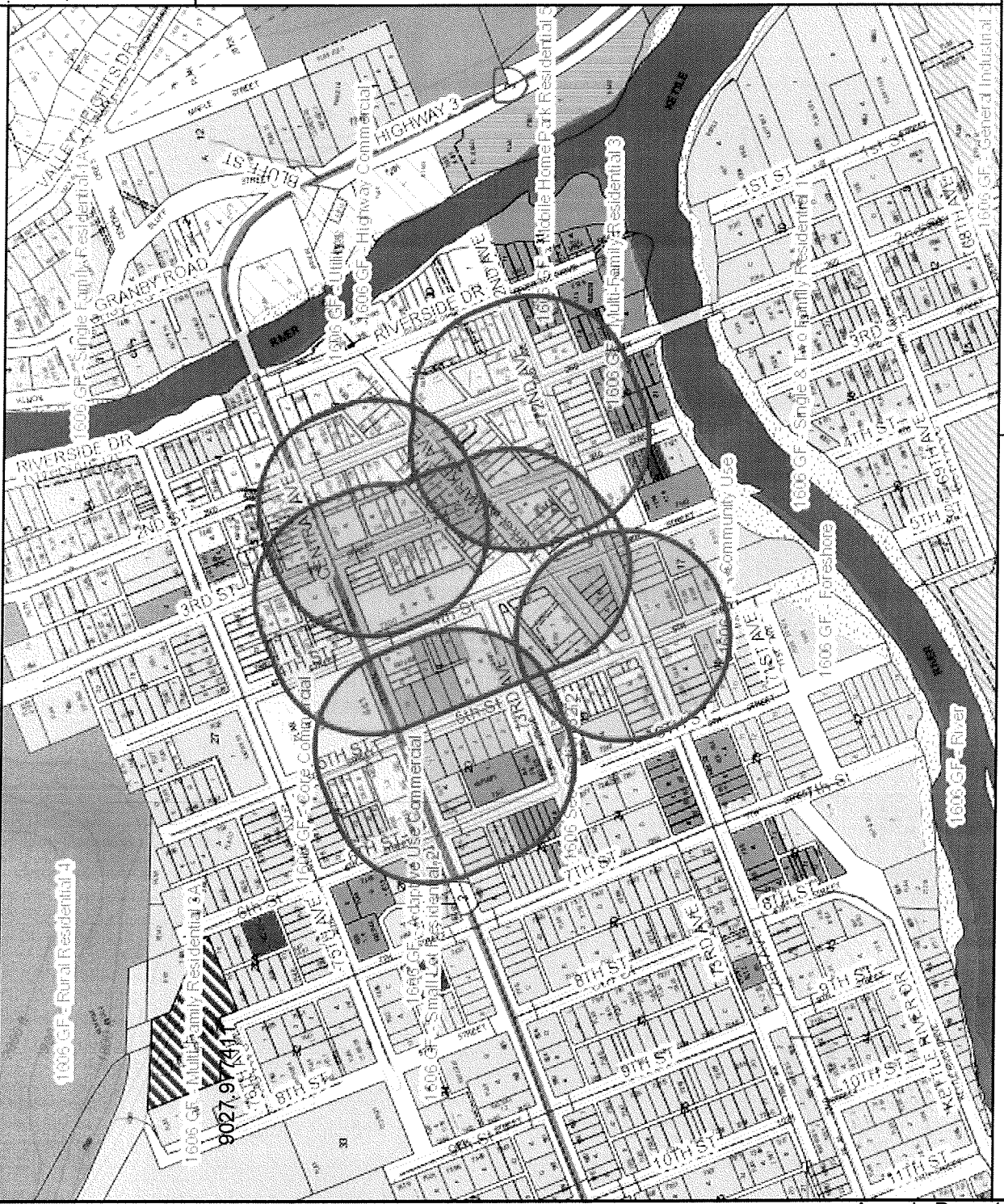
Corporate Officer of the Corporation of the
City of Grand Forks

This is Exhibit "D" referred to in the affidavit of Alice Hrynchuk sworn before me at Vancouver, BC this 04 day of May 2019

A Commissioner for taking Affidavits for British Columbia
Grand Folks

RDKB Internet Mapping

Regional District of Kootenay Boundary
 Interactive Mapping System



Legend

- Admin
- Cadastral Lines
 - CAD_DISTRICT_LOT
 - CAD_GAS
 - CAD_HIGHWAY
 - CAD_HYDRO
 - CAD_INTER_BDY
 - CAD_LOTLINE
 - CAD_LOTLINE_LICENSE
 - CAD_LOTLINE_WATER
 - CAD_RAILWAY
 - CAD_RAILWAY_ABAN
 - CAD_ROAD
 - CAD_TELEPHONE
 - CAD_TOWNSHIP
- Miscellaneous Cadastral Lines
 - CADM_AIRSTRIP
 - CADM_ARROW
 - CADM_BRIDGE
 - CADM_DEWDNEY_TRAIL
 - CADM_EASEMENT
 - CADM_HOOK
 - CADM_LEASE_LICENSE

Scale: 1:7,445
 1 cm represents 74.44 m

Notes:

Printed on 04-May-2019

Datum: WGS 84 Projection: Web Mercator

This map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.



James Donaldson Park



This is Exhibit "E" referred to in the
affidavit of Alice Huynh
sworn before me at Vancouver, B.C.
this 4th day of May, 2019
[Signature]
Commissioner for taking Affidavits
for British Columbia

Imagery ©2019 DigitalGlobe, Map data ©2019 Google



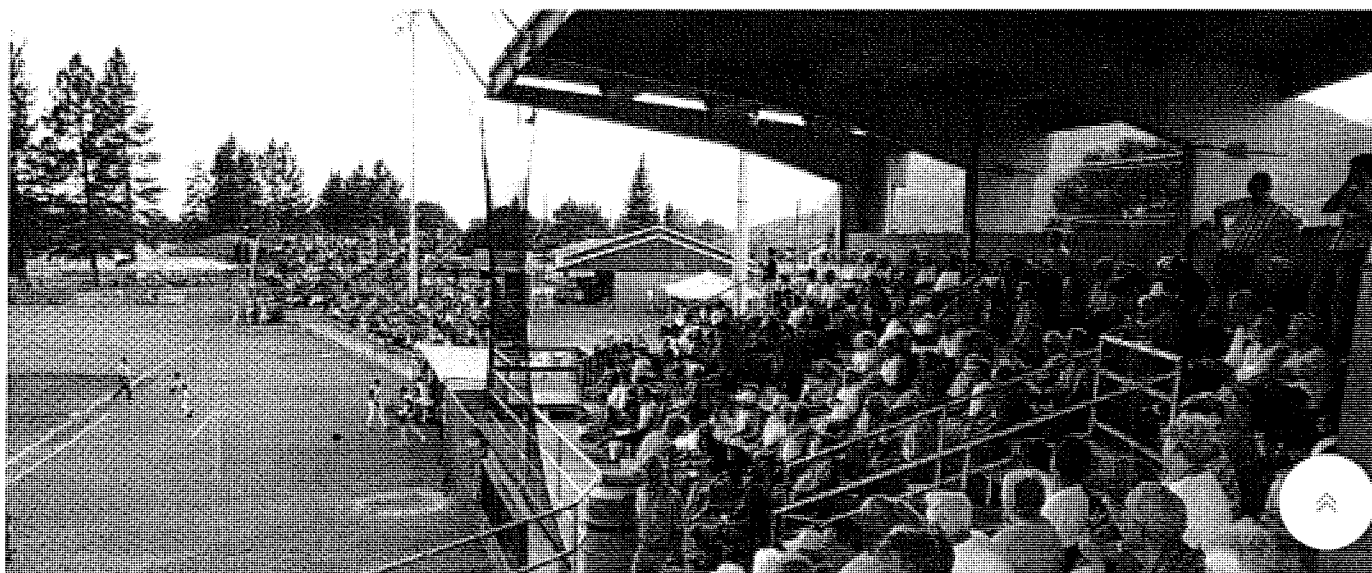
his is Exhibit "F" referred to in the
 affidavit of Alice Hymn
 sworn before me at Vancouver, BC
 this 9th day of May 2019

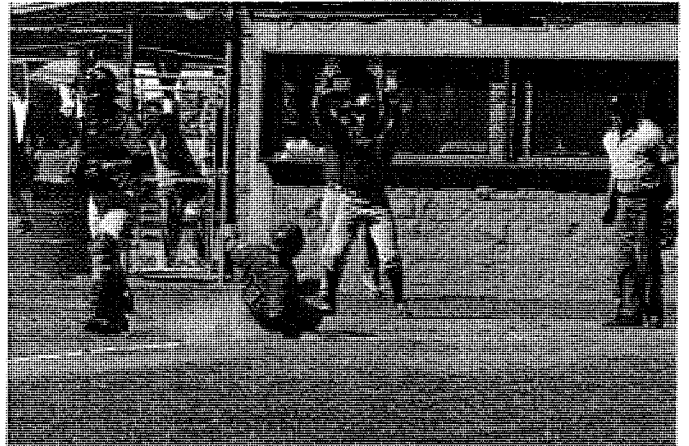
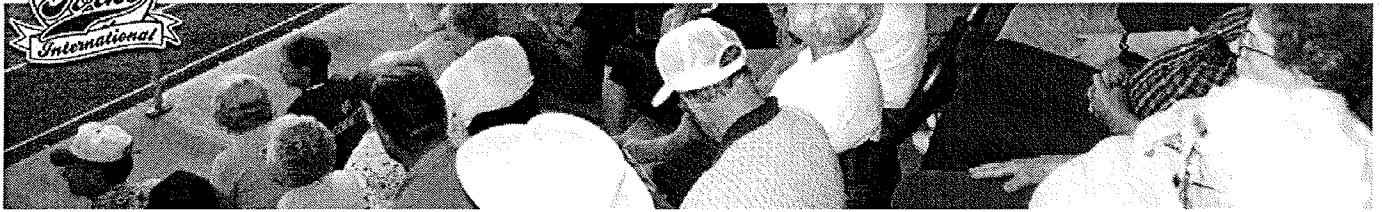
A Commissioner for taking Affidavits
 for British Columbia

Photos









Sponsors

Grand Forks
Gazette

Recent Posts

Tournament Passes on Sale Now

GFI 37th – Teams Announced





GFI 2018 for the NW Honkers



GFI on Facebook



Grand Forks International (...
1,040 likes

Like Page

Share

Timeline

Events

Be the first of your friends to like this





THE CUBANS ARE COMING!

and we need billets!

The GFI is pleased to welcome the
Union de Reyes team from Matanzas, Cuba
to this year's tournament.

We are in need of billets who could provide:

- a bed (no couches please)
- provide meals when the player is not at the ball park
- transport to and from the ball park

Hosts will receive a free tournament pass for each
member of their immediate family.

These are college aged boys that require billeting.
If you have room and would like to
enjoy a cultural experience please contact
the GFI @ 250.442.8323 or
email: gfibaseballsociety@gmail.com





[HISTORY](#)

[GFI HALL OF FAME](#)

[VOLUNTEERS](#)

[CONTACT US](#)

[LINKS](#)

Access GFI

[FAQ](#)

[TICKET OPTIONS](#)

[SCHEDULE](#)

[RULES](#)

[SCORES & STANDINGS](#)

[NEWS](#)

Past Teams

[2016 TEAM LINE UP](#)

[2015 TEAM LINE UP](#)

[2012 TEAM LINE UP](#)





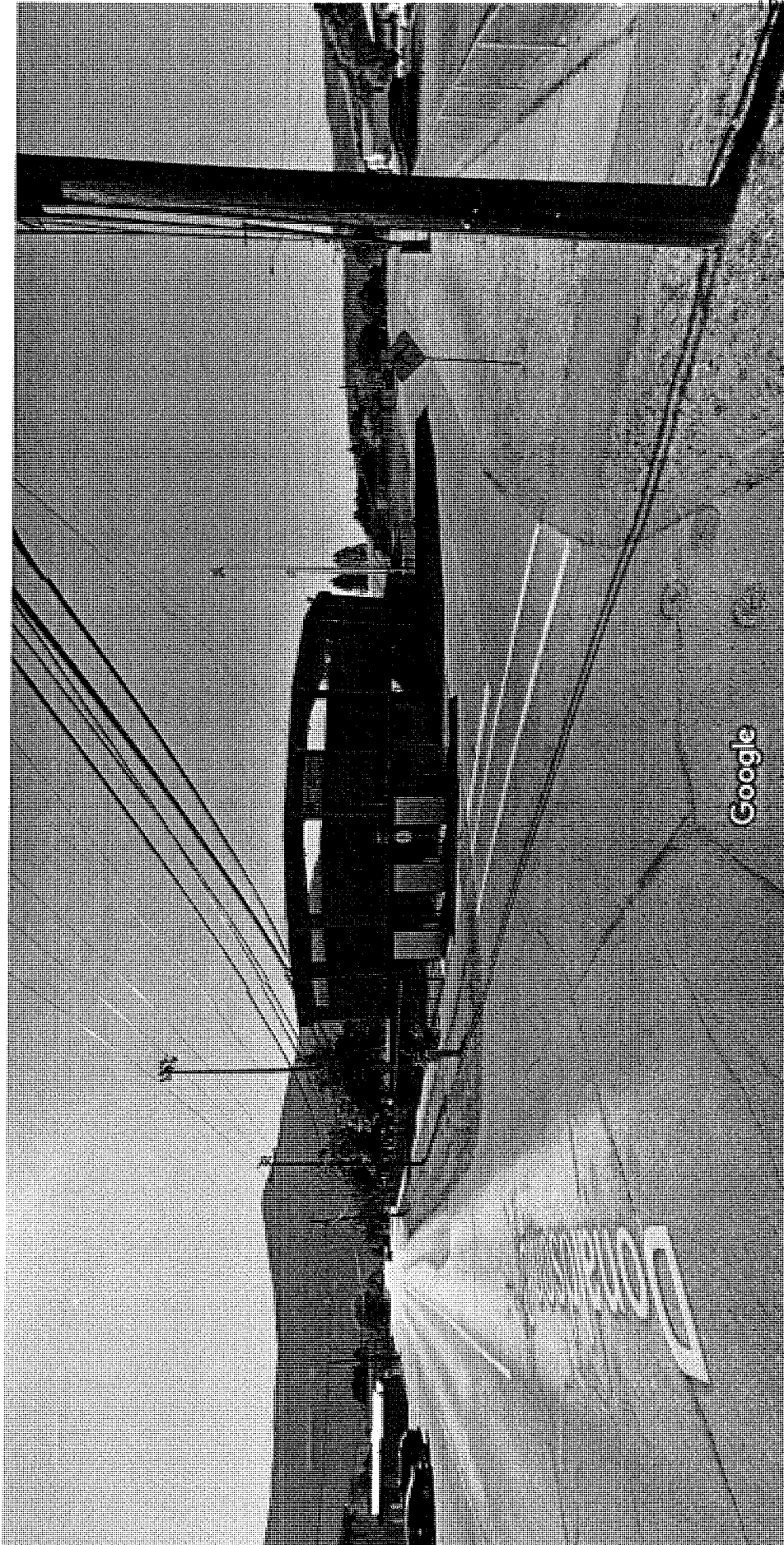
WEBSITE BY CODE'S CAD



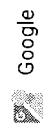
© GRAND FORKS INTERNATIONAL



Google Maps 7515 Donaldson Dr



Grand Forks, British Columbia

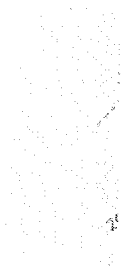


Street View - Oct 2012

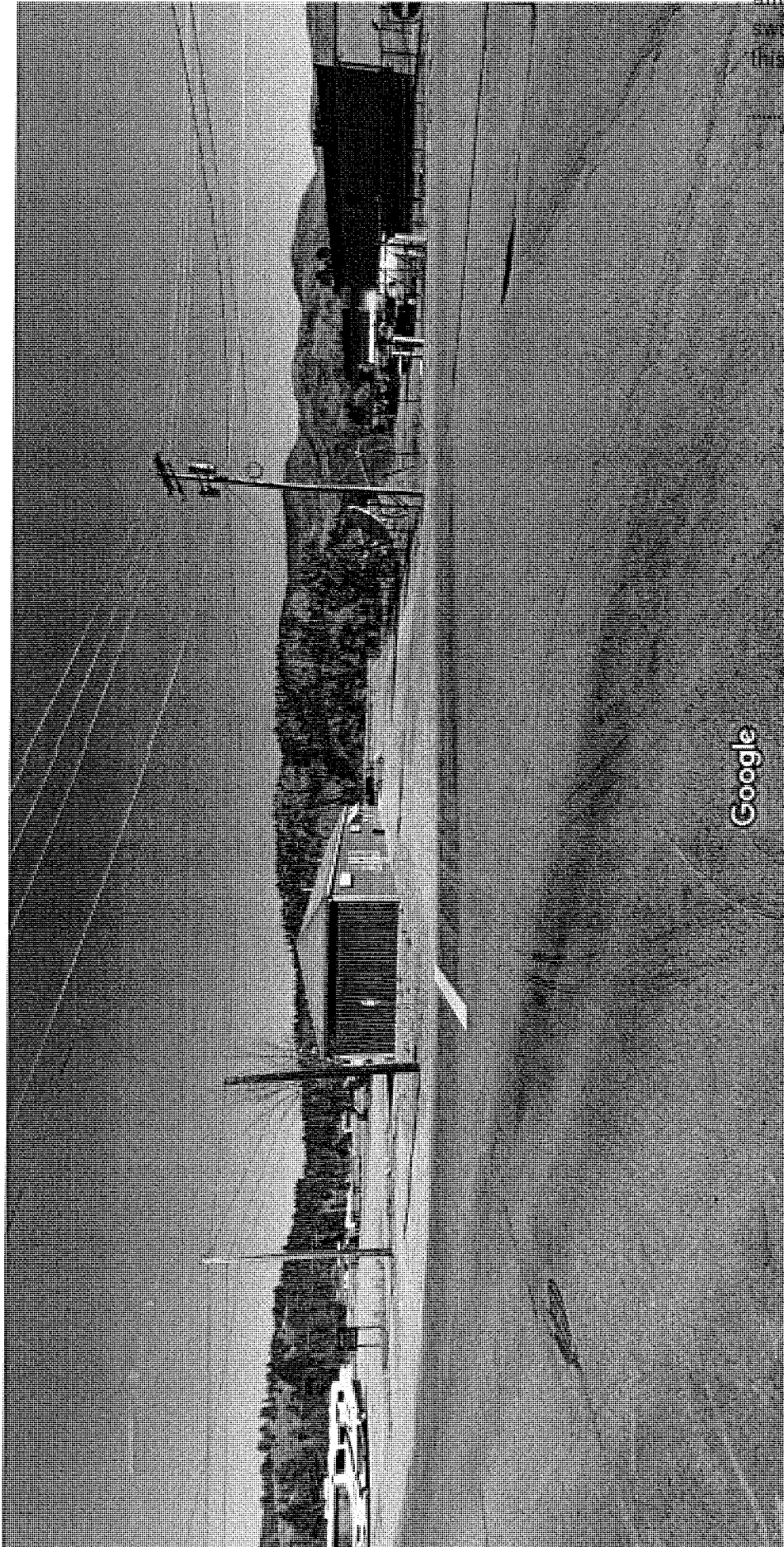


<https://www.google.ca/maps/@49.0294276,-118.4622807,3a,75y,193.85h,87.71t/data=!3m4!1scgycY6xb4ZMZwckAvmSe1Q!2e0!7113312!8i6656>

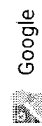
This is Exhibit "A" referred to in the
Affidavit of Alice Huynh
made before me at Vancouver, B.C.
on the 14 day of May, 2019.
[Signature]
Commissioner for taking Affidavits
for British Columbia



19 St



Grand Forks, British Columbia



Street View - Oct 2012



Image capture: Oct 2012

This is Exhibit "H" referred to in the
affidavit of Alice Huynh
sworn before me at Vancouver, B.C.
this 16 day of May, 2019
A Commissioner for taking Affidavits
for British Columbia

38
https://www.google.ca/maps/place/7500+Donaldson+Dr,+Grand+Forks,+BC+V0H+1H0/@49.0293013,-118.4621711,3a,75y,34,45h,85.38t/data=!3m6!1e1!3m4!1sccE4G2T3uiaozl6QmJJKygz2o!7!135

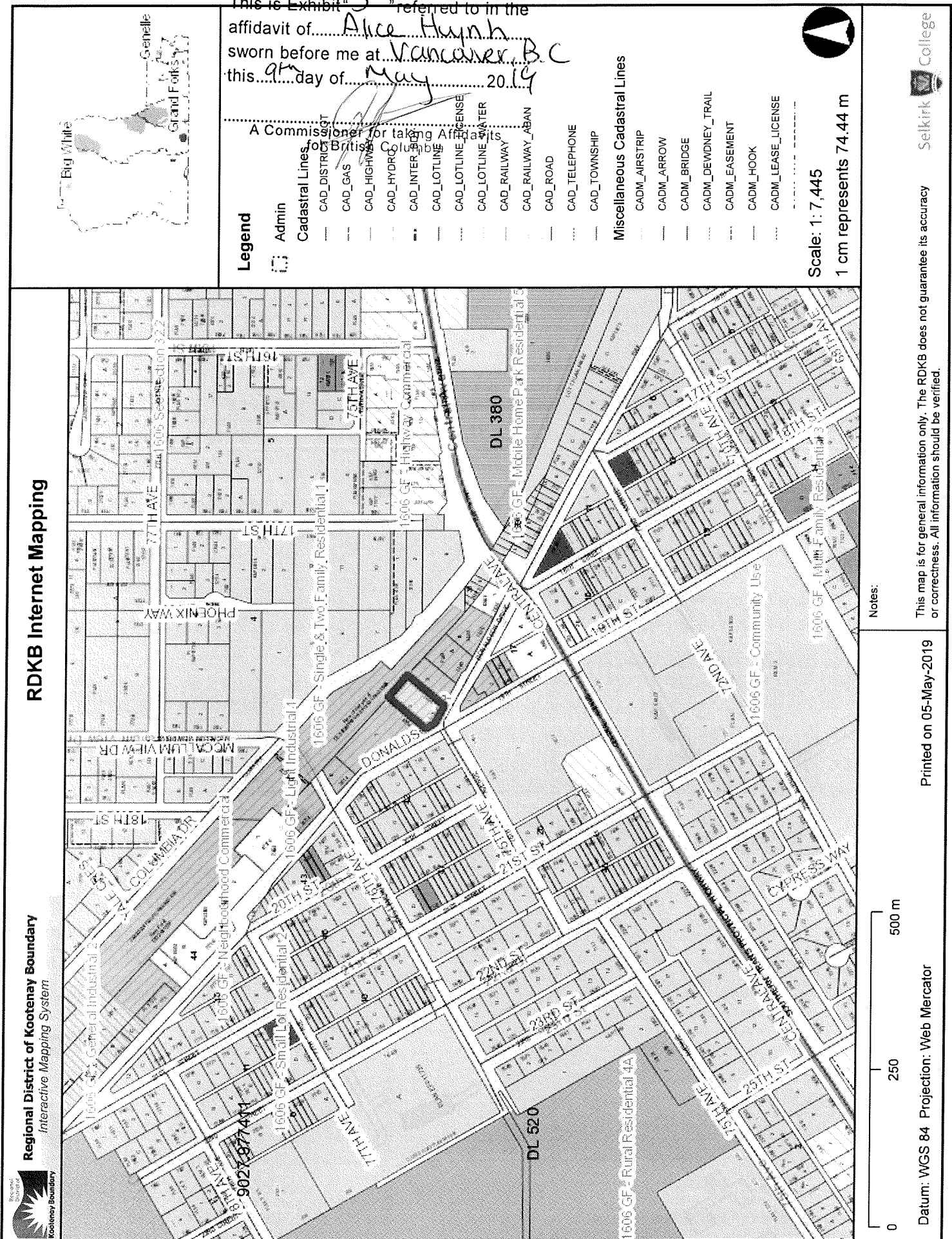


Imagery ©2019 DigitalGlobe, Map data ©2019 Google

Measure distance

Total distance: 61.74 m (202.55 ft)

This is Exhibit "I" referred to in the
affidavit of Alice Hryn
before me at Vancouver, BC
this 14 day of May, 2019
[Signature]
Commissioner for taking Affidavits
for British Columbia



RDKB Internet Mapping

Regional District of Kootenay Boundary
Interactive Mapping System

This is Exhibit "J" referred to in the affidavit of Alice Huynh sworn before me at Vancouver, B.C. this 9th day of May, 2019

A Commissioner for taking Affidavits for British Columbia

Legend

- Admin
- Cadastral Lines
- CAD_DISTRICT_ST
- CAD_GAS
- CAD_HIGHWAY
- CAD_HYDRO
- CAD_INTERLINE
- CAD_LOTLINE
- CAD_LOTLINE_EASEMENT
- CAD_LOTLINE_WATER
- CAD_RAILWAY
- CAD_RAILWAY_ABAN
- CAD_ROAD
- CAD_TELEPHONE
- CAD_TOWNSHIP
- Miscellaneous Cadastral Lines
- CADM_AIRSTRIP
- CADM_ARROW
- CADM_BRIDGE
- CADM_DEWDNEY_TRAIL
- CADM_EASEMENT
- CADM_HOOK
- CADM_LEASE_LICENSE

Scale: 1:7,445
1 cm represents 74.44 m

Notes:

Printed on 05-May-2019

Datum: WGS 84 Projection: Web Mercator

This map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.





41
This is Exhibit "K" referred to in the
affidavit of..... Alice Huynh.....
sworn before me at Vancouver, BC
this 9th day of May 2019

.....
A Commissioner for taking Affidavits
for British Columbia

April 24th, 2019

Board of Variance, City of Vancouver
Room 112, 1st Floor, City Hall
453 West 12th Avenue
Vancouver, BC V5Y 1R3

Attn: Louis Ng, Gilbert Tan, Denise Brennan, Namtez (Babbu) Sohal, Jasmean Toor and Simona Tudor.

Re: Board of Variance for 2580 Kingsway - DP-2019-0041

Dear Sir/Madam,

I am writing to you as the Landlord of the property located at 2580 Kingsway, which is currently leased to Weeds Glass & Gifts Ltd. I, must admit, that I was, disappointed to hear that the Development Permit was not approved. It seems unfair that the permit was rejected because it was too close to a school. This seems unfair as there are other factors that should be considered that may offset this distance related rejection. As an Owner/Property Manager for over 45 years, (both residential and commercial property), I can honestly say, that "Weeds" has been the best tenant I have ever had. Being my Tenant for over 5 years, they have never been late with the rent, have never complained to me (except when their toilet was plugged), always kept the adjoining vacant lot free of garbage (I learned later that Don Briere, the proprietor of Weeds, started a regular block clean up by the store staff when garbage was an issue) and most importantly, showed the utmost respect to not only me but others as well. It is known they donate funds resources and their time to many good causes. .

There are 5 residential units above the Weeds and for the past 5 years, I have never received any complaints from them or any other neighbours in the area as it relates to noise or selling to youths.

It will be very difficult to find another tenant as responsible as Weeds. To allow and unknown store in the future to be allowed just because they may be a few meters farther from the school seems unfair. Obviously, if Weeds was to close, it will be a hardship for me to find a tenant as responsible and responsive. I anticipate the community in general will also suffer.

Thank you for your time and consideration. I hope you vote to accept the appeal and award Weeds their development permit..

Yours truly,

Kenneth Sam
Owner 2580 Kingsway
604 649-1580

Ken Sam ♦ 1405 47th Ave. East, Vancouver, BC. V5P 1P5 ♦ Tel 604 649-1580

June 24, 2019

Leford Lafayette
Development and Engineering
City of Grand Forks
llafayette@grandforks.ca

Dear Mr. Lafayette:

Re: Development Variance Permit No. DVP1901 Proposed Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive

Thank you for the opportunity to provide comments from a healthy communities perspective regarding the above referenced application. It is my understanding that this referral is for a variance to subsection [58.3 of Zoning Bylaw 2039](#) that regulates the distance a Non-Medical Retail Cannabis Store can be relative to a community use zone.

In order to reduce harmful cannabis patterns of consumption in the general population, Interior Health recommends you consider supporting a public health approach to the retail sale of non-medical cannabis. Locations that reduce exposure to cannabis marketing to youth and discourage harmful patterns of consumption in the general population are the desired option. Aligned with *subsection 58.3 of Zoning Bylaw 2039*, this includes distancing retail locations from youth- centred facilities and outdoor spaces. As indicated in the referral package, this retail location is within 36m of James Donaldson Park which may be used for youth baseball and other recreational opportunities. Though outside the 100m buffer listed in the Bylaw, this proposed retail location is also within 350m of the arena and Aquatic Centre which may be used by youth.

The proposed hours of operation of this retail location are to be 9:00am -11:00 pm. Interior Health also recommends further restricting the hours of operation of this proposed retail location to prevent excessive consumption and related harms.

Additionally, considering a standalone smoke free bylaw to include tobacco, vapour, and cannabis smoke can help to protect residents in public places. Many communities are amending their bylaws to ensure cannabis is included. For more information please contact Tobacco Reduction Coordinator, Jacqueline Duncan, at [REDACTED]

The legalization of cannabis presents both an opportunity and challenge for local governments in the development of healthy, vibrant communities. Interior Health – Healthy Communities welcomes the opportunity to collaborate with the City of Grand Forks around education and awareness efforts.

Please feel free to contact me if you have any further questions or comments.

Sincerely,



Kady Hunter
Healthy Communities – Population Health

Bus: [REDACTED]
hbe@interiorhealth.ca
www.interiorhealth.ca

Population Health
333 Victoria Street
Nelson, BC, V1L 4K3

Request for Decision



To: Regular Meeting
From: **Corporate Services**
Date: February 24, 2020
Subject: Policy 115 – One Employee of Council
Recommendation: **THAT Council approves Policy #115 “CAO - One Employee of Council”.**

Background

At the Regular Meeting of Council on January 27, 2020, Council gave final reading to the Officers Position Establishment Bylaw No. 2062.

During discussions regarding this Bylaw, staff was asked to create a “CAO - One-Employee of Council” policy to codify the City of Grand Forks’ practices into policy.

Most of the framework of the new policy was based on a similar policy from the District of Lake Country. Their policy has become the example template for a One Employee Policy at the Local Government Management Association (LGMA). Our staff have adjusted the template policy to ensure that key elements requested by Council were added, including reports to Council of changes to the organizational structure or staffing.

Policy 115 was introduced for discussion at the Committee of the Whole meeting on February 10. It is now presented for adoption.

Benefits or Impacts

General

Formalizes current practices into an updated policy which is consistent with current bylaws and contracts.

Policy/Legislation

Bylaw 2062 – *Officers’ Position Establishment Bylaw*

Attachments

Policy 115 – *One Employee of Council*

Recommendation

THAT Council approves Policy #115 “CAO - One Employee of Council”.

Options

1. THAT Council adopts Policy 115.
2. THAT Council does not adopt Policy 115.
3. THAT Council refers the policy back to staff for further work.

Report Approval Details

| | |
|----------------------|---------------------------------------|
| Document Title: | 2020-02-24-Policy115-OneEmployee.docx |
| Attachments: | |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Daniel Drexler - Feb 18, 2020 - 10:37 AM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 10:39 AM



City of Grand Forks
7217 4th Street
Grand Forks, BC V0H 1H0
250.442.8266
www.grandforks.ca

Council Policy

CAO - One Employee of Council

Established: February 24, 2020

Rescinded: N/A

Contact Department: Corporate Services

Purpose

- To establish a 'CAO - One Employee of Council' Policy as identified in the current Officer Positions Establishment Bylaw 2062, or any amendments or replacements thereto, and to codify City of Grand Forks practices into policy.

Policy Statement

The City of Grand Forks endorses the 'CAO - One Employee of Council' model of Corporate structure. This model establishes the Chief Administrative Officer (CAO) as the sole employee of Council; all other City employees report (directly or indirectly) to the CAO rather than to Council. The CAO is the link between policy makers (Council) and policy implementers (staff).

Policy

- The CAO is Council's chief policy advisor. The CAO is responsible for providing Council with background information to make policy decisions, and for ensuring that administration carries out the policies in a neutral and efficient manner.
- The CAO as policy advisor is accountable to Council in the following roles:
 - Assistance in Direction Setting - provides Council with background information on actions and decisions of previous Councils; the role of planning in the budget process; the impact of work plans on administration; project commitments by past or current Councils; public consultation and engagement on community priorities.
 - Fiscal Management - ensures the municipality's finances are managed; provide ongoing advice to Council and to department heads.
 - Leadership - fosters positive administrative leadership to instill exceptional work ethics in all employees; mentoring of management skills; encourages new techniques and ideas for maximum efficiencies and unnecessary duplication; directing/selecting key senior positions within the organization; guides the vision and performance of the organization.
 - Relationship Building with Council - ensures that Council has full access to information and advice to support their governance functions; strong mandate for Council that focuses on political direction; ensures that enactment of bylaws, Council policies, and Council directives are properly carried out by staff.
 - Quality Reports to Council - provides quality reports that include comprehensive and well written background information, research data, jurisdictional, and budget implications that ensure the issue is addressed completely and fairly, and supported with an appropriate recommendation.
- The CAO or his or her designate is responsible for all hiring and firing within the corporation within the budgetary framework approved by Council for FTE's (Full Time Equivalents), PTE's (Part Time Equivalents) and contracted staff.

- Recognizing that City Council as the governing body has a right to be kept informed of changes within the Corporation; and that the three officers positions (CAO, CFO and Corporate Officer) require a formal process outlined in legislation prior to any terminations, City Council will be informed in the following ways:
 - City Council will approve the Organizational Chart and Staff Complement and all additions or deletions of positions which impact the budget.
 - City Council will be informed of any proposed hiring, firing, reclassifying or restructuring of individuals at the manager level before action is carried out by the CAO.
 - City Council will be informed of any changes to the organizational below the level of Manager, by either email (if deemed by the CAO to be significant) or within the quarterly HR report.
- The CAO is the link between Council and City employees. All Council directives, correspondence, and requests for information will be channeled through the CAO who will forward to the appropriate staff and ensure follow-up actions. All submissions to Council, including Staff Reports, delegation requests, and correspondence will be channeled through the CAO. Significant information provided to any member of Council, which is likely to be used in Council or in political debate, will also be submitted to the CAO who will ensure that all Council members are provided the information.

Request for Decision



To: Regular Meeting

From: **Interim CAO**

Date: February 24, 2020

Subject: 2020 Budget Recommendations

Recommendation: **1.THAT Council consider a general taxation increase of between 3 and 4% as per Policy 808.**

2. THAT Council direct Staff to increase the utility rates for water and wastewater by 3.5% as per Policy 808.

3.THAT Council, considering an anticipated electrical surplus, use a portion of that surplus to offset shortfalls in roads, water and sewer reserves.

4.THAT Council direct staff to develop a policy outlining the amount, time frame and direction of the electrical surplus re-allocations.

Background

The City of Grand Forks has undergone tremendous upheaval as a result of the 2018 flood. A robust and well thought out Asset Management Investment Plan (AMIP) has been disrupted, major changes in management have resulted in unanticipated salary and legal impacts to the Operations budget. With the Disaster Mitigation & Adaptation Fund (DMAF) program all but finalized, the financial hit on the City budget should now stabilize. Although, for the next three to five years there may still be issues (acquisition and relocation costs) which may impact the City financially.

In March 2018 Council approved a 3.0% (2018 Budget) increase to ensure the City's Asset Management Plan was not losing ground. Following the flood in 2019, Council approved a 0% budget (for 2019) as a gesture to help people impacted by the flood. Unfortunately, given a BC Annual inflation rate of 2.4% this was essentially a cut.

As a result of the unexpected costs of major HR changes, front ending flood expenses and a cut to the budget impacting both Capital and Operations, the current Financial Plan is out of alignment and needs to be adjusted to ensure the City is able to deal with unexpected costs associated with aging infrastructure, and to take maximum advantage/leverage of Grant opportunities as they come available as per Policy 808 and our AMIP.

All Communities in BC are under tremendous pressure to deal with Asset Management and that means higher than traditional tax increases this year. For example, Kelowna 3.9%, Vernon 4.9%, Castlegar 5.67% and Oliver 9%.

For this reason, it is my strong recommendation that taxes, and utility rates be brought back in line with Policy 808. Over the next year the impacts on the Operations budget will return to a more normal cashflow situation and reserves will begin to rebuild. The City of Grand Forks is rebuilding, and the situation is improving, however the next three to five years will have challenges and those rebuilt reserves may prove to be beneficial.

Regarding the utility rates, the initial water and wastewater rates adjustments from 2015-2018 forecast the following annual surpluses for utility rates to ensure asset management reserves were funded to 50% for each utility. 2019 and future years were supposed to achieve at least the same amount as 2018 and add increases as per policy 808.

| | 2015 | 2016 | 2017 | 2018 |
|------------|-----------|------------|------------|------------|
| Water | \$ 98,000 | \$ 196,000 | \$ 392,000 | \$ 392,000 |
| Wastewater | \$ 0 | \$ 30,000 | \$ 120,000 | \$ 435,000 |

The current projections from the proposed budget see the following surpluses for water and wastewater only:

Water: ~ \$274,000

Wastewater: ~ \$36,000

I would strongly recommend for the incoming CAO, Council and Staff to determine a course of action to ensure the anticipated cashflows are restored to those minimum values and when the updated AMIP is completed later this year to verify that these values are still adequate.

Benefits or Impacts

This recommendation is in line with Council Policy 808 and ensures asset management plan targets are maintained in a reasonable manner allowing for flexibility considering unknown impacts of DMAF implementation.

Recommendation

1. THAT Council consider a general taxation increase of between 3 and 4% as per Policy 808.
2. THAT Council direct Staff to increase the utility rates for water and wastewater by 3.5% as per Policy 808
3. THAT Council, considering an anticipated electrical surplus, use a portion of that surplus to offset shortfalls in roads, water and sewer reserves.

4. THAT Council direct staff to develop a policy outlining the amount, time frame and direction of the electrical surplus re-allocations.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|---|
| Document Title: | 20200224 - CAO - Budget Recommendation.docx |
| Attachments: | - 808 - Asset Management Financial Policy FINAL.pdf |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 11:05 AM

| | |
|--|------------------------|
| CITY OF GRAND FORKS | |
| POLICY TITLE: Asset Management Financial Policy | POLICY NO: 808 |
| EFFECTIVE DATE: January 11, 2016 | SUPERSEDES: NEW |
| | |
| APPROVAL: Council | PAGE: 1 of |

BACKGROUND

The City of Grand Forks' Sustainable Community Plan, which provides a vision for the City and guidance on addressing several key challenges facing the City. One of these challenges is: "How we do strategically and sustainably deliver affordable services to our community?" To help address this challenge, the City developed its Asset Management Program.

The City's Asset Management Program is founded on the concept of sustainable service delivery. This aims to ensure that current community service needs, and how those services are delivered (in a socially, economically and environmentally responsible manner), do not compromise the ability of future generations to meet their own needs. Failure to care for our infrastructure and manage our natural resources risks degrading, or even losing, the services our community enjoys, and that future generations may rely on.

At the core of sustainable service delivery is financial sustainability. A financially sustainable government provides valuable services to residents within available means while proactively taking measures to build and preserve services in the long run. Although the City can balance its operating budget to meet annual requirements, the City will have to adapt to revenue opportunities, expense pressures, and service demands that may change in the future. Only with stable and reliable revenues, and careful planning of expenditures, will the City be able to provide the services its residents need and enjoy both today and in the future.

Sustainable service delivery is achieved by ensuring that decisions made by staff and Council, both today and tomorrow, are guided by a cohesive set of principles and policies based on financial sustainability, as well as Council priorities. Asset Management BC has established a framework for sustainable service delivery.

The following wheel shows the systematic, integrated process the City will follow for Asset Management. The Framework, like this policy, is a living document. As best practices change and are updated, this Policy will also be periodically updated.



PURPOSE

The purpose of this document is to articulate the principles, strategies and policies to guide staff and Council in the work they do. This document provides the City with a blueprint for making good financial decisions through changing conditions, including the funding of asset renewal and aims to provide clarity to staff, Council and the community with respect to how financial decisions are made today and into the future.

This document is an important resource in the City's overall decision-making framework. The graphic below illustrates the components of the framework for financial management.



SCOPE

The scope of the principles and policies applies to decisions made by City Council and staff regarding financial management and service provision to residents, business and industry, in the following key areas:

1. Property taxation and Utility Rates
2. User Fees
3. Asset Renewal and Replacement
4. New Capital and Enterprise
5. Reserves and Surplus Funds
6. Debt
7. Grants
8. Development Finance
9. Operating

While each of these areas represents particular financial decisions regarding the financial balance – i.e., revenues and expenses – they are all interrelated and work together to provide the basis for the policy statements.

FINANCIAL MANAGEMENT PRINCIPLES

The financial management policy statements contained within this document are consistent with the principles presented below. These principles serve as a basis against which the financial policies can be tested, reviewed and updated as needed in the future.

1. STABLE – The City’s financial management practices will be reasonably consistent year to year

Residents and business would prefer that taxes, rates and user fee increases are measured and relatively consistent year-to-year, so that they are able to anticipate coming changes in their personal or business expenses.

2. INFORMED - Financial decisions take measured risks and maximize the utilization of assets and resources

While in theory it is possible for all financial decisions made by a community to be free from risk, it wouldn’t necessarily be practical. There will be occasions when assuming some degree of risk is advantageous to the City in order to take advantage of opportunities or to be ready to meet the needs of a changing population. However, any risks that are taken need to be measured and carefully considered such that the delivery of City services is never in jeopardy.

3. FLEXIBLE - Financial decisions ensure future flexibility to adapt to opportunities and changing circumstances

In an ever-changing world, opportunities and challenges inevitably will present themselves. The City needs the flexibility to take advantage of arising opportunities and to respond to imminent challenges. Resources will need to be accessible for the unforeseen and policy frameworks will need to allow for flexibility and swift action when required.

4. RELIABLE - Revenues have a high level of certainty to support long-term service needs of the community

The residents of Grand Forks value the services that they receive and are accustomed to. In order to meet these service level expectations, the City needs to ensure that spending for operations and infrastructure is effective and efficient. Similarly, revenues need to be reliable so that the investment required can be sustained over the long term.

5. TRANSPARENT - Financial strategies, plans and processes are accessible and visible

The citizens of Grand Forks, like in any community, need to understand what their local government is doing. Having information easily available and presented in a form that is easy to understand encourages discussion and engagement, and holds decision-makers accountable. Being transparent ultimately builds trust in the government and benefits the community overall.

6. FAIR - Everyone pays a fair amount for the services they receive, services are reasonably accessible by all citizens, and the burden is spread evenly amongst all generations.

FINANCIAL MANAGEMENT POLICY STATEMENTS

Financial management policy statements have been developed for each of the nine key areas. They are intended to work together cohesively to align decision-making by City staff and Council.

1. PROPERTY TAXATION AND UTILITY RATES

Property taxes are generally used to fund services that are provided broadly to the whole community (e.g., roads, fire, transportation, drainage, waste collection and disposal).

Property tax is based on the assessed value of a property (i.e., land and improvements/buildings). Property owners have their property assessed on an annual basis by BC Assessment, and the assessed value of the property is then multiplied by the Grand Forks' tax rate (expressed as the amount of tax per thousand dollars of assessed property value) to compute an annual property tax. The tax rates are set for each of the various property classifications and adjusted annually to ensure that the City raises the required funds to support its annual budget.

Objective - To ensure property taxes and rates are sufficient to meet the community's short and long-term needs.

Policy Statements

Policy 1.1 The City will strive to ensure that property tax increases remain as stable as possible over time and within 2 percent of inflation year to year after the initial 3 year correction period has been completed.

Policy 1.2 Periodic reviews of taxes paid by individual classes will be conducted. Tax rates should be kept as competitive as possible to ensure continued investment both in the community and in the property itself. Recognizing that all tax classes have their financial challenges, tax shifts or tax redistributions will only be considered where a full comprehensive analysis and impact is undertaken. Where a tax shift is required, a gradual phase in will be considered to allow the properties in the class to adjust their budgets accordingly.

- Policy 1.3 Beginning in 2017, The City's utility rates will increase consistently over time between 3 and 4 percent year to year, or balanced with additional revenues that have not yet been allocated or identified, to fund the asset management capital reserves.
- Policy 1.4 Information about how property tax is allocated will be provided to residents in a manner that is easy to understand.

2. USER FEES & CHARGES

User fees and charges are a way that the City raises revenues to cover the cost of providing a service to those that benefit from it.

User fees and charges should have a direct relationship to the actual cost of providing a service. Some services are funded by a mix of fees and general taxation; recreation facilities and the cemetery are a good example: user fees pay for some of the cost but taxation covers the balance.

Objective - To ensure user fees and charges are sufficient to meet the City's needs.

Policy Statements

- Policy 2.1 The City will evaluate and set user fees and charges fairly for the services received. This means that the user fees and charges reflect the level of service provided to the people who benefit from it and their ability to pay; it does not necessarily mean that user fees and charges will be equal for all users.
- Policy 2.2 The City will regularly review and communicate to the public how user fees are established.
- Policy 2.3 Fees and charges will be periodically reviewed to ensure accounting for inflation and any changes in the level of service provided.

3. ASSET RENEWAL AND REPLACEMENT

The delivery of local services greatly depends on a wide variety of infrastructure, such as roads, buildings and water systems. While much of this infrastructure lasts a long time, it does eventually need to be renewed or replaced. The replacement of these assets is expensive and therefore needs to be carefully planned for so that the City maintains its financial sustainability over the long term. The timing and funding requirements for asset renewal and replacement are part of the City's long-term capital plan.

The Asset Management Plan sets out priorities for capital infrastructure upgrades in order to provide appropriate levels of service to the community over the long term. Deviations from the plan that defer needed asset renewal or replacement projects add to the City's infrastructure deficit and can jeopardize future service levels and lead to unexpected asset failures which can be costly and potentially pose a risk to public health and safety.

The City's Asset Management Plan using a risk based decision-support tool prioritizes investments in linear infrastructure (water, sewer, roads) renewal and replacement based on an assessment of:

- **Risk (likelihood of occurrence; consequence or impact)**
- **Desired level of service**
- **Affordability**

The decision-support tool identified three levels of funding for roads, water and sewer assets only. There is over \$58 million in priority 1-3 projects required in the next 20 years. Priority 1 investments are assets with a high likelihood and consequence of failure. For example, 5th Street Water Main Replacement is a Priority 1 renewal.

| Asset Category | | Total Cost Priority 1 | Total Cost Priority 2 | Total Cost Priority 3 | Total Infrastructure Investment |
|----------------|-------------------|--------------------------|--------------------------|--------------------------|---------------------------------------|
| Linear | Water System | \$ 2,616,494 | \$ 4,966,512 | \$ 777,158 | \$ 8,360,164 |
| | Wastewater System | \$ 6,306,309 | \$ 13,470,105 | \$ 862,643 | \$ 20,639,057 |
| | Roadways | \$ 5,078,765 | \$ 13,909,426 | \$ 10,372,419 | \$ 29,360,610 |
| Totals | | \$ 14,001,568 | \$ 32,346,043 | \$ 12,012,220 | \$ 58,359,831 |

The following table summarizes the amount needed to fund 50% of recommended annual investment for all assets including roads, water, waste water, buildings, fleet, storm and electrical systems.

| Asset Category | | Replacement Value | Average Annual Infrastructure Investment* | 50% of Average Annual Infrastructure Investment |
|----------------|--------------------------|-----------------------|---|--|
| Linear | Water System | \$ 27,200,000 | \$ 784,000 | \$ 392,000 |
| | Wastewater System | \$ 25,994,000 | \$870,000 | \$ 435,000 |
| | Stormwater System | \$ 5,201,000 | \$131,000 | \$ 65,500 |
| | Electrical System | \$ 9,700,000 | \$228,000 | \$ 114,000 |
| | Roadways | \$ 34,533,000 | \$1,240,000 | \$ 620,000 |
| Non-Linear | Buildings and Facilities | \$ 20,053,000 | \$293,000 | \$146,500 |
| | Fleet | \$ 4,382,000 | \$276,000 | \$138,000 |
| Totals | | \$ 127,063,000 | \$ 3,852,000 | \$ 1,926,000 |

*\$30,000/year has been included for annual infrastructure inspections and asset management planning

Objective - To proactively manage and re-invest in City assets in order to, at a minimum, maintain levels of service for future generations.

Policy Statements

- Policy 3.1 The City will, at a minimum, invest 50% of the annual recommended infrastructure investment in accordance with the Asset Management Plan.
- Policy 3.2 The City will conduct reviews of the Asset Management Plan and annual asset funding every five years to ensure it continues to meet the long-term infrastructure renewal needs of the community.
- Policy 3.3 The Asset Management Plan will balance funding with level of service and risk. For example, if the likelihood of failure of a sanitary main is high due to its age

and condition, and the potential consequences to public health are deemed to be high, the City may decide that the risk to public health is sufficiently high to renew the infrastructure earlier than what would be required to accommodate growth.

It is important to note, as infrastructure investments are delayed, risks grow exponentially. Some assets could be run to failure, while other will need to be replaced before they fail. By understanding the risk (consequence and likelihood of failure) and condition, projects can be strategically prioritized to address infrastructure investment needs while minimizing risk.

- Policy 3.4 The City will seek additional sources of funding for asset renewal. As the additional funding will mostly be from uncertain sources (e.g., grants), it is not intended to replace the certain funding established in the annual base budget.
- Policy 3.5 The City will implement proactive, preventative maintenance and renewal strategies to minimize the life cycle costs of infrastructure.
- Policy 3.6 The City will continually consider options for cost containment measures and alternative revenue sources to balance costs and revenues. This could include investigating approaches such as: alternate maintenance management practices, adjusting levels of service, increasing risk where appropriate, refining system capacity, building and protecting reserves, economies of scale, renewable energy sources and applying these measures to a triple bottom line approach to capital planning.

4. NEW CAPITAL & ENTERPRISE

Just as it is imperative for a local government to invest in asset renewal and replacement, it must also invest in new capital in order to meet the needs of a growing and dynamic population. New capital projects should be supported by a sound business plan. Having a clear process in place for deciding when and how to invest in new capital, grounded in best practices, will facilitate sound financial decision-making that is understood and supported by Council, staff and the general community.

The City will take a holistic, multiple-account approach to prioritizing capital projects; evaluating emergent opportunities against existing priorities; and communicating the decision-making process in a way that is transparent and easy for all to understand.

Objective: To ensure the provision of new capital projects is financially sustainable, and leverage resources to provide services that are aligned with City priorities.

Policy Statements

- Policy 4.1 The City will follow a clear, documented process for decision-making on new capital. This process will be openly communicated to Council, staff, and the community.
- Policy 4.2 New capital investments should be made in accordance with the City's master plans in order to address the community's highest needs.
- Policy 4.3 The City's long-term capital plan will be prioritized based on social, economic and environmental factors, full life cycle cost, and risk tolerance.
- Policy 4.4 The City may invest in capital projects in response to emergent opportunities if they align with the community objectives and priorities.
- Policy 4.5 In order to provide new services that might not normally be funded, the City may consider establishing new sources of funding or revenue streams. This may be accomplished, for example, through exercising rights conferred on the City through legislation, and leveraging City assets.
- Policy 4.6 The City may partner with and leverage other entities in order to deliver the most effective and efficient services to residents.

5. RESERVES AND SURPLUS FUNDS

Saving money for future projects and unexpected expenditures is an important planning consideration for the City. Reserves provide a financial mechanism for saving money to finance all or part of future infrastructure, equipment, and other requirements. Reserve funds can also provide a degree of financial stability, by reducing reliance on indebtedness to finance capital projects and acquisitions, or flexibility to leverage opportunities as they arise.

There are three basic types of reserves:

| | |
|---|---|
| Accumulated surplus | This is the net annual surplus that builds up over time. |
| Reserve accounts | These are reserves that are set aside for a future purpose, but can be readily repurposed through a Council resolution, based on a solid business case. |
| Statutory reserves (Reserve funds) | These are reserves that are established by Council for a specific purpose through a bylaw. These reserves cannot be repurposed without revising the bylaw. Legislated use reserves (as identified in the Community Charter), such as DCC's, cannot be repurposed. |

Sufficient reserves offer the City resiliency in the event of abrupt changes to costs or revenues, and they should be generated and allocated judiciously as part of the City's overall financial management practices.

Objective - To build reserves so the City has the flexibility to invest into asset renewal, respond to opportunities, and maintain or improve levels of service

Policy Statements

| | |
|------------|--|
| Policy 5.1 | The City will ensure that each fund (General, Water, Electrical and Sewer) has a dedicated asset management capital reserve, the purpose of which is documented at the time it is established. |
| Policy 5.2 | Operating surplus balances will be maintained at a minimum of 15 percent to a maximum of 25 percent of operating costs. |
| Policy 5.3 | Minimum asset management capital reserve balances will be sufficient to fund Priority 1 asset replacement. Maximum asset management capital reserve balances will be in accordance with the long-term asset management requirements identified in the asset management plan. |
| Policy 5.4 | Uncommitted annual surplus will be directed to asset management capital reserves to fund asset renewal. |

6. DEBT

Debt is a common tool that local governments use to finance capital expenditures over both the medium and long terms. Debt is viewed as a fair way of financing a project since those who are paying the principal and interest charges are able to benefit from the service immediately. This is different than having a "pay as you go" strategy, which requires some or all of the funds to be built up over time before completing the project.

When interest rates are low, the use of debt to deliver projects can be very attractive; however, local governments need to carefully consider the long-term financial impacts. Generally, a local government may not commit more than 25 per cent of its total own-purpose revenues to service debt and other long-term obligations without requesting permission from the Province.

Objective - To ensure debt is used prudently to maintain the City's financial sustainability.

Policy Statements

- | | |
|------------|---|
| Policy 6.1 | Debt servicing costs will remain at or below 20 percent of annual taxation in order to ensure that the annual debt payments are reasonable and that future debt capacity remains to take advantage of emergent opportunities. |
| Policy 6.2 | Relatively stable capital expenditures, such as paving roads and replacing water mains, will be financed using current revenues wherever possible; debt will not be the preferred financing mechanism. |
| Policy 6.3 | Debt capacity will be preserved for when it is truly needed; e.g., for major capital investments such as community sewer system expansions, wastewater treatment plant improvements, or a major community facility. |
| Policy 6.4 | The City will make the early retirement of existing debt a priority when it is beneficial to do so. |

7. GRANTS

A grant is a transfer of money to the City from another entity (generally a higher level of government). There are two types of grants in general: conditional and unconditional.

| | |
|-----------------------------|---|
| Conditional grants | These are provided for a specific purpose and may not be used for any other project. An example would be the provincial Gas Tax Capital Grants. |
| Unconditional grants | These are provided without conditions on their use. An example would be the provincial Gas Tax community works fund. |

Grants are a useful tool in a local government's financial tool box, and they can be used strategically to offset costs to taxpayers and ratepayers. However, a reliance on grants to fund capital projects and services will undermine a community's ability to attain financial sustainability. Furthermore, most grants require that the beneficiary covers a portion of the cost to deliver the project; this can lead to funds being diverted from where they are actually, and highlights the need for grants to be leveraged for projects that are a local priority.

Objective - To strategically leverage grant opportunities.

Policy Statements

- | | |
|------------|---|
| Policy 7.1 | The City will budget for projects annually under the assumption that conditional grants will not be available. |
| Policy 7.2 | The City will only pursue grants that will support community projects that have previously been identified as a local priority. |

8. DEVELOPMENT FINANCING

As Grand Forks grows, so too does the demand for new or expanded infrastructure. Financing this necessary infrastructure is an important responsibility of the City and requires careful consideration.

A number of development finance tools are available to local governments with development cost charges (DCCs) being the most prevalent. DCCs are collected by local governments from land developers to offset the cost of new or expanded infrastructure for new users, such as roads, drainage, sewers, water, and parks. DCCs are one-time charges that are paid by the developer at the time of subdivision or acquiring a building permit. DCCs do not pay for operating costs or for the future repair, rehabilitation or replacement of infrastructure; i.e., asset renewal.

Objective - To ensure growth pays for growth and does not impose a financial burden on City taxpayers.

Policy Statements

- | | |
|------------|---|
| Policy 8.1 | DCCs will be used as part of the overall financing strategy to pay for new infrastructure required to service growth. |
| Policy 8.2 | Where existing users benefit from new or upgraded infrastructure required to service growth, the costs to pay for the infrastructure will be distributed fairly between the existing and the developer. |
| Policy 8.3 | The breakdown of costs between developers and existing users will be fair and will be made available to residents in a way that is easily understood. |

9. OPERATING

The City strives to provide infrastructure and to deliver services to the community that meet its residents' needs today and over the long term; and residents expect relatively consistent levels of service over time and across neighborhoods. In order to achieve this, reliable revenues are needed in order to sustain ongoing operations over the lifetime of a service or assets; without them, service levels may be affected and assets can quickly become liabilities.

The City will live within its means and follow best practices in order to ensure that existing and future services align with priorities; that the full financial cost of operations are understood in order to adequately cover them through appropriate means; and that future needs are anticipated and planned for today.

Objective: To ensure operations receive sufficient financial support to provide programs and services to residents.

Policy Statements

- | | |
|------------|---|
| Policy 9.1 | The City will regularly review its services to ensure they align with the City's priorities. |
| Policy 9.2 | The City will regularly review its operating costs to ensure that services are being delivered effectively and efficiently. |
| Policy 9.3 | The full financial cost of service provision, including long-term staffing requirements, will be understood and considered by Council and administration when making investment decisions. |
| Policy 9.4 | The City will set taxes, fees and charges to achieve full cost recovery, where appropriate, for operating costs. Ongoing operating costs will not be covered through reserves, debt, or grants. |

**CORPORATION OF THE CITY OF GRAND FORKS
CONSOLIDATED SUMMARY
3% INCREASE IN TAX REVENUES FOR 2020**

| | *Draft* | | | | | |
|---|---------------------|----------------------|----------------------|---------------------|---------------------|---------------------|
| | 2019 Actual | 2020 Plan | 2021 Plan | 2022 Plan | 2023 Plan | 2024 Plan |
| REVENUES | | | | | | |
| Property Taxes | \$ 3,805,285 | \$ 3,919,444 | \$ 4,037,027 | \$ 4,158,138 | \$ 4,282,882 | \$ 4,411,368 |
| Frontage and Parcel Taxes | 160,349 | 153,808 | 5,826 | 5,826 | 5,826 | 5,826 |
| Grants and Payments in Lieu | 18,401 | 45,315 | 46,674 | 48,074 | 49,516 | 51,001 |
| % of Revenue Tax | 106,323 | 144,859 | 144,859 | 144,859 | 144,859 | 144,859 |
| Fees and charges | 7,687,304 | 7,954,408 | 8,180,890 | 8,414,166 | 8,654,440 | 8,901,923 |
| Grants | 2,921,593 | 20,579,009 | 19,477,370 | 9,355,894 | 7,111,773 | 1,915,283 |
| Other Revenues | 2,647,310 | 790,749 | 354,159 | 354,159 | 354,159 | 354,159 |
| Total Revenues | 17,346,565 | 33,587,592 | 32,246,805 | 22,481,116 | 20,603,455 | 15,784,419 |
| EXPENSES | | | | | | |
| Purchases for resale | 3,295,505 | 3,469,396 | 3,538,784 | 3,609,560 | 3,681,751 | 3,755,386 |
| Operating Expenses | | | | | | |
| General Government | 1,414,706 | 1,733,259 | 1,539,864 | 1,564,169 | 1,533,653 | 1,563,727 |
| Protective Services | 969,543 | 1,087,684 | 1,047,237 | 1,067,182 | 1,087,526 | 1,108,276 |
| Flood Response & Recovery | 141,484 | 120,800 | 123,216 | 125,680 | 128,194 | 130,758 |
| Transportation Services | 1,669,706 | 1,293,579 | 1,319,450 | 1,345,838 | 1,372,755 | 1,400,210 |
| Environmental & Health Services | 254,430 | 267,152 | 272,495 | 277,945 | 283,504 | 289,174 |
| Public Health Services | 67,228 | 97,746 | 89,501 | 91,291 | 93,117 | 94,979 |
| Planning and Development | 545,235 | 1,164,883 | 568,408 | 579,276 | 590,362 | 601,669 |
| Parks, Recreation and Cultural Services | 851,880 | 1,019,979 | 1,041,050 | 1,061,471 | 1,082,300 | 1,103,546 |
| Public Real Estate | 234,268 | 263,318 | 240,534 | 245,345 | 250,252 | 255,257 |
| Water Services | 623,880 | 669,024 | 682,404 | 696,052 | 709,973 | 724,172 |
| Electrical Services | 631,005 | 806,341 | 802,068 | 818,109 | 834,471 | 851,160 |
| Wastewater Services | 694,316 | 747,599 | 762,551 | 777,802 | 793,358 | 809,225 |
| Amortization | 1,756,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 |
| Interest | 143,577 | 111,359 | 108,615 | 108,500 | 108,500 | 108,500 |
| Total Operating Expenses | 13,293,535 | 14,748,891 | 14,032,949 | 14,264,992 | 14,446,488 | 14,692,811 |
| Surplus (Deficit) for the year | \$ 4,053,030 | \$ 18,838,701 | \$ 18,213,856 | \$ 8,216,124 | \$ 6,156,967 | \$ 1,091,608 |

**CORPORATION OF THE CITY OF GRAND FORKS
CONSOLIDATED SUMMARY
3% INCREASE IN TAX REVENUES FOR 2020**

| | *Draft* | | | | | |
|-------------------------------------|-----------------------|------------------------|------------------------|------------------------|-----------------------|-----------------------|
| | 2019 Actual | 2020 Plan | 2021 Plan | 2022 Plan | 2023 Plan | 2024 Plan |
| Adjusted for non-cash items | | | | | | |
| Amortization | 1,756,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 |
| Inventory additions | | (240,000) | | | | |
| Total Cash from Operations | \$ 5,809,802 | \$ 20,495,473 | \$ 20,110,628 | \$ 10,112,896 | \$ 8,053,739 | \$ 2,988,380 |
| Allocations | | | | | | |
| Debt proceeds | 75,179 | - | - | - | - | - |
| Capital expenditures | (5,109,784) | (4,047,560) | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) |
| Capital expenditures - DMAF | (230,549) | (20,295,583) | (19,818,881) | (8,705,031) | (6,280,205) | (680,619) |
| Debt principal repayment | (393,027) | (266,576) | (154,498) | (119,918) | (119,918) | (119,918) |
| Transfer from reserves | 2,824,764 | 5,041,339 | 3,102,491 | 2,120,933 | 1,951,187 | 1,559,196 |
| Transfer to capital reserves | (2,800,000) | (850,000) | (1,700,000) | (1,800,000) | (2,000,000) | (2,200,000) |
| Transfer to/from Operating Reserves | | (15,000) | (15,000) | (15,000) | (15,000) | - |
| Net from operations | (176,385) | (62,093) | (24,740) | (93,880) | (89,803) | (47,039) |
| | \$ (5,809,802) | \$ (20,495,473) | \$ (20,110,628) | \$ (10,112,896) | \$ (8,053,739) | \$ (2,988,380) |
| Financial Plan Balance | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

RESERVE CONTINUITY

| | | | | | | |
|------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Opening Reserve Balance | 7,360,575 | 7,335,811 | 3,144,472 | 1,741,981 | 1,421,048 | 1,469,861 |
| Transfer out for capital | (2,824,764) | (5,041,339) | (3,102,491) | (2,120,933) | (1,951,187) | (1,559,196) |
| Contribution from operating | | | | | | |
| Transfer in from current operating | 2,800,000 | 850,000 | 1,700,000 | 1,800,000 | 2,000,000 | 2,200,000 |
| Transfer in from prior surplus | | | | | | |
| Closing Reserve Balance | 7,335,811 | 3,144,472 | 1,741,981 | 1,421,048 | 1,469,861 | 2,110,665 |

**CORPORATION OF THE CITY OF GRAND FORKS
CONSOLIDATED SUMMARY
4% INCREASE IN TAX REVENUES FOR 2020**

| | *Draft* | | | | | |
|---|---------------------|----------------------|----------------------|---------------------|---------------------|---------------------|
| | 2019 Actual | 2020 Plan | 2021 Plan | 2022 Plan | 2023 Plan | 2024 Plan |
| REVENUES | | | | | | |
| Property Taxes | \$ 3,805,285 | \$ 3,957,496 | \$ 4,076,221 | \$ 4,198,508 | \$ 4,324,463 | \$ 4,454,197 |
| Frontage and Parcel Taxes | 160,349 | 153,808 | 5,826 | 5,826 | 5,826 | 5,826 |
| Grants and Payments in Lieu | 18,401 | 45,315 | 46,674 | 48,074 | 49,516 | 51,001 |
| % of Revenue Tax | 106,323 | 144,859 | 144,859 | 144,859 | 144,859 | 144,859 |
| Fees and charges | 7,687,304 | 7,954,408 | 8,180,890 | 8,414,166 | 8,654,440 | 8,901,923 |
| Grants | 2,921,593 | 20,579,009 | 19,477,370 | 9,355,894 | 7,111,773 | 1,915,283 |
| Other Revenues | 2,647,310 | 790,749 | 354,159 | 354,159 | 354,159 | 354,159 |
| Total Revenues | 17,346,565 | 33,625,644 | 32,285,999 | 22,521,486 | 20,645,036 | 15,827,248 |
| EXPENSES | | | | | | |
| Purchases for resale | 3,295,505 | 3,469,396 | 3,538,784 | 3,609,560 | 3,681,751 | 3,755,386 |
| Operating Expenses | | | | | | |
| General Government | 1,414,706 | 1,733,259 | 1,539,864 | 1,564,169 | 1,533,653 | 1,563,727 |
| Protective Services | 969,543 | 1,087,684 | 1,047,237 | 1,067,182 | 1,087,526 | 1,108,276 |
| Flood Response & Recovery | 141,484 | 120,800 | 123,216 | 125,680 | 128,194 | 130,758 |
| Transportation Services | 1,669,706 | 1,293,579 | 1,319,450 | 1,345,838 | 1,372,755 | 1,400,210 |
| Environmental & Health Services | 254,430 | 267,152 | 272,495 | 277,945 | 283,504 | 289,174 |
| Public Health Services | 67,228 | 97,746 | 89,501 | 91,291 | 93,117 | 94,979 |
| Planning and Development | 545,235 | 1,164,883 | 568,408 | 579,276 | 590,362 | 601,669 |
| Parks, Recreation and Cultural Services | 851,880 | 1,019,979 | 1,041,050 | 1,061,471 | 1,082,300 | 1,103,546 |
| Public Real Estate | 234,268 | 263,318 | 240,534 | 245,345 | 250,252 | 255,257 |
| Water Services | 623,880 | 669,024 | 682,404 | 696,052 | 709,973 | 724,172 |
| Electrical Services | 631,005 | 806,341 | 802,068 | 818,109 | 834,471 | 851,160 |
| Wastewater Services | 694,316 | 747,599 | 762,551 | 777,802 | 793,358 | 809,225 |
| Amortization | 1,756,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 |
| Interest | 143,577 | 111,359 | 108,615 | 108,500 | 108,500 | 108,500 |
| Total Operating Expenses | 13,293,535 | 14,748,891 | 14,032,949 | 14,264,992 | 14,446,488 | 14,692,811 |
| Surplus (Deficit) for the year | \$ 4,053,030 | \$ 18,876,753 | \$ 18,253,050 | \$ 8,256,494 | \$ 6,198,548 | \$ 1,134,437 |

**CORPORATION OF THE CITY OF GRAND FORKS
CONSOLIDATED SUMMARY
4% INCREASE IN TAX REVENUES FOR 2020**

| | *Draft* | | | | | |
|-------------------------------------|-----------------------|------------------------|------------------------|------------------------|-----------------------|-----------------------|
| | 2019 Actual | 2020 Plan | 2021 Plan | 2022 Plan | 2023 Plan | 2024 Plan |
| Adjusted for non-cash items | | | | | | |
| Amortization | 1,756,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 | 1,896,772 |
| Inventory additions | | (240,000) | | | | |
| Total Cash from Operations | \$ 5,809,802 | \$ 20,533,525 | \$ 20,149,822 | \$ 10,153,266 | \$ 8,095,320 | \$ 3,031,209 |
| Allocations | | | | | | |
| Debt proceeds | 75,179 | - | - | - | - | - |
| Capital expenditures | (5,109,784) | (4,047,560) | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) |
| Capital expenditures - DMAF | (230,549) | (20,295,583) | (19,818,881) | (8,705,031) | (6,280,205) | (680,619) |
| Debt principal repayment | (393,027) | (266,576) | (154,498) | (119,918) | (119,918) | (119,918) |
| Transfer from reserves | 2,824,764 | 5,041,339 | 3,102,491 | 2,120,933 | 1,951,187 | 1,559,196 |
| Transfer to capital reserves | (2,800,000) | (900,000) | (1,700,000) | (1,900,000) | (2,100,000) | (2,200,000) |
| Transfer to/from Operating Reserves | | (15,000) | (15,000) | (15,000) | (15,000) | - |
| Net from operations | (176,385) | (50,145) | (63,934) | (34,250) | (31,384) | (89,868) |
| | \$ (5,809,802) | \$ (20,533,525) | \$ (20,149,822) | \$ (10,153,266) | \$ (8,095,320) | \$ (3,031,209) |
| Financial Plan Balance | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

RESERVE CONTINUITY

| | | | | | | |
|------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Opening Reserve Balance | 7,360,575 | 7,335,811 | 3,194,472 | 1,791,981 | 1,571,048 | 1,719,861 |
| Transfer out for capital | (2,824,764) | (5,041,339) | (3,102,491) | (2,120,933) | (1,951,187) | (1,559,196) |
| Contribution from operating | | | | | | |
| Transfer in from current operating | 2,800,000 | 900,000 | 1,700,000 | 1,900,000 | 2,100,000 | 2,200,000 |
| Transfer in from prior surplus | | | | | | |
| Closing Reserve Balance | 7,335,811 | 3,194,472 | 1,791,981 | 1,571,048 | 1,719,861 | 2,360,665 |

Request for Decision



To: Regular Meeting

From: **Corporate Services**

Date: February 24, 2020

Subject: Summer Events Special Occasion Liquor Licences

Recommendation:

1. THAT Council approves the issuing of a Special Occasion Liquor Licence to the Grand Forks International Baseball Tournament Society from June 28-July 5, 2020, from 11:00 am-11:59 pm (depending on projected end time of last game), at James Donaldson Park, subject to obtaining third party (party alcohol) liability insurance naming the City of Grand Forks as an additional insured on that policy; all event liquor providers to hold a Serving It Right Licence Certificate; and ICBC "Drinking and Driving" warning posters to be displayed;

AND THAT Council approves a variance to the Noise Control Bylaw #1681 from June 28 to July 5, 2020, to permit the Grand Forks International to utilize the speakers at James Donaldson Park during scheduled games which may run later than 10:00 pm.

2. THAT Council approves the issuing of a Special Occasion Liquor Licence to the Grand Forks Events Manager on July 18, 2020, from 12:00 pm-10:30 pm, at Market Avenue and 3rd Street for 'Party in the Street', subject to obtaining third party (party alcohol) liability insurance naming the City of Grand Forks as an additional insured on that policy; all event liquor providers to hold a Serving It Right Licence Certificate; and ICBC "Drinking and Driving" warning posters to be displayed;

AND THAT Council approves a variance to the Noise Control Bylaw #1681 on July 18, 2020, to permit the "Party in the Street" to run until 10:30 pm.

Background

Staff have received requests for Special Occasion Liquor License permits for two summer events.

The Grand Forks International Baseball Tournament is scheduled for the week surrounding Canada Day, June 27 through July 5th. The tournament has an established

track record for operating a beer garden during the event and has requested permission to do the same this year.

The Party in the Street has also successfully operated a beer garden downtown and has asked for permission to operate on July 18, 2020.

Per Events Delegation Bylaw #2056:

5. Events expected to draw crowds of greater than 500 persons or where *Noise Control Bylaw* variances extend past midnight shall be required to apply to Council for permits or variances.

Staff have reviewed both applications.

Benefits or Impacts

General

Policy/Legislation

Noise Control Bylaw #1681

Events Delegation Bylaw #2056

Parks and Public Spaces Access Bylaw #2057

Attachments

2020 GFI Liquor Permit request

2020 Party in the Streets / Car Show request

Recommendation

1. THAT Council approves the issuing of a Special Occasion Liquor Licence to the Grand Forks International Baseball Tournament Society from June 28-July 5, 2020, from 11:00 am-11:59 pm (depending on projected end time of last game), at James Donaldson Park, subject to obtaining third party (party alcohol) liability insurance naming the City of Grand Forks as an additional insured on that policy; all event liquor providers to hold a Serving It Right Licence Certificate; and ICBC "Drinking and Driving" warning posters to be displayed;

AND THAT Council approves a variance to the Noise Control Bylaw #1681 from June 28 to July 5, 2020, to permit the Grand Forks International to utilize the speakers at James Donaldson Park during scheduled games which may run later than 10:00 pm.

2. THAT Council approves the issuing of a Special Occasion Liquor Licence to the Grand Forks Events Manager on July 18, 2020, from 12:00 pm-10:30 pm, at

Market Avenue and 3rd Street, subject to obtaining third party (party alcohol) liability insurance naming the City of Grand Forks as an additional insured on that policy; all event liquor providers to hold a Serving It Right Licence Certificate; and ICBC "Drinking and Driving" warning posters to be displayed; AND THAT Council approves a variance to the Noise Control Bylaw #1681 on July 18, 2020, to permit the "Party in the Street" to run until 10:30 pm.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 2020-02-24-RFD-GFI-PartyInTheStreet-EventPermits.docx |
| Attachments: | - 2020GFILiquorPermitCityOfGrandForks.docx - city approval letter Party in the Street 2020.docx |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Daniel Drexler - Feb 18, 2020 - 9:13 AM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 9:13 AM



Grand Forks International Baseball 2001 Society
PO Box 2082
Grand Forks, BC V0H 1H0
www.grandforksbaseball.com

February 12, 2020

Corporation of the City of Grand Forks
Box 220
Grand Forks, BC V0H 1H0

Attn: City Council

Dear Mayor and Councillors:

RE: GRAND FORKS INTERNATIONAL LIQUOR PERMIT

The Grand Forks International Baseball Tournament Committee is requesting permission to sell liquor at James Donaldson Park during the 2020 Grand Forks International Baseball Tournament from June 28 to July 5, 2018. Hours of service will be 11:00am to 11:59pm (possibly ending earlier, depending on the projected end time of the last game). As in prior years, the GFI will obtain liability insurance naming the City of Grand Forks as an additional insured.

We look forward to a positive response to this request. If you require further information, please contact Tournament Coordinator Steve Boutang at 250-919-4754 or sboutang@shaw.ca

Thank you for your attention to this matter.

Yours truly,

Steve Boutang
2020 GFI Coordinator

February 13th 2020

To whom it may concern,

This letter is to request permission for the Events Manager to organize and execute their plan to host Party in the Street July 18th 2020. The hope is to have the main event (concert) and the beer gardens take place at the intersection of Market Ave and 3rd street, but there is an opportunity to move this location closer to 4th street. Drawings for this is still in the works. This year we are teaming up with the Grand Forks Car Show Society and combining the two events. Market on Market will also be in full swing. This event will make use of Market Ave from Riverside to 4th Street. The whole event will be from 9am-10:30pm and will include Market, Show and Shine and entertainment all day. We will be applying for a liquor license for over 500 people and would require the city to approve.

There will be a beer gardens open at 12 pm in a fenced off area with only one way in and one way out with security.

Our hope is that we can get the City's approval early so that all of the other details can be solidified.

Thank you for your time

Erinne Allen

Events Manager

eventsmanager@grandforks.ca

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: February 24, 2020
Subject: Bylaw 2069, Inter-Community Business Licencing
Recommendation: **THAT Council give fourth reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.**

Background

The Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069 is before council for 4th reading and adoption.

Council gave 3rd reading to bylaw 2069 at the February 10th, 2020 regular council meeting. Council had given 1st and 2nd readings to Bylaw 2069 at the December 16, 2019 regular council meeting.

The reports from the December 16th, 2019 and February 10th, 2020 regular council meetings, complete with the associated appendices are attached as Appendix 1.

The Kootenay-Wide Inter-Community Business Licence (ICBL) partnership is intended to streamline and simplify the licensing process, making it easier to do business in participating communities.

As of January 9, 2020, eight (8) Kootenay communities have adopted the ICBL bylaw.

Should council give 4th reading (adoption) to this bylaw the timeframe for the next steps are listed in Table 1 below.

| Table 1 TIMEFRAME | |
|---|---------------------------------------|
| ACTIVITY | TIMING |
| Regular Council Meeting – Public Introduction; Council authorized staff to proceed with public notification and set a date for a public hearing | December 16, 2019 |
| Notice published in two consecutive issues of the newspaper | January 29, 2020 and February 5, 2020 |
| Public Hearing | February 10, 2020 |
| Regular Council Meeting – Council consider giving bylaw third reading. | February 10, 2020 |
| Fourth Reading / Bylaw Adoption | February 24, 2020 |
| Implementation | February/March 2020 |

Benefits or Impacts

General

Expanding to a Kootenay-Wide Inter-Community Business Licence fosters a more open, robust and prosperous community and region.

Strategic Impact



Community Engagement

- A public hearing was held on February 10, 2020 to inform council's decision. The public hearing was advertised in the January 29, 2020 and February 5, 2020 issues of the Grand Forks Gazette.



Economic Growth

- The ICBL will ease the administrative burden for businesses that operate regionally.



Fiscal Responsibility

- At the January 30, 2019 teleconference, communities considered the Province's presentation of a range of optional fees and decided that a \$100 Kootenay-wide ICBL fee was the preferred option. The Provincial analysis indicates that any revenue loss from the Kootenay-wide ICBL partnership is unsubstantial at worst and the program offers substantial benefits for communities.

Policy/Legislation

Community Charter, Local Government Act

Attachments

Appendix 1 February 10th, 2020 and December 16th, 2019 staff reports complete with appendices and **DRAFT** Inter-Community Business Licence Bylaw 2069.

Recommendation

THAT Council give fourth reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 20200224 InterCommunity Bus Lic 4th RFD.docx |
| Attachments: | - 20200224 Appendix 1 Bylaw 2069 InterCommunity Business Licence.pdf |
| Final Approval Date: | Feb 18, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Feb 14, 2020 - 10:08 AM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 10:51 AM

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: February 10, 2020
Subject: Bylaw 2069, Inter-Community Business Licencing
Recommendation: **THAT Council give third reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.**

Background

Council gave first and second readings to Bylaw 2069 at the December 16, 2019 regular council meeting.

As described in the December 16, 2019 staff report to council (see Appendix 1), the Kootenay-Wide Inter-Community Business Licence (ICBL) partnership is intended to streamline and simplify the licensing process, making it easier to do business in participating communities.

A public hearing was held on February 10, 2020 to allow public input and to inform Council's decision on the bylaw. The public hearing was advertised in the January 29, 2020 and February 5, 2020 issues of the Grand Forks Gazette. The approved copy of the Grand Forks Gazette ad is attached as Appendix 2.

As of January 9, 2020, the following communities have adopted the ICBL bylaw: Nelson, Rossland, Castlegar, Creston, New Denver, Salmo, Silverton, and Slocan.

Should council give third reading to this bylaw the timeframe for the next steps to adopt the ICBL are listed in Table 1 below.

| Table 1 Timeframe | |
|---|---------------------------------------|
| ACTIVITY | TIMING |
| Regular Council Meeting – Public Introduction; Council authorized staff to proceed with public notification and set a date for a public hearing | December 16, 2019 |
| Notice published in two consecutive issues of the newspaper | January 29, 2020 and February 5, 2020 |
| Public Hearing | February 10, 2020 |
| Regular Council Meeting – Council consider giving bylaw third reading. | February 10, 2020 |
| Fourth Reading / Bylaw Adoption | February 24, 2020 |

Benefits or Impacts

General

Expanding to a Kootenay-Wide Inter-Community Business Licence fosters a more open, robust and prosperous community and region.

Strategic Impact



Community Engagement

- A public hearing was held on February 10, 2020 to inform council's decision. The public hearing was advertised in the January 29, 2020 and February 5, 2020 issues of the Grand Forks Gazette.



Economic Growth

- The ICBL will ease the administrative burden for businesses that operate regionally.



Fiscal Responsibility

- At the January 30, 2019 teleconference, communities considered the Province's presentation of a range of optional fees and decided that a \$100 Kootenay-wide ICBL fee was the preferred option. The Provincial analysis indicates that any revenue loss from the Kootenay-wide ICBL partnership is unsubstantial at worst and the program offers substantial benefits for communities.

Policy/Legislation

Community Charter, Local Government Act

Attachments

Appendix 1 December 16, 2019 staff report and **DRAFT** Inter-Community Business Licence Bylaw 2069.

Appendix 2 Approved copy of the ad for the January 29th and February 5th, 2020 issues of the Grand Forks Gazette.

Recommendation

THAT Council give third reading to Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 20200210 InterCommunity Bus Lic 3rd Reading RFD.docx |
| Attachments: | - 20200210 Appendix 1 InterCommunity Bus Licence 3rd RFD.pdf - 20200210 Appendix 2 InterCommunity Bus Licence Bylaw 2069 Gazette Ad.pdf |
| Final Approval Date: | Jan 31, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jan 30, 2020 - 4:04 PM

Ron Mattiussi - Jan 31, 2020 - 12:18 PM

Request for Decision



To: Regular Meeting

From: **Development, Engineering, and Planning**

Date: December 16, 2019

Subject: Introduction of Bylaw 2069 – Inter-Community Business Licensing

Recommendation: **THAT Council give first and second readings to the Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069, 2019 (See Appendix 1) and authorize staff to proceed with public notification and set a date for a public hearing.**

Background

The purpose of this initiative is to consolidate existing Inter-Community Business Licence (ICBL) partnerships and expand participating municipalities throughout the Kootenays.

On a January 30, 2019 teleconference hosted by the Small Business Branch of the Ministry of Jobs, Trade and Technology, representatives from the Cranbrook/Kimberley, Elk Valley, Greater Trail and West Kootenay ICBL partnerships as well as the Boundary, Columbia Valley and Slocan Valley regions agreed to bring forward to Councils the opportunity to expand on the success of the existing ICBL programs by consolidating partnerships and expanding participating communities into one Kootenay-wide ICBL program. January 1, 2020 is the target date for the Kootenay-wide bylaw to take effect.

Created in partnership with local governments, the Union of British Columbia Municipalities and the Province of British Columbia (the Province), ICBL partnerships streamline and simplify the licensing process, making it easier to do business in participating communities. ICBLs allow mobile businesses (e.g. contractors, caterers, and other service providers) to operate across the Participating Government jurisdictions, without having to apply for multiple businesses licences.

ICBL partnerships continue to show success and growth. British Columbia now benefits from 15 intercommunity business licence partnerships with 91 different participating communities. More information can be found at WWW.GOV.BC.CA/SMALLBUSINESS.

Consolidating existing ICBL partnerships into a Kootenay-wide ICBL will build on the success of existing ICBL programs and expand on the number of participating communities, further supporting small businesses, reducing unnecessary administrative burden, increasing compliance, fostering positive intercommunity partnerships and displaying business friendliness.

The Kootenay-wide partnership will better address the substantial degree of businesses that are not complying with business licensing regulation. Provincial analysis indicates that only 276 or 8% of mobile businesses in the Kootenays purchased multiple licences, which suggests substantial lack of compliance, even considering the four different ICBL programs already in place.

Provincial analysis also indicated that the Kootenay-wide agreement would reduce unnecessary administrative burden for businesses holding multiple licences by 56%.

POLICY IMPLICATIONS

Council may, pursuant to Section 8(6) of the *Community Charter* regulate in relation to business. Section 15 (1) states that Council may provide terms and conditions that may be imposed for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and condition and who may impose them.

This Bylaw is targeted to come into full force and effect on the first day of January 2020 and operate as a pilot program until December 2021.

COMMUNICATION STRATEGY

The expansion to the Kootenay-wide ICBL program provides participating communities opportunity to celebrate success and display initiative to expand business friendliness. The Province will provide exemplary communication pamphlets from other ICBL partnership groups in BC to help Kootenay ICBL communities develop and tailor their own communications for possible inclusion in business licence renewal notices, on municipal websites and as handouts at front counters to raise awareness about the expanded business friendly program.

The Province will work with Kootenay communities to develop a shared news release to help raise awareness and celebrate the launch of the Kootenay-wide partnership.

Benefits or Impacts

General

Expanding to a Kootenay-wide ICBL fosters a more open, robust and prosperous community and region.

Strategic Impact



Community Engagement

- Prior to third and final reading, the community will have the opportunity to review and comment on the bylaw at a public hearing. The public hearing will be advertised twice in the Grand Forks Gazette.



Economic Growth

- The bylaw will reduce the administrative burden on businesses that operate in the region.



Fiscal Responsibility

- At the January 30, 2019 teleconference, communities considered the Province's presentation of a range of optional fees and decided that a \$100 Kootenay-wide ICBL fee was the preferred option. The Provincial analysis indicates that any revenue loss from the Kootenay-wide ICBL partnership is unsubstantial at worst and the program offers substantial benefits for communities.

Policy/Legislation

Section 15 (1) and 8 (6) of the *Community Charter*.

Attachments

Kootenay-Wide Inter-Community Business Licence Bylaw No. 2069, 2019.

Recommendation

[Recommendation]

Options

1. THAT Council give first and second readings.
2. THAT Council refers the matter back to staff for further information.

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2069, 2019

A BYLAW TO ESTABLISH A SCHEME FOR INTER-COMMUNITY BUSINESS LICENCING AND REGULATION OF TRADES, OCCUPATIONS AND BUSINESSES

WHEREAS Council may, pursuant to Section 8(6) of the Community Charter, regulate in relation to business;

AND WHEREAS pursuant to Section 14 of the Community Charter, two or more municipalities may, by bylaw adopted by the Council of each participating government, establish an Inter-Community scheme in relation to one or more matters;

AND WHEREAS pursuant to Section 15(1) of the Community Charter, Council may provide terms and conditions that may be imposed for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and conditions and who may impose them;

AND WHEREAS Council has given notice of its intention to adopt this bylaw by publishing such notice in two consecutive issues of a newspaper, the last publication appearing not less than three (3) and not more than ten (10) days before the hearing and has provided an opportunity for persons who consider they are affected by this bylaw to make representations to Council at a hearing pursuant to Section 59 of the Community Charter,

NOW THEREFORE the Council of the City of Grand Forks in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the City of Grand Forks "INTER-COMMUNITY BUSINESS LICENCE BYLAW NO. 2069, 2019.

2. Definitions

In this bylaw, unless the context otherwise requires,

| | |
|---------------------|--|
| "Business" | has the meaning as defined by the "Community Charter Schedule – Definitions and Rules of Interpretation". |
| "Excluded Business" | means a Business excluded from application for an Inter-Community Business Licence and includes those Businesses referred to in Schedule 'A' attached hereto and forming part of this Bylaw. |

| | |
|------------------------------------|---|
| “Inter-Community Business” | means a Business that performs a service or activity within more than one Participating Government by moving from client to client rather than having clients come to them. This includes but is not limited to trades, plumbers, electricians, cleaning services, pest control or other similar Businesses. This does not include fruit stands, flea markets, trade shows or other similar Businesses. |
| “Inter-Community Business Licence” | means a Business Licence which authorizes Inter-Community Business to be carried on within the boundaries of any or all of the Participating Governments in accordance with this Bylaw and will be in addition to a Standard Business Licence. |
| “Standard Business Licence” | means a licence or permit, other than an Inter-Community Business Licence, issued by a Participating Government that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Government. |
| “Participating Government” | means those communities that have adopted an Inter-Community Business Licence Bylaw and any municipalities that adopt such a bylaw at a later date. |
| “Person” | has the meaning ascribed to it by the Interpretation Act. |
| “Premise” | means a fixed or permanent location where the applicant ordinarily carries on Business. |
| “Principal Government” | means the Participating Government where a Business is physically located, or has a Premise, or, where the licensee does not maintain a Premise in any of the Participating Governments, the Government that issues the Inter-Community Business Licence. |

3. Regulations

- a) Subject to Section (c) and (e), a person who has obtained an Inter-Community Business Licence may carry on business within a Participating Government for the term authorized by the Inter-Community Business Licence without obtaining a Standard Business Licence in the other Participating Governments.
- b) A Participating Government may issue an Inter-Community Business Licence to an applicant for an Inter-Community Business Licence provided the Business type is an Inter-Community Business and is not an Excluded Business, the applicant has a

valid Business Licence issued by that Participating Government, and the applicant meets the requirements of this Bylaw.

- c) A person holding an Inter-Community Business Licence must comply with all other regulations and bylaws of the Participating Government in which they are carrying on Business.
- d) A Business that operates under an Inter-Community Business Licence in more than one Participating Government shall only apply for an Inter-Community Business Licence from the Participating Government in which they maintain a Premise.
- e) Notwithstanding the issuance of an Inter-Community Business Licence, every person who carries on, maintains, owns or operates, within a Participating Government, any profession, business, trade, occupation, calling, undertaking or thing in or from more than one branch, office, place, premise or store shall obtain a separate Standard Business Licence for each branch, office, place, premise or store. And further, notwithstanding Sections (b), (c), and (d), the Participating Governments agree that where an applicant for an Inter-Community Business Licence:
 - i. does not maintain Premises in any of the Participating Governments, then the applicant may apply at any one of them; or
 - ii. maintains a Premise in more than one of the Participating Governments, the applicant must apply at one of the Participating Governments where they maintain a Premise.

4. Fees

- a) The fee for an Inter-Community Business Licence is \$100 and shall be paid in full at the time of application and will be retained by the Participating Government that issues the licence.
- b) The fee for an Inter-Community Business Licence is separate and additional to any Business Licence fee that may be required.
- c) The annual Inter-Community Business Licence fees prescribed in this bylaw may be reduced pro-rate in respect of any person who becomes liable to be licensed AFTER the commencement of the licence period, on the same basis as the municipal business license.

5. Application

- a) Every Inter-Community Business Licence shall be issued on a standard form provided for that purpose, as agreed upon from time to time by the Participating Governments and including, as a minimum, the following information:
 - i. Disclosing the nature and character of the profession, business, trade, occupation, calling, undertaking or thing to be carried on, maintained, owned or operated by the applicant;
 - ii. Declaring the mailing address and contact information for such profession, business, trade, occupation, calling, undertaking or thing;
 - iii. Declaring the number of persons engaged or occupied in such profession, business, trade, occupation, calling, undertaking or thing;
 - iv. Disclosing the number of distinctive lines of goods sold or offered for sale;

- v. Including any other information concerning the profession, business, trade, occupation, calling, undertaking or thing which the Participating Government may require.
 - b) Each Participating Government shall provide to all other Participating Governments standardized information regarding the Inter-Community Business Licences issued, by way of at least weekly updates on a shared database (www.mobilebusinessregistry.ca) available to all Participating Governments.
- 6. Suspension or Cancellation of an Inter-Community Business Licence
 - a) A Council or Designated Officer or Employee of a Participating Government may exercise the authority of the Principal Government in accordance with Sections 15 and 60 of the Community Charter to suspend or cancel an Inter-Community Business Licence. The suspension or cancellation shall be in effect throughout all of the Participating Governments and it shall be unlawful for the holder to carry on the Business authorized by the Inter-Community Business Licence in any Participating Governments for the period of the suspension or cancellation.
 - b) Before suspending or canceling an Inter-Community Business Licence under Section 6(a), the Participating Government must give the licence holder notice of the proposed action and must inform the licence holder of their right to be heard.
 - i. If the licence holder wishes to exercise this right, the Participating Government shall communicate in writing to the licence holder and Principal Government that issued the Inter-Community Business Licence, together with such documentary evidence of the reasons for suspension or cancellation as may be available and the request to be heard. Such Principal Government shall then, as soon thereafter as reasonably possible, provide the Licence Holder an opportunity to address their respective Council who will then consider whether to suspend or cancel the Inter-Community Business Licence.
 - ii. If the licence holder does not exercise their right to be heard, the Participating Government may suspend or cancel the Inter-Community Business Licence in accordance with Section 6(a).
 - c) Any conduct by a licence holder resulting in a hearing made under Section 6(b)(i) shall be considered by the Council of the Principal Government as though it happened within the jurisdiction of the Principal Government.
 - d) A decision by a Principal Government or Participating Government to cancel or suspend an Inter-Community Business Licence under Section 6 (b) shall be honoured by all Participating Governments.
 - e) Nothing in this Bylaw impedes the authority of a Participating Government to suspend or cancel any Business Licence issued by that Government, or to enact regulations in respect of any class of Business Licence in accordance with Section 15 of the Community Charter and amendments thereto.
- 7. Miscellaneous
 - a) A Participating Government may, by notice in writing to each of the other Participating Governments, withdraw from the Inter-Community Business Licence scheme established by this Bylaw.

Notice must:

- i. Set out the date on which the withdrawing Government will no longer recognize the validity within its boundaries of business licences issued pursuant to this Bylaw, which date must be at least six months from the date of the notice; and
 - ii. Include a certified copy of the Bylaw authorizing the withdrawal.
- b) An Inter-Community Business Licence issued prior to the effective date of the withdrawal shall, until it expires, remain valid within the boundaries of the withdrawing Government.
8. Severability
- a) If any section, paragraph or phrase in this Bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue in full force and effect.
9. Effective Date: This Bylaw shall come into full force and effect on the **first day of January 2020 and operate as a pilot program until December 2021.**

Read a first and second time by the Municipal Council this 16th day of December, 2019.

Read a third time by the Municipal Council this _____ day of _____, 2020.

Finally adopted on this _____ day of _____, 2020.

Mayor Brian Taylor

Corporate Officer – Daniel Drexler

SCHEDULE 'A' EXCLUDED BUSINESSES

The following Business types are Excluded Businesses for the purposes of application for an Inter-Community Business Licence under the Inter-Community Business Licence Scheme set out in the bylaw:

1. Social escort services.
2. Vehicles for hire (for example, taxis, limousines, or buses).
3. Body-rub services (which includes the manipulating, touching or stimulating by any means, of a Person or part thereof, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities or a therapeutic touch technique).
4. Mobile food vendors, fruit stands, flea markets, trade shows or other similar Businesses.
5. Cannabis related businesses (a business which involves the sale of cannabis).