



# The Corporation of the City of Grand Forks

## Public Feedback Session

### AGENDA

Meeting #: PFS-2020-02  
Date: Monday, June 15, 2020, 2:00 pm  
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

#### 1. Call to Order

The Chair will call the Session to Order:

(a) The purpose of this Session is to consider applications made to City Council and to hear public feedback with regard to those applications.

(b) All persons who believe that their interest in property within the boundaries of the City is affected by the application(s) shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the application(s) that are the subject of this Session. No one will be or should feel discouraged or prevented from making their views known. This Session 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 application(s) have been made available to the public. The correspondence and petitions received after June 10, 2020 (date of notification) are available for inspection during the course of this Session 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 application(s) with individual citizens or with each other at this Session.

(e) Council debate on the proposed application(s) is scheduled to take place during the next Regular Council meeting after the conclusion of this Session. 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 Session.

(g) During a Public Feedback Session, 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 Application Submissions

4 - 10

- a. Temporary Use Permit - 2420 68th Avenue  
*Development, Engineering and Planning // Chuck Varabioff*

This TUP request was presented to Council at the May 25th Regular Meeting, with the proponent appearing as a delegate by Zoom videoconference. The original delegation request has been attached to the agenda as previously received.

Council passed resolution R118/20/05/25:

**THAT Council directs Staff to move forward with the process of a Temporary Use Permit to Chuck Varabioff for the Drive-In Theatre request on 68th Avenue.**

Also attached is the RFD which will be before Council at the June 15 Regular Meeting.

### 4. Adjournment

**5. Procedure on each Application 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 Session.
- ii. The Chair will recognize ONLY speakers at the delegation table. [COVID-19: Delegates will join electronically and will be recognized and admitted to the meeting in turn.]
- 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. A sign-in sheet is provided at the delegation table and speakers should print their name and address legibly to ensure accurate minutes are recorded. [COVID-19: Speakers should ensure their name is set when joining the Zoom meeting. Staff will record names as delegates join the meeting.]
- 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 Feedback Session 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 Session on the bylaw in question be held open, the Chair shall state to the gallery that the Public Session on the Application 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 Session if required.



## Online Delegation Form

**YOUR WORSHIP, MAYOR TAYLOR, AND MEMBERS OF COUNCIL, I/WE ARE HERE THIS EVENING ON BEHALF OF:**

Canada Rock Fest

**TO REQUEST THAT YOU CONSIDER:**

To allow us to have a drive-in theatre on our private property.

**THE REASONS THAT I/WE ARE REQUESTING THIS ACTION ARE:**

I am requesting to be part of the meeting because I was told that city councillors may have questions for me.

**I/WE BELIEVE THAT IN APPROVING OUR REQUEST THE COMMUNITY WILL BENEFIT BY:**

Our drive-in will give the public, young or old, something safe, inexpensive and fun to do two or three days a week during the nice weather.

**I/WE BELIEVE THAT BY NOT APPROVING OUR REQUEST THE RESULT WILL BE:**

The majority of the public will not be happy, Grand Forks needs something that everybody can enjoy.

**IN CONCLUSION, I/WE REQUEST THAT COUNCIL FOR THE CITY OF GRAND FORKS ADOPT A RESOLUTION STATING:**

Canada Rock Fest should be allowed to use their property located at 2420, 68th ave for a drive-in theatre two to three days a week, weather permitting.

**NAME**

Chuck Varabioff

**ORGANIZATION**

CannaFest Music Festival

**MAILING ADDRESS**

4229 Burke St  
BURNABY, British Columbia V5H1B5  
Canada

**TELEPHONE NUMBER**

7787897897

**EMAIL ADDRESS**

[chuck.varabioff@gmail.com](mailto:chuck.varabioff@gmail.com)

# Request for Decision



To: Regular Meeting

From: **Development, Engineering and Planning**

Date: June 15, 2020

Subject: Temporary Use Permit (TUP2002) to accommodate a drive-in theatre, RV/tent camping and community celebrations, events and meetings at 2420 68th Avenue

Recommendation: **THAT Council grant Temporary Use Permit No. 2002 to Cannafest Music Festival Ltd. on lands zoned Small Lot Residential (R-2), legally described as Lot 1 District Lots 380 and 520 SDYD Plan KAP64274, Parcel Identifier: 024-486-752.**

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## Background

At the May 25, 2020 regular meeting, in response to a delegation request, Council directed staff to move forward with the process of a Temporary Use Permit to Chuck Varabioff to allow the operation of a temporary drive-in theatre on a 2.78 hectare (7 acre) property located at 2420 68th Avenue. The applicant subsequently requested other events/activities be added to the permit.

A Temporary Use Permit (No. 1801) was approved for this lot in 2018 to allow temporary RV and tent camping and recreation activities related to the Cannafest music festival. Due to the current COVID-19 situation, the music festival was cancelled, but the owner continued to find ways to offer entertainment and recreation opportunities for the residents of Grand Forks. As a result, the owner appeared before Council requesting approval to operate a seasonal drive-in theatre on the property commencing at the end of June.

Council supported this request and therefore a new Temporary Use Permit is proposed (see Appendix 1) to accommodate the new temporary uses on the property.

The subject property is an unserviced, vacant field 2.78 hectares in size. The site is fenced, irrigated, and contains a storage building on the south side. The lot is designated Low Density Residential in the Official Community Plan and is zoned R-2 (Small Lot Residential).

If approved, the Temporary Use Permit would be valid for a period of 3 years and is renewable, upon application by the permit holder, for an additional three (3) years. Consequently, the property is not 'locked up' as it would be with a rezoning and is available for future development into residential lands once it is feasible to pursue such development.

## Proposed Temporary Uses and Conditions

The temporary land uses proposed to be included in the permit are:

- a) Temporary RV and tent camping for special events such as music festivals and sports tournaments.
- b) Seasonal drive in theatre and accessory temporary portable outdoor seating.
- c) Community and family celebrations such as weddings, graduation ceremonies, funerals, and national holiday celebrations with a duration of less than fifteen (15) hours.
- d) Community sports events such as soccer tournaments.
- e) Car shows.
- f) Fairs and agricultural events.
- g) Community non-profit club meets for groups such as Scouts or religious organizations.

The proposed conditions of the temporary developments are:

- a) A seasonal drive in theatre may not operate for more than three (3) days per week.
- b) No other single event or activity shall be carried on for longer than seven (7) consecutive days at a time.
- c) All structures must be movable and temporary in nature.
- d) Lighting must be focused on the site only and not be directed at or impact neighbouring properties.
- e) The site must be fenced, landscaped, and irrigated for dust control.
- f) The site must be professionally supervised, maintained, and regularly cleaned during all events.
- g) RV/tent camping spaces will be organized with space between rows to ensure that fire and emergency vehicles can drive through the site.
- h) All vehicular accesses to the site shall be located away from and vehicular traffic shall not impact nearby residential areas.
- i) All events shall comply with all federal, provincial, and local requirements, laws and regulations.

The draft Temporary Use Permit No. 2002 is contained in Appendix 1.

## Public Notification

Under the Local Government Act, Council's intention to approve a Temporary Use Permit must be advertised in the local newspaper not more than two weeks and not less than three days from the day of decision. This permit was advertised in the June 10th edition of the Grand Forks Gazette and the public was invited to attend the June 15th Council meeting via Zoom and/or submit comments to the City via mail, email or phone.

In addition, written notification and information about the proposed Temporary Use Permit was sent to adjacent property owners notifying them of the proposed temporary uses and

inviting them to provide feedback. Furthermore, notices were posted on the City website and Facebook page.

## Timing

The following table outlines the tentative timeframe associated with this Temporary Use Permit application.

Temporary Use Permit Application No. 2002 – Tentative Timeframe	
ACTIVITY	TIMING
Regular Council Meeting – Council directs staff to proceed with Temporary Use Permit to accommodate a drive-in theatre	May 25, 2020
Written notification sent to adjacent property owners	June 3, 2020
Notice published in the Grand Forks Gazette	June 10, 2020
Deadline for submission of written/verbal comments (which are transmitted to Council)	June 12, 2020
Council hears feedback from the public via a Zoom meeting (Zoom Meeting ID: 890 2551 9212 Password: 886960)	June 15, 2020 at 2pm
<b>Regular Council Meeting – Council considers Temporary Use Permit No. 2002 for approval</b>	<b>June 15, 2020</b>

## Benefits or Impacts

### General

As this application involves temporary land uses only, the property can be subdivided, serviced, and redeveloped at anytime for small lot residential.

### Strategic Impact

#### Community Engagement

- The Temporary Use Permit was advertised in the paper and written notification to adjacent property owners invited feedback in writing or at the public feedback session. The proposal was also posted on the City's website and Facebook page.

#### Community Livability

- This temporary use is generally compatible with surrounding properties and festival/recreational activities have occurred on the property in the past.

#### Economic Growth

- The temporary use permit will allow interim community-oriented uses on vacant, underutilized property in the City and provide entertainment and community activities for the City's residents.

#### Fiscal Responsibility

- Other than time to prepare the staff reports and permit, minimal staff resources are required for this project.

**Policy/Legislation**

Local Government Act, the Official Community Plan, the Zoning Bylaw.

**Attachments**

Appendix 1 - Draft Temporary Use Permit No. 2002

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**Recommendation**

**THAT Council grant Temporary Use Permit No. 2002 to Cannafest Music Festival Ltd. on lands zoned Small Lot Residential (R-2), legally described as Lot 1 District Lots 380 and 520 SDYD Plan KAP64274, Parcel Identifier: 024-486-752.**

**Options**

1. THAT Council accepts the report.
2. THAT Council does not accept the report.



**Appendix 1 - DRAFT Temporary Use Permit No. 2002 (TUP2002)**

**THE CORPORATION OF THE CITY OF GRAND FORKS  
TEMPORARY USE PERMIT NO. 2002**

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**Issued to:** CANNAFEST MUSIC FESTIVAL LTD.

(the "Owner")

**Address(s) of Owner:** 4229 Burke Street  
Burnaby, British Columbia  
V5H 1B5

2916 Commercial Drive  
Vancouver, British Columbia  
V5N 4C9

**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 and civic address as follows:

Parcel Identifier: 024-486-752  
Lot 1 District Lots 380 & 520 SDYD Plan KAP64274, Land District 54  
2420 68th Avenue

(the "Land")

3. The temporary uses permitted on the Land shall be:
  - a. Temporary RV and tent camping for special events such as music festivals and sports tournaments.
  - b. Seasonal drive in theatre and accessory temporary portable outdoor seating.
  - c. Community and family celebrations such as weddings, graduation ceremonies, funerals and national holiday celebrations with a duration of less than fifteen (15) hours.
  - d. Community sports events such as soccer tournaments.
  - e. Car shows.

- f. Fairs and agricultural events.
  - g. Community non-profit club meets for groups such as Scouts or religious organizations.
4. The temporary uses shall be carried out in accordance with the following:
- a. A seasonal drive in theatre may not operate for more than three (3) days per week.
  - b. No other single event or activity shall be carried on for longer than seven (7) consecutive days at a time.
  - c. All structures must be movable and temporary in nature.
  - d. Lighting must be focused on the site only and not be directed at or impact neighbouring properties.
  - e. The site must be fenced, landscaped and irrigated for dust control.
  - f. The site must be professionally supervised, maintained and regularly cleaned during all events.
  - g. RV/tent camping spaces will be organized with space between rows to ensure that fire and emergency vehicles can drive through the site.
  - h. All vehicular accesses to the site shall be located away from and vehicular traffic shall not impact nearby residential areas.
  - i. All events shall comply with all federal, provincial and local requirements, laws and regulations.
5. 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 the land affected by this permit.
6. This permit shall lapse on or before three years from the date of issuance.
7. The Land shall be developed strictly in accordance with the terms, provisions and conditions of this Temporary Use Permit. This 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 \_\_\_\_\_ OF JUNE, 2020.

ISSUED THIS \_\_\_\_\_ DAY OF JUNE, 2020.

\_\_\_\_\_  
Mayor Brian Taylor

\_\_\_\_\_  
Corporate Officer, Daniel Drexler