



The Corporation of the City of Grand Forks

Regular Meeting

POST-MEETING AGENDA

Meeting #: R-2024-01
Date: Monday, January 8, 2024, 10:15 am
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

1. Call to Order

2. Adoption of Agenda

- a. Adopt Agenda
January 8, 2024, Regular Meeting agenda

Recommendation

THAT Council adopts the January 8, 2024, Regular Meeting agenda as presented.

3. Minutes

- a. Adopt Minutes - Regular and Special to go In-Camera
December 11, 2023, Regular Meeting and December 20, 2023 Special to go In-Camera minutes

3 - 16

Recommendation

THAT Council adopts the December 11, 2023, Regular Meeting and December 20, 2023 Special to go In-Camera minutes as presented.

4. Registered Petitions and Delegations

5. Unfinished Business

6. Reports, Questions and Inquiries from Members of Council and Council's Representative to the Regional District of Kootenay Boundary

- a. Reports of Council and Verbal Report of RDKB Representative
Councillors and Council's Representative to the Regional District of Kootenay Boundary

17 - 18

Recommendation

THAT all reports by members of Council and Council's Representative on the activities of the Regional District of Kootenay Boundary be received.

- b. Potential Decisions from Registered Delegations
Mayor Baker

- b.1 West Grand Forks Estates
Charles Varabioff

7. Recommendations from Staff for Decisions

8. Bylaws

- a. ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking
Development and Planning

19 - 106

Recommendation

THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A35 which would remove off-street parking requirements, including fees in lieu, in the CC (Core Commercial) Zone of the downtown area effective after adoption.

9. Requests Arising from Correspondence

- a. RDKB Bylaw No. 1852: Consent Required
Anitra Winje, RDKB Corporate Officer

107 - 113

10. Information Items

- a. Breakdown of Grants and Funding
Phoenix Mountain Alpine Ski Society
- b. Interfor Trail Update
Grand Forks Community Trails Society
- c. Land Swap Request
Southfield Real Estate Ltd.

114 - 114

115 - 115

116 - 118

11. Late Items

12. Items Released from In-Camera

13. Questions from the Public and Media

14. Resolution to go In-Camera

Recommendation

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;

(c) labour relations or other employee relations; and

(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.

15. Adjournment

Recommendation

THAT the January 8, 2024, Regular Meeting was adjourned at XX am.



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

Meeting #: R-2023-18
Date: Monday, December 11, 2023, 10:15 am
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Everett Baker
Councillor Zak Eburne-Stoodley
Councillor Neil Krog
Councillor Deborah Lafleur
Councillor David Mark
Councillor Christine Thompson
Councillor Rod Zielinski

Staff: Duncan Redfearn - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Kelly Deinstadt - Corp./IT Services Assistant
Marcus Lebler - Chief Financial Officer
Dolores Sheets - Manager of Development & Planning Services
Adriana Cameron - Planning Technician 2
Ben Stevens - Project Manager
Alex Adams- Public Works Manager
James Runciman - Fire Chief

GALLERY

1. CALL TO ORDER

Mayor Baker called the December 11, 2023, Regular Meeting to order at 1:04pm.

2. ADOPTION OF AGENDA

- a. Adopt agenda

December 11, 2023, Regular Meeting agenda

Mayor introduced the item, and one item was added to Requests Arising from Correspondence.

- E-mail regarding Fence, Zoning Bylaw as item 10.b.

Resolution #: R298/23/12/11

MOVED/SECONDED

THAT Council adopts the December 11, 2023, Regular Meeting agenda as presented.

Carried

3. MINUTES

- a. Adopt minutes - Regular

November 20 , 2023, Regular Meeting minutes

Resolution #: R299/23/12/11

MOVED/SECONDED

THAT Council adopts the November 20, 2023, Regular Meeting minutes as presented.

Carried

4. REGISTERED PETITIONS AND DELEGATIONS

None.

5. UNFINISHED BUSINESS

None.

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL AND COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

The Mayor introduced item.

- Councillor Lafleur presented her report as submitted which included the information below:

- Attended Grand Forks Community Trails Society meeting, discussed project plans and possible grant funding.
- Attended the Wine Tasting Gala
- Attended the Strategic Planning Workshop part 1 and 2
- Attended the Community Futures meeting where discussion surrounding the OMNII project ensued.
- Attended the library's cookie sale, the Festival of Trees, U15 Border Bruins Minor Hockey fundraiser and the Choral Society's concert.
- Councillor Thompson presented her report as submitted which included the information below:
 - UBCM online presentation, proposed legislation of the Provincial Government related to housing.
 - Participated in the Santa Parade.
 - Attended Strategic Planning Workshop.
 - Online event sponsored by Anchors regarding addiction struggles, resources, and mental health.
 - Monthly meeting of the Boundary Country Regional Chamber of Commerce.
 - Community Action Team Meeting
- Councillor Zielinski
 - Attended the Strategic Planning Workshops
- Councillor Krog had nothing to report at this time.
- Councillor Mark
 - Attended the Strategic Planning Workshops
- Councillor Stoodley
 - Community Futures community Development meeting
 - Upcoming community betterment project
 - Strategic Planning
- Mayor Baker
 - Attended open house at the City of Rossland with the Chief Administrative Officer.
 - Attended local community events: Tree Light up and parade, Craft fairs, Gallery2 Wine tasting.
 - UBCM bill 45 webinar.
 - Strategic Planning Workshop.
 - Pines Bible Camp fundraiser.
 - Community Action Committee meeting.
 - Special Olympics Christmas party and Festival of Trees fundraiser at Gallery2.

- Encourages community to check out all that the arts as to offer in Grand Forks!
- a. Reports of Council and Verbal Report of RDKB Representative
Councillors and Council's Representative to the Regional District of Kootenay Boundary
None.

Resolution #: R300/23/12/11

MOVED/SECONDED

THAT all reports by members of Council and Council's Representative on the activities of the Regional District of Kootenay Boundary be received.

Carried

1. Update - Boundary Drive & Hwy 3 Intersection
Mayor Baker

Mayor Baker introduced the item and provided the following:

- Received a reply from the Ministry of Transportation and Infrastructure following the complaints at the Boundary Drive & Hwy 3 Intersection.
 - The report shows that it takes 7 minutes for all traffic to clear and children to leave the intersection.
 - Potential for some training opportunities regarding safe crossing procedures.
 - Nothing unusual at the intersection at this point in time.

2. Seniors Flow Through Request and Donation Tax Receipts
Councillor Lafleur

Mayor Baker introduced the item.

Resolution #: R301/23/12/11

MOVED/SECONDED

THAT Staff be instructed to support the Seniors Society by accepting donations, and issuing charitable tax receipts to donors for donations over \$250, until December 31, 2024; AND THAT Staff be instructed to work with the Seniors Society to define a release of the donated funds.

b. Potential Decisions from Registered Delegations
Mayor Baker

1. Pickle Ball Court Upgrades

Dan Harlow

Mayor Baker introduced the item and the following discussion ensued:

- Recommendation that the Pickleball group does become a society to aid in their eligibility for outside funding opportunities.

Resolution #: R302/23/12/11

MOVED/SECONDED

THAT Council refer the requests from the Pickleball group to the 2024 budget process.

2. Fee for Service Request

Phoenix Mountain Alpine Ski Society

Mayor Baker introduced the item, and no further discussion was required.

Resolution #: R303/23/12/11

MOVED/SECONDED

THAT Council refer the Fee for Service request from the Phoenix Alpine Ski Society to the 2024 budget process.

3. South Field Real Estate LTD.

Wayne and Gene Koch

Mayor Baker introduced the item and the following discussion ensued:

- If the developer would like to work with the City, McCallum view remains at the top of the list for trading land.
- Clarification needed on where the trails and City road allowances are.
- Concerns about any City underground infrastructure that may still need to be accessible in the area.

Resolution #: R304/23/12/11

MOVED/SECONDED

THAT Council direct Staff to discuss with the developer to include McCallum View Road as part of the land swap arrangement and clarify any City road allowances.

Carried

4. Wayfinding Update

Boundary Country Regional Chamber of Commerce

Mayor Baker introduced the item, and the design was presented again to Council to review. Discussion ensued regarding:

- Discussion regarding colors and design.
- Potential to simplify the signage in effort to make them more legible.
- Discussion regarding a possible change in font.
- Remove the logo from all signage and possibly review the branding book and logo in the future.

Option #1: Light background, Dark Cheap Pine Font

Option #2: Dark background, White Cheap Pine Font

Option #3: Dark background, White Trade Gothic Bold Font

Option #4: Light background, Dark Trade Gothic Bold Font

Resolution #: R305/23/12/11

MOVED/SECONDED

THAT Council approve the updated sign design in option 4 with removal of the City logo.

Opposed (1): Krog

Carried

7. **RECOMMENDATIONS FROM STAFF FOR DECISIONS**

- a. Board of Variance – Candidates and Terms of Reference Approval
Development and Planning

Mayor Baker introduced the item and discussion ensued regarding:

- Volunteer applicants for the Board of Variance (BOV) were presented to Council.
- Possibility for the 3 members to meet electronically.
- Potential to add more specifics into the BOV Bylaw surrounding meeting locations, meeting schedule and to update the language surrounding Planning Tech and Planner that are listed currently.
- Review of Planning Fees:
 - \$60k 2023
 - \$36k 2022
- Building Permit Fees:
 - \$85k 2023
- Potential need to consolidate Planning Procedure and Fees Bylaws.

Resolution #: R306/23/12/11

MOVED/SECONDED

THAT Council appoints the three volunteer members as presented in this report to establish the City of Grand Forks Board of Variance (BOV);

AND THAT Council approves attached BOV Supporting Documents.

Carried

- b. Reallocation of Capital Project Funds
Corporate Services / Financial Services

Mayor Baker introduced the item and discussion ensued regarding.

- Clarification on the Downtown stormwater projects. The project includes the tie in of everything from 3 1/2 St. into Riverside Dr. the project is grant funded from Council resolution in 2018/2019.
- Staff intends to present to Council all information regarding the downtown stormwater inceptor project at the budget meeting.

Resolution #: R307/23/12/11

MOVED/SECONDED

THAT Council approves a capital budget reallocation of the \$84,542 surplus from the Granby Sewer Project to the DMAF Riverside Stormwater Interceptor project.

Carried

c. 231211 - Parking Stalls for Exclusive Use
Corporate Services

Mayor Baker introduced the item and discussion ensued regarding.

- Adding permit fees may penalize the downtown businesses.
- There are some benefits to having patios in the summer months, more people spending time in the downtown core can keep other issues at a minimum.
- Discussion regarding the pros and cons of parking meters or signage.
- Potential to open the discussion with the Chamber of Commerce and any other downtown businesses to look at making the parking lot behind CIBC functional.
- Suggestion for an exclusive use permit fee for businesses who benefit from the use of a patio, not penalize businesses that do not use patios for profits.
- Potential fee of \$250 for exclusive use permit and whether the amount of Exclusive Permits given out is limited to a certain number.
- It is outlined within the Community Charter that the fees added to the parking reserve account be used for parking improvements.
- Not adding proper restrictions may limit all downtown parking.
- No fees will be charged for sidewalk use.
- No information will be sent to the Chamber or any other groups prior to any Bylaw Amendments.
- Permit fees for exclusive use for parking stalls will be charged out as a permit and for up to 1 parallel or 3 angle stalls.

Resolution #: R308/23/12/11

MOVED/SECONDED

THAT council direct staff to draft a fees and charges bylaw amendment to include permit fees for exclusive use for parking stalls for patio/parklet use for \$250 per permit for up to 1 parallel or 3 angle stalls.

Opposed (2): Baker, and Zielinski

Carried

Resolution #: R309/23/12/11

MOVED/SECONDED

THAT staff get an estimate on the paving and light installation behind CIBC.

Carried

8. BYLAWS

- a. 2024 Revenue Anticipation Bylaw No. 2105
Financial Services

Mayor Baker introduced the item, and no further information was required.

Resolution #: R310/23/12/11

MOVED/SECONDED

THAT Council gives final reading to the 2024 Revenue Anticipation Borrowing Bylaw, No. 2105.

Carried

- b. 2024 Revenue Anticipation Borrowing Bylaw No. 2106
Financial Services

Mayor Baker introduced the item, and no further discussion was required.

Resolution #: R311/23/12/11

MOVED/SECONDED

THAT Council gives final reading to the 2024 Revenue Anticipation Borrowing Bylaw, No. 2106.

Carried

9. INFORMATION ITEMS

- a. Fee for Service Request - Additional Information
Grand Forks Farmers Market

Mayor Baker introduced the item and item was received for information.
No further discussion was required.

- b. Letter to City Council - Fee for Service Funding
Grand Forks Search and Rescue Society

Mayor Baker introduced the item, and item was received for information.
No further discussion was required.

10. REQUESTS ARISING FROM CORRESPONDENCE

- a. Memorial Tree Request
Natalie Demenoff

Mayor Baker introduced the item and discussion ensued regarding.

- Tree in question was relocated into City Park and was not originally requested as part of the salvage program.
- The tree is identified as theirs and they are entitled to take the tree themselves and relocate as necessary.

Resolution #: R312/23/12/11

MOVED/SECONDED

THAT council allows the family to have and relocate the tree.

Carried

- b. Fence Bylaw E-mail Inquiry
Councillor Zielinski

Mayor Baker introduced the item and brief discussion ensued.
Staff will follow up with the concern.

11. LATE ITEMS

None.

12. ITEMS RELEASED FROM IN-CAMERA

13. QUESTIONS FROM THE PUBLIC AND THE MEDIA

None.

14. To Go In-Camera Resolution

Resolution #: R313/23/12/11

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;

(g) litigation or potential litigation affecting the municipality; and

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

15. ADJOURNMENT

The December 11, 2023, Regular Meeting was adjourned at 2:36pm.

Resolution #: R314/23/12/11

MOVED/SECONDED

THAT the December 11, 2023, Regular Meeting be adjourned.

Acting Mayor Neil Krog

Corporate Administrative Assistant –
Kelly Deinstadt

DRAFT



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

Meeting #: S-2023-09
Date: Wednesday, December 20, 2023, 6:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Everett Baker
Councillor Zak Eburne-Stoodley
Councillor Neil Krog
Councillor Deborah Lafleur
Councillor David Mark
Councillor Christine Thompson
Councillor Rod Zielinski

Staff: Duncan Redfearn - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer

GALLERY

1. Land Acknowledgment

Mayor Baker delivered the Land Acknowledgement.

2. Call to Order

Mayor Baker called the December 20, 2023, Special To Go In-Camera Meeting to order at 6:00pm.

3. In-Camera Resolution

a. Adopt Resolution as per Section 90

R315/23/12/20 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;

(c) labour relations or other employee relations;

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

4. Late Items

5. Adjournment

The December 20, 2023, Special to go In-Camera Meeting was adjourned at 6:01 pm.

R316/23/12/20 MOVED / SECONDED

THAT the December 20, 2023 Special to go In-Camera meeting be adjourned at 6:01pm.

Mayor Everett Baker

Deputy Corporate Officer – Kevin McKinnon

REPORT TO COUNCIL

TO: Mayor and Council
FROM: Councillor Christine Thompson
DATE: January 08, 2024

December 13th and 19th, I mentored a group of three students from GFSS taking the Community Betterment Initiative Program. I was extremely impressed with the background work that they had done and gave them suggestions to pursue that could help them in putting their proposal together. Their proposal is to bring a Lulu Lemon store to Grand Forks.

December 15th, I attended the City's Christmas Dinner. The Volunteer Fire Department was invited to attend. I firmly believe that this is an important event to all of us as it allows interaction between Council, Management, Public Works employees and the Volunteers. The food, company, and music (while I was there) was excellent. Thank you to Kirstie for using her organizing skills in putting this together.

I was invited to attend the Community Action Team's Christmas Dinner on December 20th. I enjoyed the delicious turkey dinner prepared by Tanis Carson and her team and visiting with members of HOPE.

The Boundary Country Regional Chamber of Commerce held their monthly meeting on January 4th. An application under the Canada Summer Jobs program has been submitted. Should this be approved, it is intended to hire students to act as "Hosts" to the tourists visiting our city. I suggested that the students be provided with shirts that are embroidered with either Host or Ambassador.

I close my report by wishing everyone a Happy New Year and the hope that 2024 will exceed all our personal resolutions.

Respectfully,

Christine Thompson, Councillor

Report to Council, January 8, 2024

To: Mayor and Council
Deborah Lafleur, Councillor

On December 14th Mayor Baker and I had a meeting with a couple members of the Grand Forks and Community Trails Society to discuss a grant they are applying for.

On December 15th along with my husband Ray, the Mayor and several councillors attended the City of Grand Forks Christmas Party. The food was wonderful as usual.

On December 19th, I attended a brief meeting of the Grand Forks Community Trails Society, which was also a very nice Xmas get together.

December 21st, I attended the Grand Forks Seniors Society meeting.

On December 25th I volunteered at the Community Christmas Dinner at the Gospel Chapel. I was one of the individuals who plated all the food that was either delivered out to folks, and for the people who attended in person.

I want to wish everyone a very Happy New Year!

Request for Decision



To: Regular Meeting
From: **Development and Planning**
Date: January 8, 2024
Subject: ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking
Recommendation: **THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A35 which would remove off-street parking requirements, including fees in lieu, in the CC (Core Commercial) Zone of the downtown area effective after adoption.**

Purpose

For Council to consider giving first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A35 which would remove off-street parking requirements, including fees in lieu, in the CC (Core Commercial) Zone, of the downtown area as shown on Property Maps attachment and Figure 1.



Figure 1: Downtown area. Zoning amendment to remove off-street parking and fees in lieu.

Background

On August 28, 2023, during Council's Special meeting following Development Permit DP2304 – 125 Market Avenue (see attachment: 230814 DP2304 RFD 125 Market Ave - Lumberjack Brewing), the following discussion and resolution occurred:

Discussion on the item continued and Council resolved to approve the development permit which included a variance to not require 25 off-street parking stalls by the developer. Council further instructed Staff to review the Zoning Bylaw and other bylaws or policies to remove dedicated parking requirements or fees in lieu of parking.

Council further discussed additional zoning bylaw items including the requirements for an off-street loading zone for the development. Resolution #: R206/23/08/28¹

Council Resolution #: R207/23/08/28 was carried.

THAT Council direct Staff to review the zoning Bylaw and other bylaws and policies in regards to removing the requirement for dedicated parking or fees in lieu of parking in the downtown core.²

Opposed (3): Eburne-Stoodley, Krog, and Zielinski

Technical Land Review

Zoning

The subject area is zoned CC (Core Commercial) Zone. The table below shows the changes that will result from the proposed rezoning. Refer to Attachment 3 (*Applicable Land Use Bylaw Summary*) for further details.

| Zoning Bylaw 2039 section | Current Provision | Proposed Provision Change |
|---------------------------|---|--|
| s.26 Off-street Parking | s.26.9 Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 2 below, the City may accept a cash contribution in the amount of \$1,000.00 per required parking space not developed. | Delete: s.26.9 Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 2 below, the City may accept a cash contribution in the amount of \$1,000.00 per required parking space not developed. Replace: Sections 26.10 with 26.9 and 26.11 with 26.10 Add the following text before Table 2: Class of Building/Use: Required Number of Spaces: <i>This table does not apply to the (Core Commercial) Zone.</i> |

¹ Excerpt from [eSCRIBE Minutes \(escribemeetings.com\)](https://www.escribemeetings.com):

² Even though the recommendation says Downtown Core - which is the OCP land use designation - staff interpreted the intention of Council to be for the Downtown Area for the CC (Core Commercial) Zone. If the amendment would be applied to OCPs Downtown Core land use designation the proposed change would affect R-1 (Residential – Single & Two Family), R-3 (Multi-Family Residential) and CU (Community Use) land use zones.

The table below shows the correlation between Table 2: Class of Building/Use: Required Number of Spaces and land use permitted in a Core Commercial zone.

| Land Use in Core Commercial (CC) | Class of Building/Use: | Required Number of Spaces |
|--|---|---|
| (a)wholesale establishments; | <i>(not in Off Street Parking table)</i> | Storage, warehousing, and freight facility - one space per every 100 square metres of floor area, including outdoor sales and storage areas |
| (b)retail establishments; | Retail store | one space per every 45 square metres of floor area |
| (c)restaurants and/or liquor licenced premises; | Restaurant; Public house (liquor licensed premises) | one space per every 3 seats for the patrons; one space per every 3 seats for the patrons; |
| (d)professional offices and offices; | Professional services | one space per every 60 square metres of floor area |
| (e)medical and dental clinics; | Medical clinic, dental clinic | one space per every 20 square metres of total floor area |
| (f)personal service establishments; | Personal service establishment | one space per every 20 square metres of floor area |
| (g)clubs, lodges and similar fraternal organizations; | Community centre, club, and lodge | one space per every 10 square metres of floor area; |
| (h)indoor entertainment facilities; | <i>(not in Off Street Parking table)</i> | Community centre, club, and lodge - one space per every 10 square metres of floor area; |
| (i)bus depots; | <i>(not in Off Street Parking table)</i> | Transportation depot - one space per every 20 square metres of total floor space |
| (j)taxi stands; | <i>(not in Off Street Parking table)</i> | |
| (k)financial institutions; | <i>(not in Off Street Parking table)</i> | |
| (l)hotels and motels; | Hotel, motel | one space per every unit offered daily to the public |
| (m)post office; | <i>(not in Off Street Parking table)</i> | |
| (n)theatres; | <i>(not in Off Street Parking table)</i> | |
| (o)animal hospitals with no outside runs or enclosures. | Animal hospital | one space per every 30 square metres of floor area |
| Land Use in CC (Permitted accessory uses and buildings) | Class of Building/Use: | Required Number of Spaces |
| (a)apartment units; | Dwelling unit (greater than 90 square metres) | two spaces per every unit |
| (a)apartment units; | Dwelling Unit (equal to or under 90 square metres) | two spaces per every unit one space per every unit |

Official Community Plan (OCP)

The area land use designation is mostly Downtown Core. There are 4 parcels that overlap with the Greater Downtown Neighbourhood land use designation and 6 parcels that partially overlap the Environmental one. The proposed change aligns with our OCP land use designation because, as noted under section 1.5 Principle #4 – Connect the City, the removal of off-street parking will encourage *“walking and biking improves the local air quality, reduces traffic and parking concerns, reduces greenhouse gases, and results in a healthier (and often happier) population.”*

Point of Decision

Council's point of decision currently is whether to give Zoning Bylaw No.2039-A35 first and second readings. Giving first and second readings to this amending bylaw would work toward the removal of the off-street parking requirement and fees in lieu provisions in the CC (Core Commercial) Zone, of the downtown area; and trigger the Public Hearing process.

Tentative Timeline

| Activity | Date |
|--|----------------------|
| Resolution #: R207/23/08/28 carried | Aug 28, 2023 |
| Referral (Internal) sent to Staff | Sep 27, 2023 |
| Referral (External) sent to agencies | Sep 28, 2023 |
| Referral (External) comments back by | Oct 28, 2023 |
| Staff review document initiated | Nov 14, 2023 |
| RFD for 1st & 2nd readings of Zoning Bylaw Amendment | Jan 8, 2024 |
| Notice of public hearing mailed to adjacent property owners* | Not needed |
| Notice of public hearing Gazette ad #1 published | Jan 31, 2024 |
| Notice of public hearing Gazette ad #2 published** | Feb 7, 2024 |
| Written comments/feedback from public by 8AM | Feb 7, 2024 |
| Public hearing | Feb 12, 2024 |
| RFD 3 rd reading | Mar 4, 2024 |
| MOTI approval of bylaw | Mar 4 - Apr 25, 2024 |
| RFD for adoption | May 6, 2024 |
| Implementation | To be Determined |

*This step not required - if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration; - if bylaw does not alter the permitted use or density.

** As per Local Government Act: The notice must be published in at least two consecutive issues of a local newspaper, the last publication to appear not less than 3 and not more than 10 days before the public hearing.

Benefits or Impacts

General

If Council approves ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking, developers will no longer be required to conform with the off-street parking minimums or \$1,000.00 per required parking space cash contribution in the Commercial Core Zone in the Historic Downtown Development Permit Area.

Finances

The in-lieu of parking reserve balance is currently \$4,830.00, this amount has remained unchanged, except for incremental interest since 2014. In 2014 the City spent approximately \$13k of an available \$17k on a project.

Strategic Impact

n/a

Risk Assessment

Compliance:

Local Government Act

Transportation Act

Official Community Plan Bylaw

Zoning Bylaw

Risk Impact:

Low

Internal Control Process:

Staff are following City bylaws and the legislated requirements set out in the Local Government Act.

Next Steps / Communication

If the resolution is carried as per the recommendation, Notices would be published in the Grand Forks Gazette and a Public Hearing would be scheduled.

Attachments

230814 DP2304 RFD 125 Market Ave - Lumberjack Brewing

ZA2305 Zoning Bylaw Amendment Bylaw No.2039-A35 Draft

ZA2305 Maps

Applicable Land Use Bylaw Summary

20240102DraftZoning Bylaw 2039 CONSOLIDATED

Recommendation

THAT Council give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A35 which would remove off-street parking requirements, including fees in lieu, in the CC (Core Commercial) Zone of the downtown area effective after adoption.

Options

1. THAT Council does not give first and second readings to Zoning Bylaw Amendment Bylaw No.2039-A35.
2. THAT Council does not carry the resolution as presented and advises Staff of changes required to move forward with the Zoning Bylaw Amendment process.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 240108 ZA2305 RFD Downtown Core - Off-street Parking-Zoning Bylaw Amendment Bylaw-2039A35 1st and 2nd reading.docx |
| Attachments: | - 230814 DP2304 RFD 125 Market Ave - Lumberjack Brewing.pdf - ZA2305 Zoning Bylaw Amendment Bylaw No.2039-A35 Draft.docx - ZA2305Maps.pdf - ZA2305 Applicable Land Use Bylaw Summary.docx - 20240102CurrentDraftZoning Bylaw 2039 CONSOLIDATED.pdf |
| Final Approval Date: | Jan 3, 2024 |

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

Dolores Sheets

Daniel Drexler

Duncan Redfearn

Request for Decision



To: Regular Meeting
From: **Development and Planning**
Date: August 14, 2023
Subject: Development Permit DP2304 – 125 Market Avenue – Renovation with Brew Space, Cooler Room, Restaurant and Dining Area Additions

Recommendation: **THAT Council approves Development Permit DP2304 for Lumberjack Brewing located at 125 Market Avenue, on the terms and conditions – including an off-street parking variance - as presented in the permit;**

AND THAT development permit DP2304 not be issued by Staff until the applicant has provided security in the amount of \$1,021.88 (cash or an irrevocable letter of credit for 125% of the estimated cost) for the Plant Material (including mulch and topsoil) landscaping, to be held for one year (one growing season) after the landscaping has been installed;

THAT Council directs staff to initiate the process to authorize the aerial encroachment of the awnings over the sidewalk for the property at 125 Market Avenue.

Purpose

For Council to consider a development permit application for lands located at 125 Market Avenue, legally described as LOT 1 BLOCK 3 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23 EXCEPT PLANS 10641 AND 15265, PID: 012-547-441, for a building renovation with multiple additions including a second floor.

Background

After preliminary processes - including a lane dedication bylaw adopted on September 20, 2022 - meetings and discussions, staff sent a pre-application package on March 17, 2023, to the applicant. On June 14, 2023, staff also sent the pre-application package to the authorized agent. A pre-application meeting was held on June 23, 2023, to address scope of project and requirements for the proposed project, as well as estimated timelines.

On July 27, 2023, staff received the complete Development Permit (DP) application from the authorized agent, for the issuance of a DP (with a variance) under Section 490 of the Local Government Act (LGA) in reference to the applicability of the City's Official Community Plan (OCP) Bylaw No. 2089 Development Permit Areas (DPAs) policies. The following is the applicant's summary of the proposal:

"The building is proposed to be fully renovated with multiple additions including a second floor (completed in steel and wood construction with non-combustible cladding). The completed building will incorporate a brew space, cooler room, restaurant, and dining area. The proposed building design is intended to foster the preservation and appreciation of the nearby heritage structures. The design distinguishes itself as new construction while taking

inspiration from nearby historical buildings and other early buildings that once existing in the area.”

On June 23, 2023, during the pre-application meeting the need for a variance for off-street parking was identified. Staff suggested to the applicant that a DP with a variance – which will vary s.26 Off-street Parking of Zoning Bylaw 2039 - may be issued. The applicant agreed and presented a rationale (Attachment 5: *Parking Rationale* and Attachment 6: *May 30, 2022, Regular Meeting Parking Spaces Information*) with the application. The applicant is requesting a variance without fee for the required twenty-five (25) spaces. See figure 1 to review the basis of the rationale.

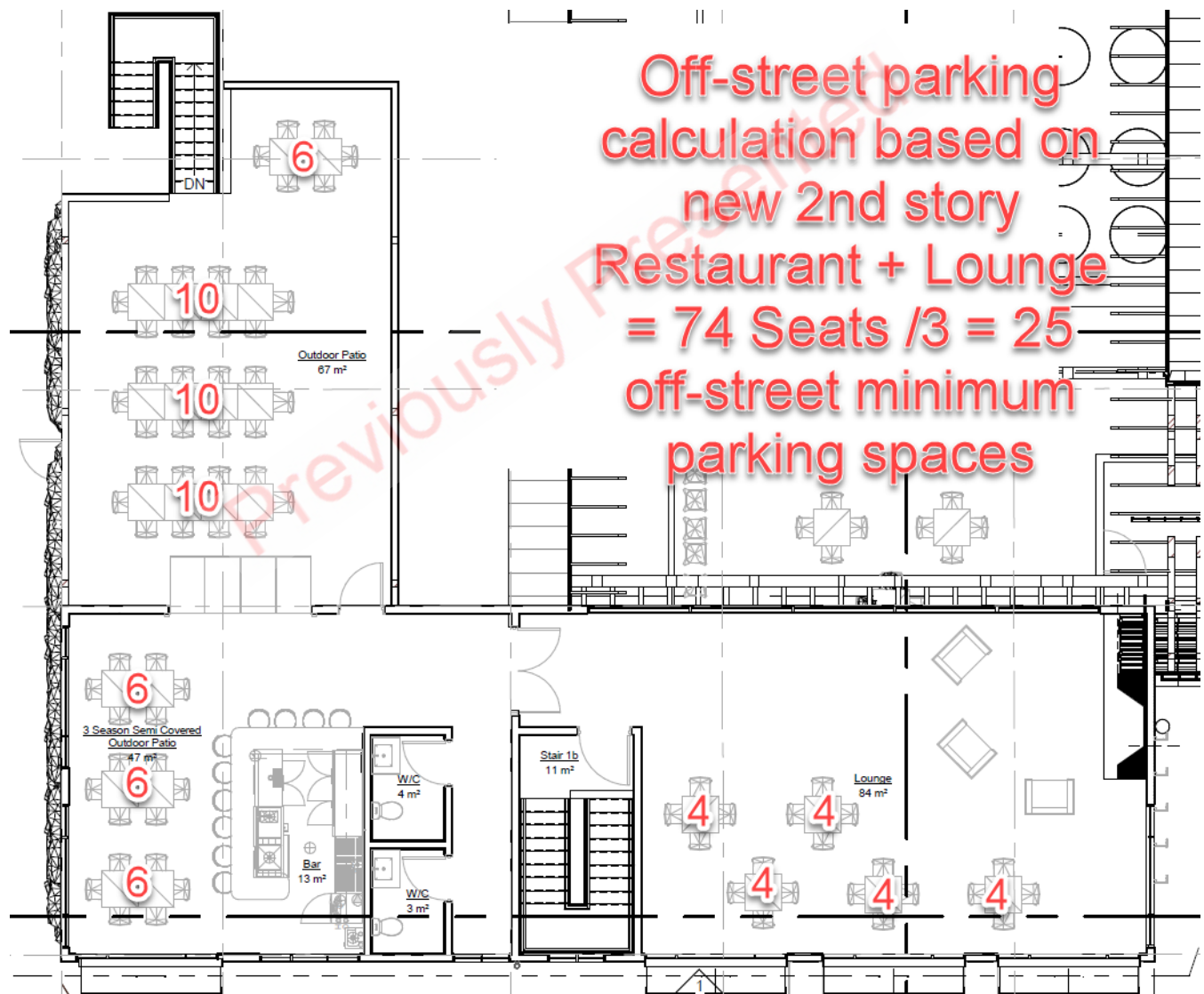


Figure 1: Minimum off-street parking.

Technical Land Review

Development Permit

Zoning and OCP

The property is zoned CC (Core Commercial) which allows for restaurants and/or liquor licenced premises, wholesale establishments and retail establishments as a land use. The Official Community Plan (OCP) land use designation is Downtown Core which is intended to “*Be the City’s primary commercial/retail centre*”¹. Therefore, the proposed development aligns with both zoning and OCP land use designations.

The proposed development is within 4 Development Permit Areas (DPAs); Environmental and Flood Hazard DPAs and Form and Character General Neighbourhood and Historic Market District DPAs. (Attachment 1. Property maps); it is generally consistent with the OCP Form and Character DPA Guidelines (Attachment 2 (Sch. B)).

A property owner is required to get a development permit if any portion of their parcel is located within any DPA prior to constructing, adding to, or altering a building. This development is exempt from the Flood Hazard DPA because the proposed construction is within the 200-Year Protected Floodplain. The table below lists policy compliance and exemptions for the DPAs related to the proposed development.

| DPA | Policy | Compliance | Exemption |
|--|--|--|---|
| General Environmental (DPA Environmental) | s.2.4.1. The following policies apply to the “Environmental DPA” lands as shown on: a) “MAP 3: Flood Hazard Development Permit Area” | It generally complies with erosion and sediment control measures and the Royal Astronomy Society of Canada Dark Sky Guidelines for Outdoor Lighting. | None applied. |
| Flood Hazard (DPA Environmental) | s. 2.5.3. Within this DPA there are three different policy areas: c) Areas within the 200-Year Protected Floodplain do not require a Flood Hazard Development Permit. | N/A | Proposed development is within the 200-Year Protected Floodplain. |
| General Neighbourhood (DPA Form and Character) | s.3.9.1. The policies and guidelines in General Neighbourhood DPA apply to [the form and character] of all commercial, mixed use, and multi-unit residential lands within the following Development Permit Areas on “MAP 9: Neighbourhood Development Permit Areas”: | It generally complies with Neighbourhood, Streets, and the Public Realm; Building Siting and Orientation; Building Form and Elements; Character and Materials; Landscaping and Screening; Access and | None applied. |

¹ CITY OF GRAND FORKS OFFICIAL COMMUNITY PLAN Section 3.0-Neighbourhoods. INTENT pg. 42

| DPA | Policy | Compliance | Exemption |
|---|--|---|---------------|
| | a) "Historic Market District DPA"; | Parking; Signage; Lighting. | |
| Historic Market District (DPA Form and Character) | s. 3.10.2. The following policies apply to the "Historic Market District DPA" as shown on "MAP 9: Neighbourhood Development Permit Areas". | It generally complies with the guidelines specified under sections 3.10.3 to 3.10.11 of the OCP. Sections 3.10.6 civic buildings, 3.10.9 restoring corner entrances, and 3.10.10 awning removal do not apply. | None applied. |

Variances

Zoning

To expedite the development process, a development permit with variances can be considered and issued by Council. See attachment 2: *DP2304 Draft Development Permit* under Terms and Conditions section 9. The table below shows the proposed variance change regarding Zoning Bylaw 2039.

| Zoning Bylaw 2039 Current Requirement (Principal Use) ² | Proposed Variance | Rationale |
|---|--|---|
| <p>s.26.10 Off street parking spaces for each building, structure and use permitted shall be provided in accordance with the requirements in the following Table 2: Table 2: Class of Building/Use: Required Number of Spaces: Restaurant - one space per every 3 seats for the patrons.</p> <p>s.26.9 Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 2 below, the City may accept a cash contribution in the amount of \$1,000.00 per required parking space not developed.</p> | Wave the fee for 25 off-street parking spaces. | It is reasonable to accept the proposal given that - in general - the bylaw requirement has not been consistently applied when change in use – for example: from retail to restaurant - has occurred in the downtown area; it is not economically practical ³ to allocate the area needed for 25 parking spaces – a 343.75m ² (~1 acre) area (see Fig 2. for context) for vehicles in the downtown core, instead of - for example - allocate the area to a generating income business or housing –E.g., mixed-use commercial 1 st floor and residential 2 nd story. |

² Requirement is based on the principal use; in this case, a restaurant - even though manufacturing and storage uses are part of the proposed project.

³ "..., minimum parking requirements are costly. Few have written more on this than UCLA urban planning professor Donald Shoup who in a recent study estimated the cost of parking structures in 12 American cities in 2012 and found that the average aboveground space in the cities examined cost \$24,000 while the average underground space cost \$34,000. It's not immediately obvious why people should be forced to pay \$30,000 for a parking spot they may not use." It's time for Canadian cities to eliminate minimum parking requirements — September 26, 2018, The Fraser Institute Blog



Figure 2: Hypothetical parking area.

OCP

The proposed variance aligns with the OCP land use designation. The table below shows key Goals, Introduction, and Policy points.

| Designation | Goals/Introduction/Policies Alignment |
|---------------------|--|
| s.3.4 Downtown Core | <p>Goals</p> <p>Establish a walkable mixed use employment node in each neighbourhood. Build a vibrant Downtown and reinforce Market Avenue. Preserve historical places, character, and buildings; encourage sensitive infill and redevelopment in all residential Neighbourhoods. Enhance public space and civic amenities to create opportunities for residents and visitors to experience and enjoy living and visiting Grand Forks. Create diverse employment centres accessible to all residents.</p> <p>Introduction</p> <p>The Grand Forks Downtown Core, also known as the Market District, is the heart of Grand Forks and accommodates a concentration of commercial activity, civic/institutional uses (e.g., City Hall, art gallery), parks/plazas, and mixed-use development. It is considered to be the focal point for civic, commercial, social and cultural activity. The Downtown Core has a rich history which manifests its character in the heritage buildings that remain in this area. As the heart of the City, what is good for the downtown is good for the City.</p> <p>Grand Forks supports the Downtown Core as a focal point for commercial, civic and cultural activity, and for preservation and enhancement of the City's heritage assets and character.</p> |

| Designation | Goals/Introduction/Policies Alignment |
|-------------|---|
| | <p>Policies</p> <p>s.3.4.9. Identify incentives to encourage property owners to restore heritage buildings, seeking funding partnership opportunities wherever possible.</p> <p>s.3.4.10. Support pedestrian-oriented commercial and gathering opportunities on Market Avenue and explore opportunities for partial or seasonal closures in collaboration with downtown businesses.</p> <p>s.3.4.13. Require developments to incorporate pedestrian- and transit-oriented design elements such as seating areas, bike racks, sidewalks, and multi-use connections.</p> |

Aerial Encroachment

The proposed renovation design includes awnings on the first and second floors. Both encroach into the public right-of-way of the Market Avenue sidewalk (see figure 3). The encroachment extent will not be certain until the renovation is complete. After staff is certain of the extent – if any – staff will follow applicable bylaws regarding authorizing the aerial encroachment.

LUMBERJACK BREWING

125B Market Avenue, Grand Forks, BC, V0H 1H0



Figure 2: Proposed awnings.

Tentative Timeline

| Activity | Date |
|---|----------------|
| Pre-application package sent to applicant | Mar 14, 2023 |
| Pre-Application meeting | Jun 23, 2023 |
| Internal Referral sent | May 25, 2023 |
| Development Permit Application Complete and Payment received | Jul 27, 2023 |
| Notification regarding variance mailed to surrounding property owners within 30m | August 3, 2023 |
| Due date for feedback from surrounding property owners within 30m for inclusion in the report | August 9, 2023 |
| RFD for Regular Meeting | Aug 14, 2023 |
| DP delivered to applicant on condition of security payment received if approved by Council | Aug 15, 2023 |
| Notice of permit registered with LTSA (if approved) | TBD |

Point of Decision

The decision before Council currently is to consider Environmental and Form and Character impacts to the development permit area and decide whether to approve Development Permit DP2304, including the Off-Street Parking Variance. If Council does not concur that the project complies with the DP Guidelines (Attachment 2 (Schedule B)), then Council could indicate this to the applicant and advise of what changes should be made to obtain compliance.

Benefits or Impacts

General

Approving the Development Permit will allow the developer to move forward with the renovation of the restaurant with brew space and cooler room. The development will add jobs and more amenities to Market Avenue for the travelling public and residents.

Finances

The applicant paid the \$200.00 development permit fee.

Strategic Impact

N/A

Risk Assessment

Compliance:

Local Government Act

Official Community Plan Bylaw

Zoning Bylaw

Planning Procedures and Fees Bylaw

Risk Impact:

Low

Internal Control Process:

Staff are following City bylaws and the legislated requirements set out in the *Local Government Act*.

Next Steps / Communication

If approved by Council, staff will register the permit with Land Titles, collect the security in the amount of \$1,021.88 (cash or an irrevocable letter of credit) for landscaping from the applicant's authorized agent, deliver the DP and direct the applicant to the building inspection department.

Attachments

- 1) DP2304 Property maps
 - 2) DP2304 Draft Development Permit
 - 3) Applicable Land Use Bylaws Summary
 - 4) Parking Rationale
 - 5) May 30, 2022, Regular Meeting Parking Spaces Information
-

Recommendation

THAT Council approves Development Permit DP2304 for Lumberjack Brewing located at 125 Market Avenue, on the terms and conditions – including an off-street parking variance - as presented in the permit;

AND THAT development permit DP2304 not be issued by Staff until the applicant has provided security in the amount of \$1,021.88 (cash or an irrevocable letter of credit for 125% of the estimated cost) for the Plant Material (including mulch and topsoil) landscaping, to be held for one year (one growing season) after the landscaping has been installed;

THAT Council directs staff to initiate the process to authorize the aerial encroachment of the awnings over the sidewalk for the property at 125 Market Avenue.

Options

1. Council amends Development Permit DP2304 and approves as amended.
2. Council does not approve Development Permit DP2304 and advises the applicant of changes required to obtain compliance with the DP Guidelines.

Report Approval Details

| | |
|----------------------|--|
| Document Title: | 230814 DP2304 RFD 125 Market Ave - Lumberjack Brewing.docx |
| Attachments: | <ul style="list-style-type: none">- Property Maps.pdf- DP2304 Draft Development Permit_p_r.pdf- DP2304ApplicableLandUseBylawsSummary.docx- DP2304Parking Rationale Letter.pdf- May302022RegularMeetingParking Spaces Information_p.pdf |
| Final Approval Date: | Aug 4, 2023 |

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

Dolores Sheets

Daniel Drexler

Duncan Redfearn

Previously Presented



THE CORPORATION OF THE CITY OF GRAND FORKS

ZONING BYLAW AMENDMENT TO REMOVE REQUIREMENTS FOR OFF-STREET PARKING AND FEES IN THE CORE COMMERCIAL ZONE BYLAW NO. 2309-A35

A bylaw to amend the City of Grand Forks Zoning Bylaw No. 2039, 2018.

The Municipal Council for the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

Citation

1. This bylaw may be cited as the “**Zoning Bylaw Amendment to remove requirements for off-street parking and fees in the Core Commercial Zone Bylaw No. 2309-A35**”

Regulation

2. City of Grand Forks Zoning Bylaw No. 2039, 2018 is hereby amended as follows:
 - 2.1. By removing the following text in PART IV, Section 26.9:

Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 2 below, the City may accept a cash contribution in the amount of \$1,000.00 per required parking space not developed.
 - 2.2. By replacing the section number for section 26.10 with 26.9.
 - 2.3. By adding the following text after **Table 2: Class of Building/Use: Required Number of Spaces:**

This table does not apply to the Core Commercial Zone
 - 2.4. By replacing the section number for section 26.11 with 26.10.

General

3. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time.
4. If any section, paragraph, or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

Read a first and second time by the Municipal Council this January 8, 2024.

Read a third time by the Municipal Council this xxx, 2024.

Page 1 of 3

Zoning Bylaw Amendment to remove requirements for off-street parking and fees in the Core Commercial Zone Bylaw No. 2309-A35

Endorsed by the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act this day of , 2024.

Approving Officer, Ministry of Transportation, and Infrastructure

Adopted this ____ day of _____, 2024.

Mayor – Everett Baker

Corporate Officer – Daniel Drexler

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2309-A35, cited as the “Zoning Bylaw Amendment to remove requirements for off-street parking and fees in the Core Commercial Zone Bylaw No. 2309-A35”, as passed by the Municipal Council on the ____ day of _____, 2024.

Corporate Officer of the Municipal Council of the
City of Grand Forks

DRAFT



Settle down.

Reference Id: ZA2305

City Owned Property

Downtown Area-Proposed Parking Zoning Amendment

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill

Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

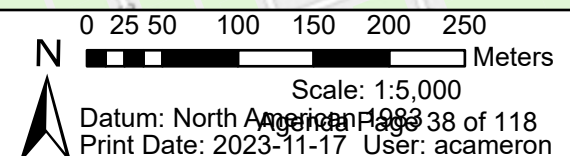
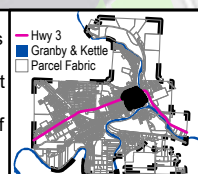
Agricultural Land Reserve (ALR): No

Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.



Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc.,
USGS, EPA, NRCAN, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and
the GIS user community

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Imagery and Parking Categories

- ZA2305
- ParcelMap BC Parcel Fabric
- Informal Off-Street Parking
- On-Street Parking
- Off-Street Parking

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

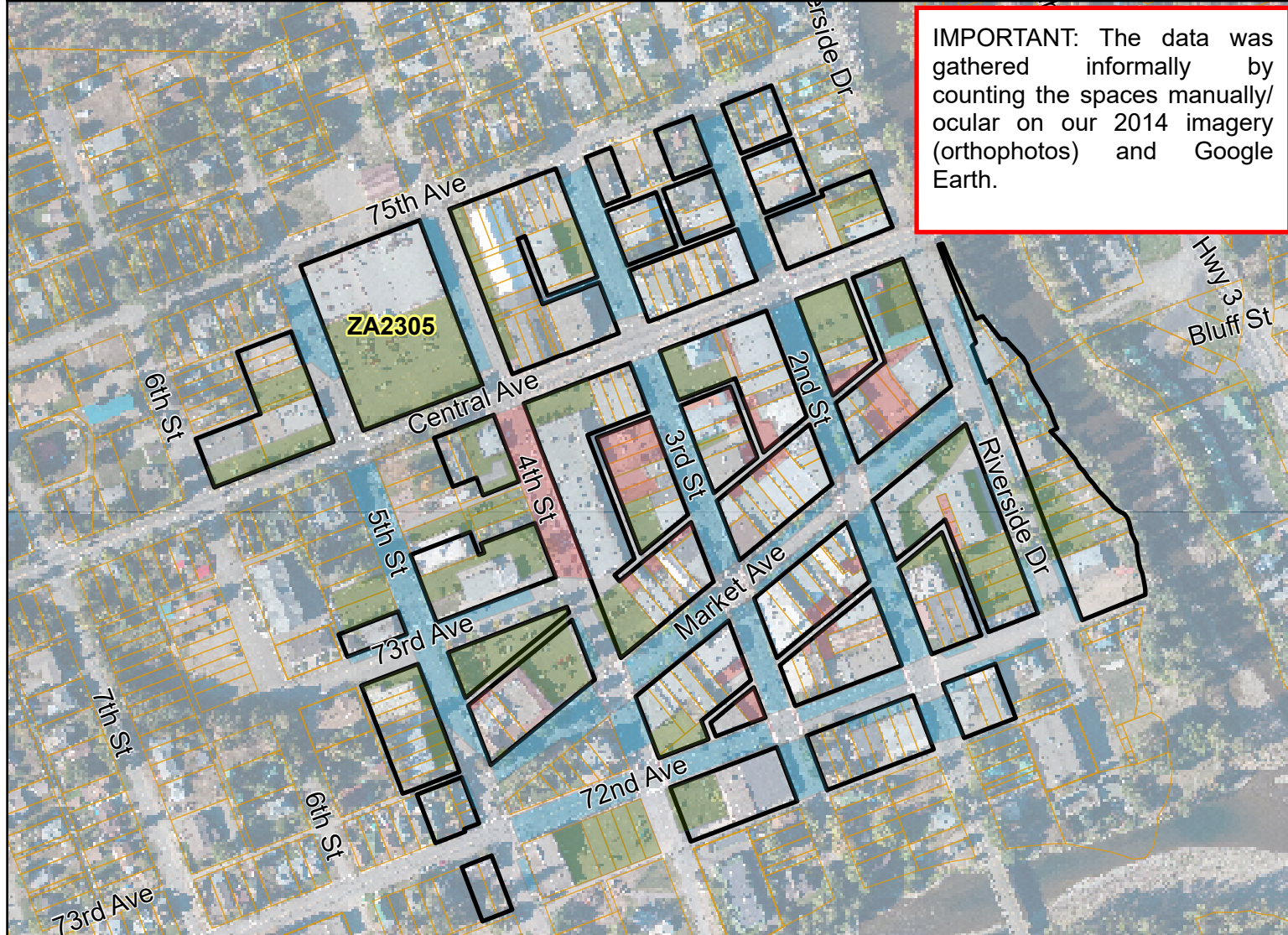
DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill

Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

Agricultural Land Reserve (ALR): No

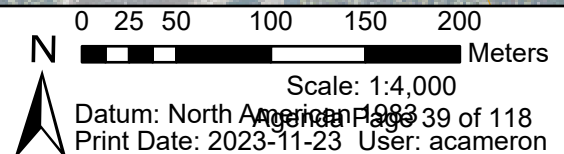
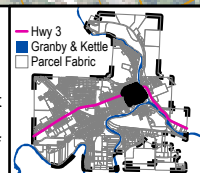
Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.

| Parking Categories | Sum of Parking Spaces | Sum of Area (m ²) | The building footprint area for Core Commercial zoned parcels is 4,4281 m ² ; if we divide the area by 30 m ² , the conclusion is that there are 1,476 spaces that need one space per every 30 square metres of floor area. |
|-----------------------------|-----------------------|-------------------------------|---|
| Informal Off-Street Parking | 191 | 7,669.68 | |
| On-Street Parking | 546 | 31,268.32 | |
| Off-Street Parking | 764 | 30,267.80 | |
| Grand Total | 1501 | 69,205.80 | |



IMPORTANT: The data was gathered informally by counting the spaces manually/ocular on our 2014 imagery (orthophotos) and Google Earth.

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Zoning Land Use

Reference Id: ZA2305

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

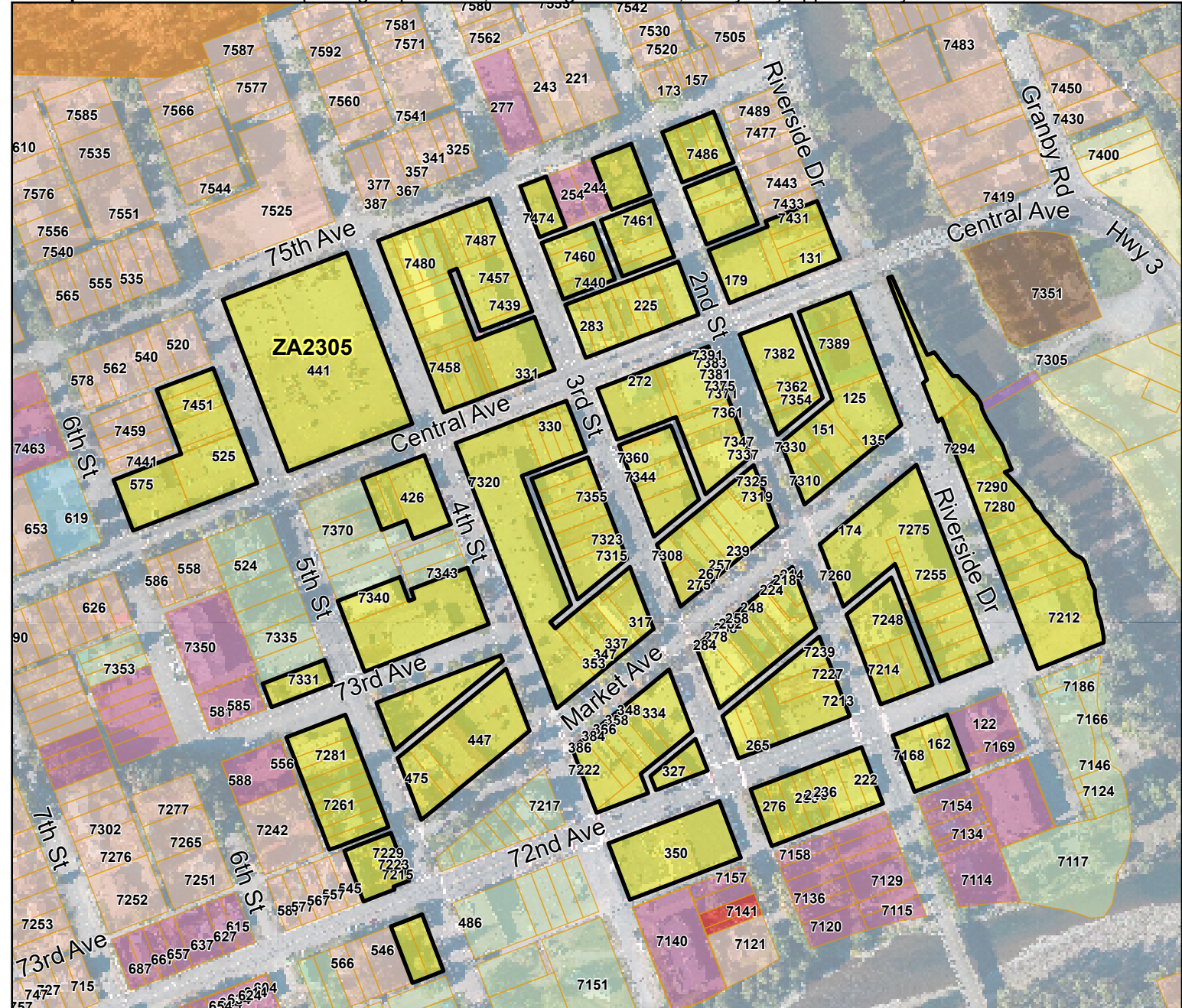
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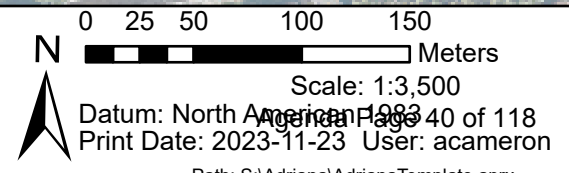
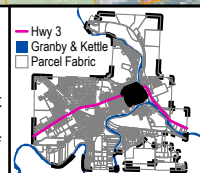
Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

Agricultural Land Reserve (ALR): No

Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.



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Official Community Plan Land Use

Reference Id: ZA2305

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone









OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill

Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

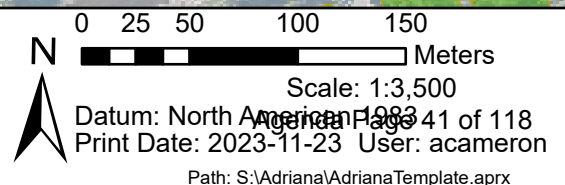
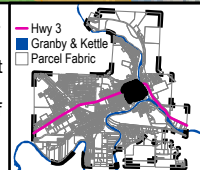
Agricultural Land Reserve (ALR): No

Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.

-  ZA2305
-  ParcelMap BC Parcel Fabric
-  Current Institutional Uses
-  ENV - Environmental
-  RN - Residential Neighbourhood
-  GDT - Greater Downtown Neighbourhood
-  DT - Downtown Core
-  HT - Highway and Tourist Commercial



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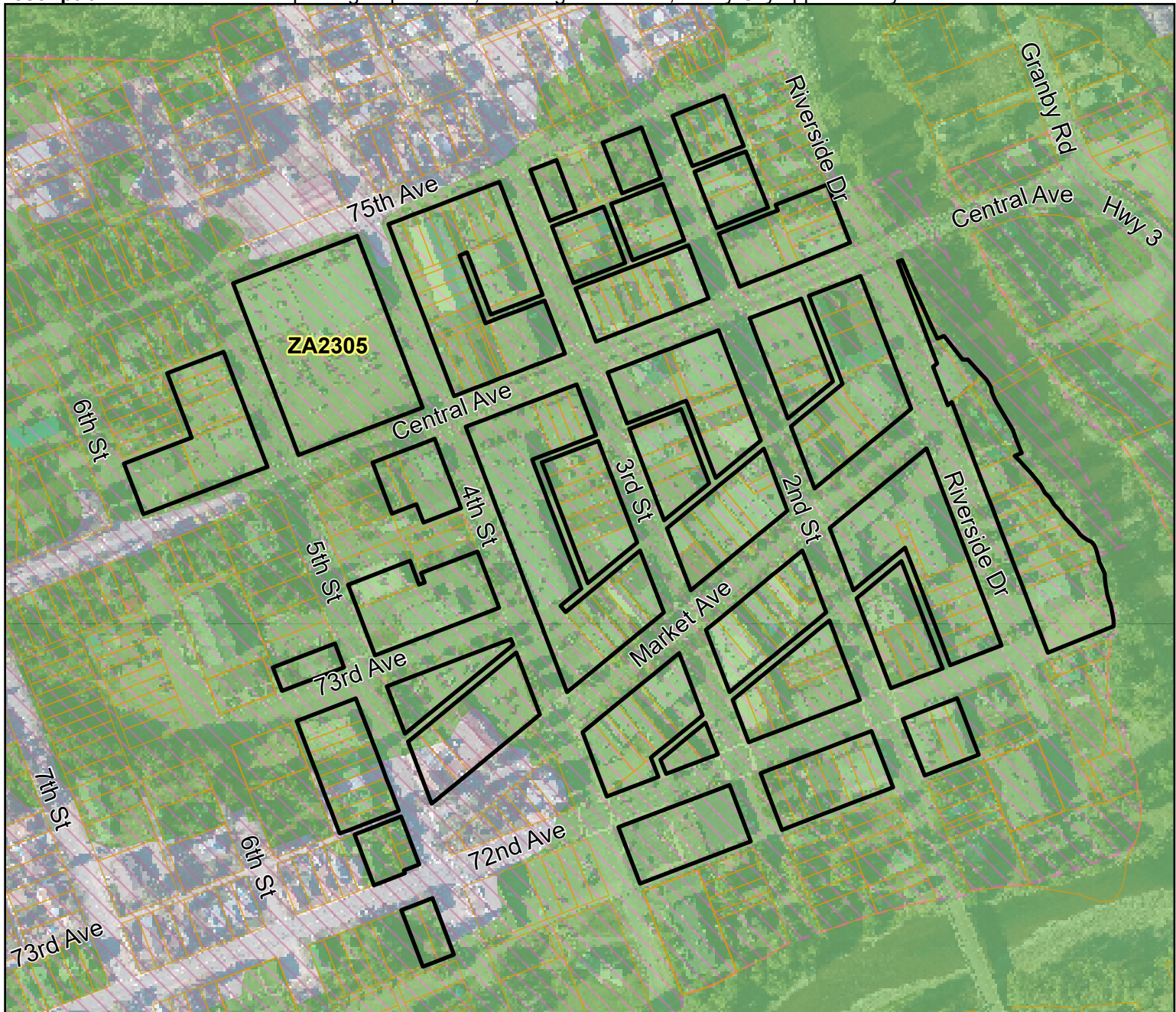


Official Community Plan Character and Environmental Development Permit Areas

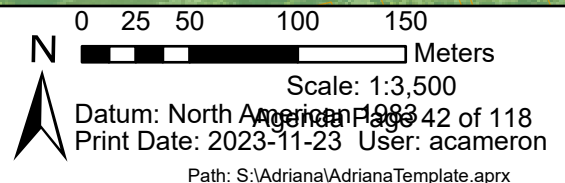
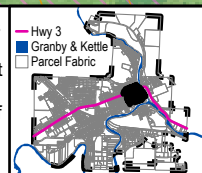
Reference Id: ZA2305

- ZA2305
- ParcelMap BC Parcel Fabric
- Character Development Permit Area
- Environmental Development Permit Area

Property Address: Downtown
PID: Various
Lot#: Various
Plan#: Various
District Lot: Various
Lot Size: 25.487 acres (103,142.33 sqm)
Zoning: CC (Core Commercial) Zone
OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental
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Official Community Plan Flood Hazard - Development Permit Areas

Reference Id: ZA2305

- ZA2305
- ParcelMap BC Parcel Fabric
- Existing Dike
- Proposed Dike
- 25-Year Floodway (4% Annual Exceedance Probability)
- 200-Year Protected Floodplain (0.5% Annual Exceedance Probability)
- 200-Year Unprotected Floodplain (0.5% Annual Exceedance Probability)

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

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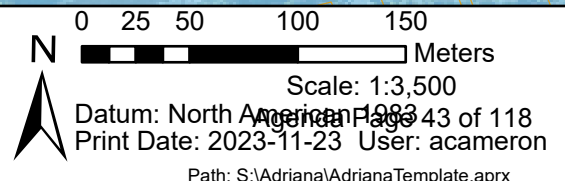
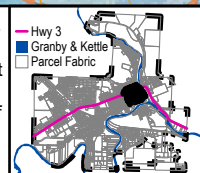
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Scale: 1:3,500

Datum: North American 1983

Print Date: 2023-11-23 User: acameron

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**Official Community Plan
Steep Slopes
Development Permit Areas**

Reference Id: ZA2305

- ZA2305
- ParcelMap BC Parcel Fabric
- Steep Slopes Development Permit Area

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

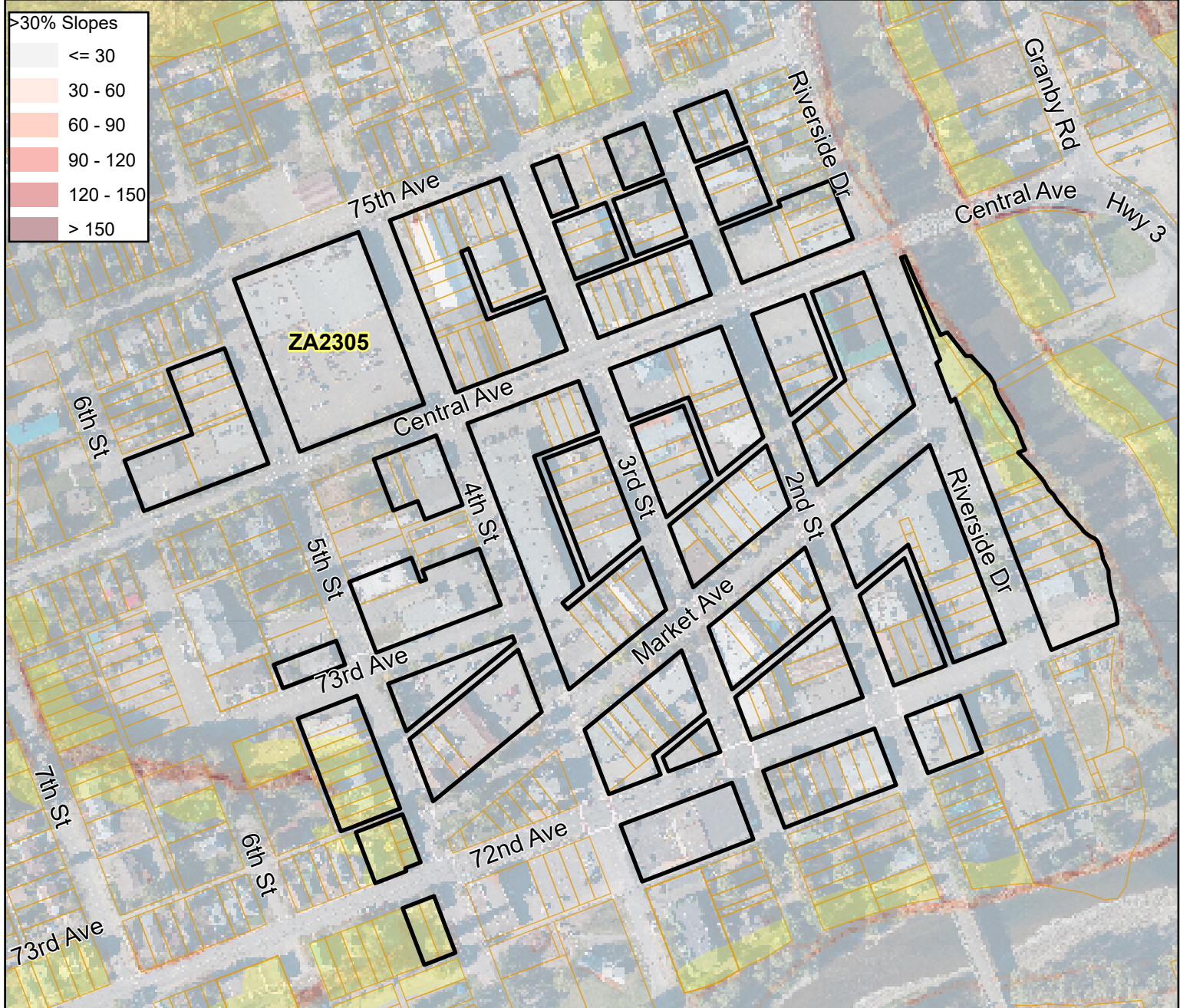
OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill

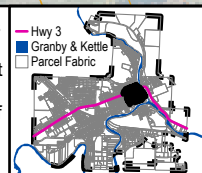
Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

Agricultural Land Reserve (ALR): No

Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.



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0 25 50 100 150 Meters
Scale: 1:3,500
Datum: North American 1983
Print Date: 2023-11-23 User: acameron
Path: S:\Adriana\AdrianaTemplate.aprx



Official Community Plan Riparian and Sensitive Ecosystem Development Permit Areas

Reference Id: ZA2305

- ZA2305
- ParcelMap BC Parcel Fabric
- Riparian Area & Sensitive Ecosystems DPA
- Sensitive Ecosystems
- Other Important Ecosystems
- Riparian Areas
- Wetlands

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

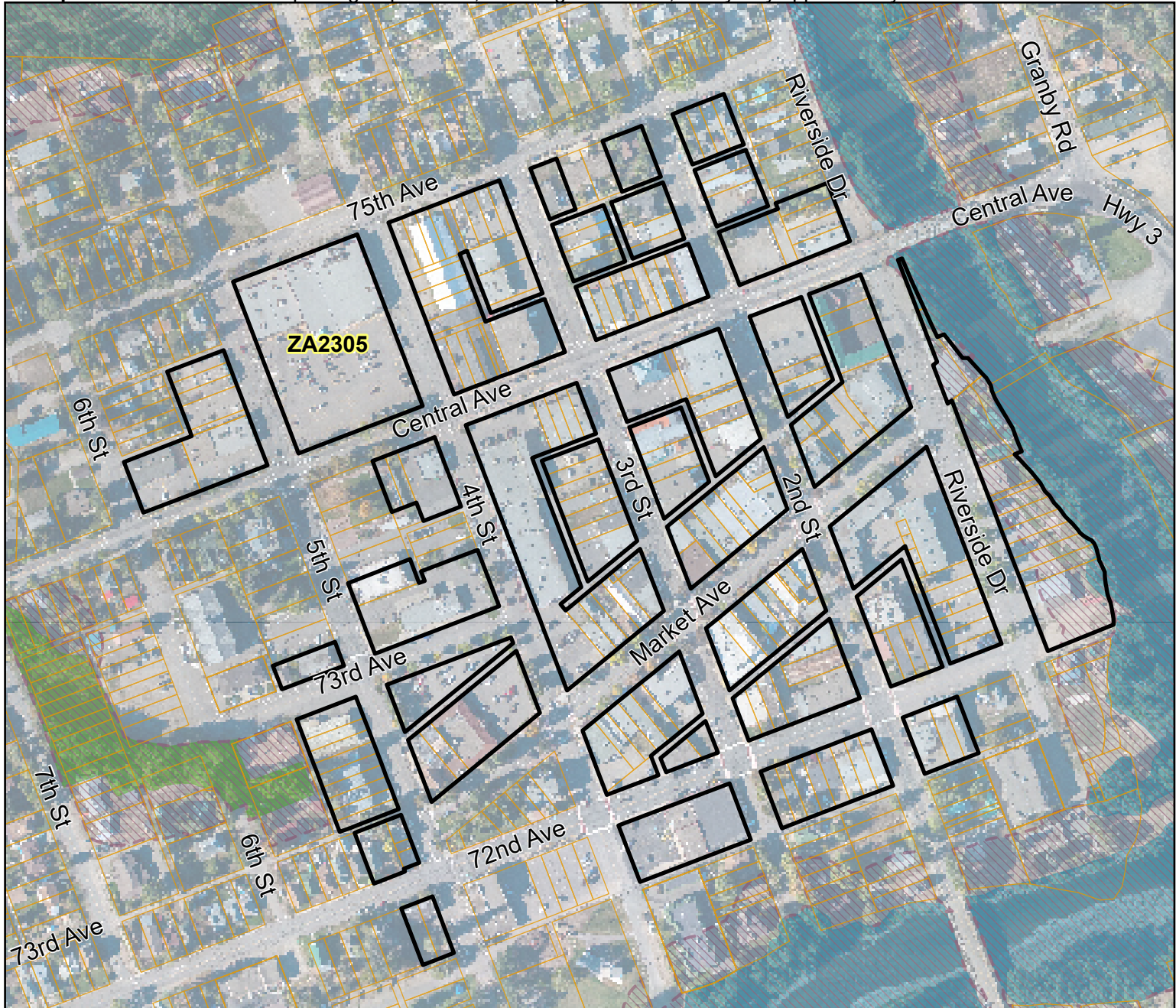
OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill

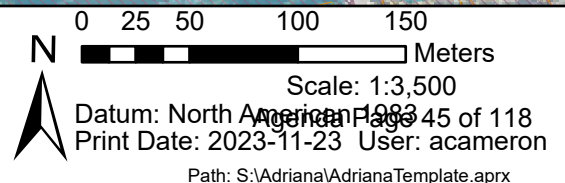
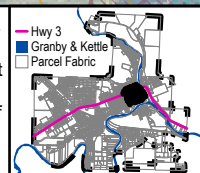
Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

Agricultural Land Reserve (ALR): No

Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.



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Official Community Plan Neighbourhood and District Development Permit Areas

Reference Id: ZA2305

Property Address: Downtown

PID: Various

Lot#: Various

Plan#: Various

District Lot: Various

Lot Size: 25.487 acres (103,142.33 sqm)

Zoning: CC (Core Commercial) Zone

OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental

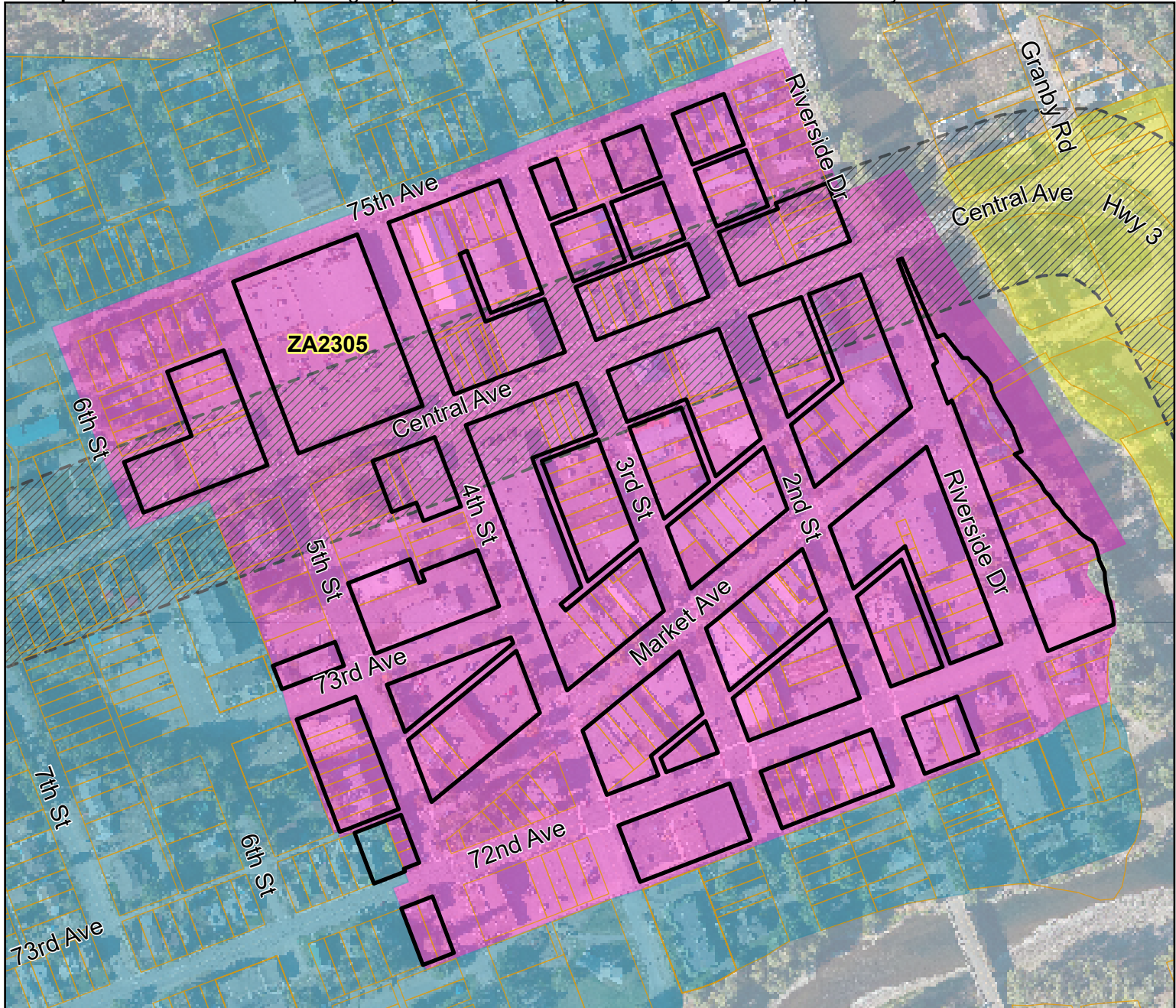
DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill

Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem

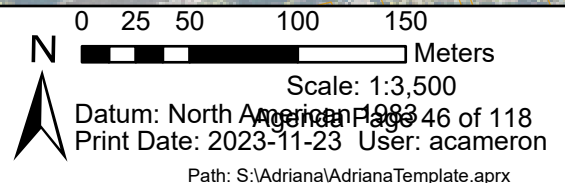
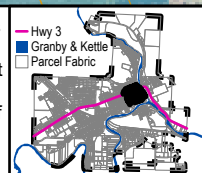
Agricultural Land Reserve (ALR): No

Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.

- ZA2305
- ParcelMap BC Parcel Fabric
- Highway 3 Corridor
- GC - Gateway & Corridor
- HD - Historic Downtown
- GDT - Greater Downtown Infill



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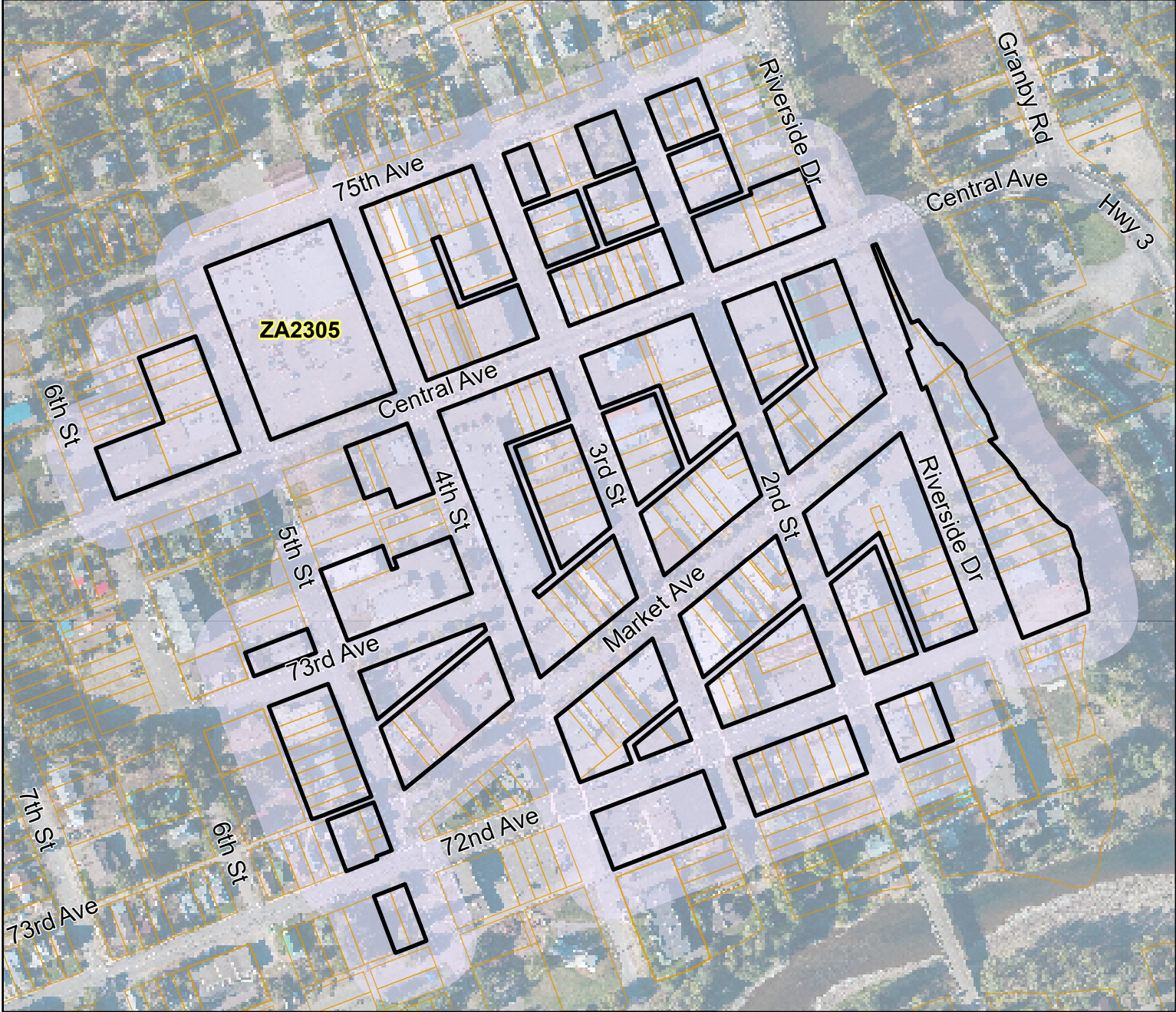


30 metre Buffer and Imagery

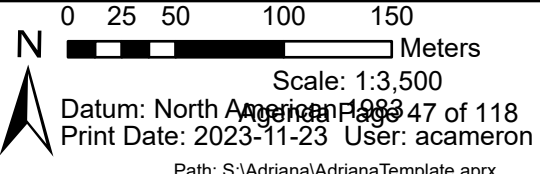
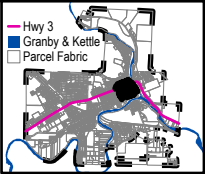
Reference Id: ZA2305

- ZA2305
- ParcelMap BC Parcel Fabric
- Buffer

Property Address: Downtown
PID: Various
Lot#: Various
Plan#: Various
District Lot: Various
Lot Size: 25.487 acres (103,142.33 sqm)
Zoning: CC (Core Commercial) Zone
OCP-Land Use: DT - Downtown Core, GDT - Greater Downtown Neighbourhood and ENV - Environmental
DP Areas: Neighbourhood-Historic Downtown and Greater Downtown Infill
Environmental-Flood Hazard; Steep Slopes; Riparian Areas and Sensitive Ecosystem
Agricultural Land Reserve (ALR): No
Description: Remove off-street parking requirement, including fees in lieu, in any City applicable bylaws in the downtown core.



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THE CORPORATION OF THE CITY OF GRAND FORKS

Development and Planning

ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking

Applicable Land Use Bylaws Summary

The table below lists the land use bylaws that apply to the proposed amendment to the off-street parking requirement, including fees in lieu, in the CC (Core Commercial) Zone, its designation/provision and main intent. The area related to the proposed zoning amendment is zoned CC (Core Commercial); its Official Community Plan (OCP) land use designation is mainly Downtown Core; no OCP amendment is needed; it mainly overlaps with the Historic Downtown development permit area (DPA) of the General Neighbourhood DPA.

| Item | Designation/ Provision | Main requirement or Intent |
|----------------------|---|---|
| Zoning Bylaw No.2039 | s.26 Off-street Parking | <p>s.26.1 Each off-street parking space shall be not less than 2.5 metres wide and 5.5 metres long, and have a vertical clearance of not less than 2.5 metres;</p> <p>s.26.2 Where the calculation of the number of off-street parking spaces results in a fraction, one parking space shall be provided in respect of the fraction.</p> <p>s.26.3 Where seating accommodation is the basis for the calculation of the number of parking spaces and the building or use consists of benches, pews, booths, or similar seating accommodation, each 0.5 metres of width of such seating shall be deemed to be one seat.</p> <p>s.26.4 Every off-street parking space shall always have access to an aisle that intersects with a highway, with exception to the second space required for a single-family dwelling.</p> <p>s.26.5 Except for single-family dwelling units, accessory dwelling units, mobile homes and campground uses parking areas and access points shall be surfaced with durable dust free and preferably pervious material and all parking spaces shall be clearly marked.</p> <p>s.26.6 For non-residential uses, at least 2% of the required off-street parking areas shall be designated as accessible for persons with disabilities, with a minimum of one space per site. Each off-street accessible parking space 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.</p> <p>s.26.7 Off-street parking areas, as required by this bylaw, shall not be credited against the requirement of off-street loading.</p> <p>s.26.8 The number of access points from each parking area to a fronting street shall not exceed two per parcel of land.</p> <p>s.26.9 Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 2 below, the City may accept a cash contribution in the amount of \$1,000.00 per required parking space not developed.</p> |
| Zoning Bylaw No.2039 | s.26.10 Off street parking spaces for each building, structure and use permitted shall be provided in | <p>(a) wholesale establishments; (not in Off Street Parking table) Storage, warehousing and freight facility one space per every 100 square metres of floor area, including outdoor sales and storage areas</p> <p>(b) retail establishments; Retail store one space per every 45 square metres of floor area</p> <p>(c) restaurants and/or liquor licenced premises; Restaurant one space per every 3 seats for the patrons; Public house (liquor licensed premises) one space per every 3 seats for the patrons</p> |



THE CORPORATION OF THE CITY OF GRAND FORKS

Development and Planning

ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking

| Item | Designation/ Provision | Main requirement or Intent |
|---------------|--|--|
| | accordance with the requirements in the following Table 2: | <p>(d) professional offices and offices; Professional services one space per every 60 square metres of floor area</p> <p>(e) medical and dental clinics; Medical clinic, dental clinic one space per every 20 square metres of total floor area</p> <p>(f) personal service establishments; Personal service establishment one space per every 20 square metres of floor area</p> <p>(g) clubs, lodges and similar fraternal organizations; Community centre, club, and lodge one space per every 10 square metres of floor area;</p> <p>(h) indoor entertainment facilities; (not in Off Street Parking table)</p> <p>(i) bus depots; (not in Off Street Parking table) Transportation depot one space per every 20 square metres of total floor space</p> <p>(j) taxi stands; (not in Off Street Parking table)</p> <p>(k) financial institutions; (not in Off Street Parking table)</p> <p>(l) hotels and motels; Hotel, motel one space per every unit offered daily to the public</p> <p>(m) post office; (not in Off Street Parking table)</p> <p>(n) theatres; (not in Off Street Parking table)</p> <p>(o) animal hospitals with no outside runs or enclosures. Animal hospital one space per every 30 square metres of floor area</p> <p>(a) apartment units; Dwelling unit (greater than 90 square metres) Dwelling Unit (equal to or under 90 square metres); two spaces per every unit one space per every unit</p> <p>(b) buildings or structures accessory to any of the uses permitted in this zone</p> |
| By2039 Zoning | s.48 CC (Core Commercial) Zone | <p>s.48.1 Every subsection in Section 48 refers to the CC (Core Commercial) Zone.</p> <p>s.48.2 The following uses and no others are permitted in a CC zone:</p> <p>(a) wholesale establishments;</p> <p>(b) retail establishments;</p> <p>(c) restaurants and/or liquor licenced premises;</p> <p>(d) professional offices and offices;</p> <p>(e) medical and dental clinics;</p> <p>(f) personal service establishments;</p> <p>(g) clubs, lodges and similar fraternal organizations;</p> <p>(h) indoor entertainment facilities;</p> <p>(i) bus depots;</p> <p>(j) taxi stands;</p> <p>(k) financial institutions;</p> <p>(l) hotels and motels;</p> <p>(m) post office;</p> <p>(n) theatres;</p> <p>(o) animal hospitals with no outside runs or enclosures.</p> <p>s.48.3 Permitted accessory uses and buildings on any parcel includes the following:</p> <p>(a) apartment units;</p> |

THE CORPORATION OF THE CITY OF GRAND FORKS

Development and Planning

ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking

| Item | Designation/ Provision | Main requirement or Intent |
|-------------------------|--|--|
| | | <p>(b) buildings or structures accessory to any of the uses permitted in this zone.</p> <p>s.48.4 There is no minimum parcel size.</p> <p>s.48.5 Apartment units shall be permitted to a maximum of 50% of first storey floor area and 100% of second or higher storey floor area.</p> <p>s.48.6 The maximum permitted lot area coverage for all buildings and structures shall be:</p> <p>(a) 100% with approved fire-resistant walls;</p> <p>(b) 80% without approved fire-resistant walls.</p> <p>s.48.7 No building or structure shall exceed 18 metres in height.</p> <p>s.48.8 No accessory building or structure shall exceed 4.8 metres in height.</p> <p>s.48.9 No accessory building shall have a floor area greater than 10% of the principal structure.</p> <p>s.48.10 The buildings or structures used for the commercial operation must be a minimum of 4.6 metres from any parcel lot line that is adjacent to a residential parcel of land.</p> <p>s.48.11 If a fence is erected it shall not exceed a height of 2.4 metres.</p> <p>s.48.12 Every parcel must be connected to a community sewage and water system.</p> |
| OCP Bylaw No.2089 | s.1.5 Principle #4 – Connect the City | Furthermore, reducing the City's environmental footprint through more walking and biking improves the local air quality, reduces traffic and parking concerns, reduces greenhouse gases, and results in a healthier (and often happier) population |
| OCP Bylaw No.2089 | s.3.4 Downtown Core | <p>INTRODUCTION</p> <p>The third type of node is the City's downtown, a citywide gathering place. The Grand Forks Downtown Core, also known as the Market District, is the heart of Grand Forks and accommodates a concentration of commercial activity, civic/institutional uses (e.g. City hall, art gallery), parks/plazas, and mixed-use development. It is considered to be the focal point for civic, commercial, social and cultural activity. The Downtown Core has a rich history which manifests its character in the heritage buildings that remain in this area. As the heart of the City, what is good for the downtown is good for the City.</p> <p>Grand Forks supports the Downtown Core as a focal point for commercial, civic and cultural activity, and for preservation and enhancement of the City's heritage assets and character.</p> <p>INTENT</p> <p>Downtown Core should generally have the following characteristics:</p> <ul style="list-style-type: none"> • Be the City's primary commercial/retail centre; • Be the preferred location for the City's primary civic institutions and office uses (e.g. City Hall); • Be the preferred location for festivals and special events; • Location for major parks and open spaces; and • Residential development that is complementary to the commercial focus in the form of mixed use residential, townhouses, apartments, and live-work units. <p>POLICIES</p> |



THE CORPORATION OF THE CITY OF GRAND FORKS

Development and Planning

ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking

| Item | Designation/ Provision | Main requirement or Intent |
|---------------------------|--|--|
| | | <p>s.3.4.4. Integrate the City's parks, open spaces, and pathways with the core downtown commercial area to facilitate safe movement of pedestrians, cyclists, and motorists. This may include additional signage, accessible design elements, wayfinding, lighting, sidewalks, and pathways.</p> <p>s.3.4.10. Support pedestrian-oriented commercial and gathering opportunities on Market Avenue and explore opportunities for partial or seasonal closures in collaboration with downtown businesses.</p> <p>s.3.4.13. Require developments to incorporate pedestrian- and transit-oriented design elements such as seating areas, bike racks, sidewalks, and multi-use connections.</p> <p>s.3.4.14. Continue streetscaping improvements, such as street trees, paving improvements, and street furniture from Highway 3 (Central Ave) to Market Avenue to create a stronger visual connection from the highway to the Downtown Core.</p> <p>s.3.4.15. Enhance multi-use pathway and pedestrian connections between Market Avenue and the Granby River, TransCanada Trail, and City Park along 2nd and 4th Streets.</p> <p>s.3.4.16. Consider developing alleyways as secondary opportunities for commercial enterprises and public space.</p> |
| By2089 OCP Land Use | s.3.6 Greater Downtown Neighbourhood | <p>4 parcels.</p> <p>INTENT</p> <ul style="list-style-type: none"> • Focused area for sensitive infill residential and increased density to support the businesses within the Downtown Core • Opportunity area for City investment in wayfinding, placemaking and branding • Opportunity area for City investment for improved multi-modal streetscapes to support intensification |
| By2089 OCP Land Use | s.2.3 Environmental | <p>6 parcels partially overlap.</p> <p>INTENT</p> <p>The intent of "Environmental Land Uses" is to protect sensitive ecosystems and prevent increased exposure to natural hazards by limiting development to the most appropriate site(s) within each property and seeking opportunities to increase protection of natural assets.</p> |
| By2089 OCP DPA | s.3.9 General Neighbourhood | <p>GUIDING PRINCIPLE 2 – GOALS</p> <ul style="list-style-type: none"> • Establish a walkable mixed use employment node in each neighbourhood. • Build a vibrant Downtown and reinforce Market Avenue. • Encourage a variety of housing types to provide affordable housing options for residents of all ages and abilities. • Preserve historical places, character, and buildings; encourage sensitive infill and redevelopment in all residential neighbourhoods. • Enhance public space and civic amenities to create opportunities for residents and visitors to experience and enjoy living and visiting Grand Forks. • Create diverse employment centres accessible to all residents. |



THE CORPORATION OF THE CITY OF GRAND FORKS
Development and Planning
ZA2305-Bylaw-2039A35 Downtown Core - Off-street Parking

| Item | Designation/ Provision | Main requirement or Intent |
|-------------------|--|--|
| By2089 OCP DPA | s.3.10 Historic Market District (Historic Downtown) | INTRODUCTION AND OBJECTIVES The Grand Forks “Historic Market District DPA” is located in downtown Grand Forks. The area has a well established “Main Street” along Market Avenue, which is the downtown anchor. Mixed use and commercial use buildings surround Market Avenue and support the majority of commercial activities in Grand Forks. The modified grid block, with well established street trees, lend to the pedestrian-friendly character of the Downtown Core. Many of the heritage resources that exist in Grand Forks are located in the downtown. Grand Forks’ downtown has a unique heritage character. It brings economic and social opportunities. As properties infill and redevelop, it is important that new buildings and renovations complement or improve on the existing character in order to strengthen the downtown. This includes making sure that new buildings fit the character with similar form, massing, streetscaping, and materials. As infill occurs, City Council aims to support the protection, preservation, and promotion of heritage resources. |



THE CORPORATION OF THE CITY OF GRAND FORKS

ZONING BYLAW NO. 2039, 2018

A bylaw to regulate land use in the City of Grand Forks.

ZONING BYLAW 2039, 2018
CONSOLIDATED FOR CONVENIENCE
Amendments A1-A35

Last Updated: January 2, 2024

NOTICE TO USERS

This office consolidation is not an authoritative text of the law and is produced solely as a convenience to the user. The authoritative text of the law is in the original bylaw and the amending bylaw(s).

INCLUDING THE FOLLOWING BYLAWS:

2039-A1, 2039-A2, 2039-A3; 2039-A4; 2039-A5; 2039-A7; 2039-A8; 2039-A10; 2039-A13; 2039-A14; 2039-A15; 2039-A16; 2039-A17; 2039-A18; 2039-A19; 2039-A20; 2039-A21; 2039-A22; 2039-A23; 2039-A25; 2039-A26; 2039-A27; 2039-A28 (40 Morrissey Site Specific allow 2 dwellings in R-4); 2039-A29 (1730 68th Ave R1 to R2); 2039-A30 (Temporary Habitation); 2039-A31 (Not Adopted - 1866 Central Ave - Tesla Chargers); [2039-A35 \(Not Adopted - Downtown Core - Off-street Parking\)](#)

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THE CORPORATION OF THE CITY OF GRAND FORKS
Zoning Bylaw No. 2039, 2018
A Bylaw to Regulate Land Use in the City of Grand Forks

=====

In accordance with the Local Government Act, Council may establish land use regulations by bylaw.

The Council of the Corporation of the City of Grand Forks in open meeting assembled **ENACTS** as follows:

PART I - TITLE

1 Citation

- 1.1 This Bylaw may be cited for all purposes as the "**City of Grand Forks Zoning Bylaw No. 2039, 2018**"

PART II – INTERPRETATION

2 Definitions

- 2.1 In this Bylaw, unless the context otherwise requires:

Accessory or Accessory Use means a use, building or structure that is incidental or subordinate to, and exclusively devoted to and located on the same parcel as a principal use, building or structure.

Aisle means an area used by registered motor vehicles for access to and from off- street parking spaces onto a highway and shall not be less than 7 metres in width.

Animal Hospital means a building or part thereof provided for the prevention, cure and alleviation of disease and injury to animals and includes shelter for animals within the building or on the grounds, during their period of treatment and recovery.

Attached means a building or structure connected by way of continuous foundation, walls or roof.

Average Finished Grade means:

- (a) The rough grading elevation as identified on a lot grading plan, where such a plan has been approved by the City; or
- (b) Where there is no approved lot grading plan, the lowest of the average levels of finished ground elevations adjoining each exterior wall of a building or structure determined by averaging elevations taken at the outermost corners of the building or structure, excluding localized depressions for vehicular or pedestrian access. Finished ground elevations include fill materials placed on the lot to raise the ground elevation up to but not above the average elevation of adjoining lots at the adjoining lot lines, or to the required flood construction level.

Bed And Breakfast means a home occupation that offers a maximum of 3 bedrooms, for rent to the travelling public by the registered owner of the dwelling. The primary use of the dwelling is for the principal residence of the owner.

Campground means an area of land, managed as a unit, which provides short term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers.

Bylaw
2039-A1

Cannabis Retail means any fixed retail space licenced to sell recreation cannabis by the provincial government.

Bylaw
2039-A1

Cannabis Production, Processing or Distribution space means any facility licenced federally for the purposes of cannabis cultivation, nursery, or processing, or licenced provincially for wholesale and distribution of cannabis products.

Bylaw
2039-A13

Charitable or non-profit food service means an establishment where meals are provided to the public by a non-profit or charitable organization on a regular basis, but excludes occasional fundraisers and special events. Within this definition, meals include both food cooked and prepared onsite; as well as, food pre-cooked or prepared offsite and brought to the site to be distributed.

Commercial Recreation Facility means a building or structure, designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

Community Events Centre means the use of land, buildings or facilities to include but not limited to the following:

- (a) passive or active recreational activities;
- (b) educational activities;
- (c) arts and culture activities and events;
- (d) convention, conference, meeting and business events;
- (e) society and group gatherings and events.

Community Garden means a site operated on a not-for-profit basis by volunteers where:

- (a) a parcel of land is used to produce edible and ornamental plants and trees for the personal use of its members or community use though allotments of garden space or shared plots;
- (b) demonstration gardening or other instructional programming may be offered; and
- (c) the use of plots, greenhouses, storage sheds, accessory buildings and the provision of services such as water, tilling and shared tools may be provided to members.

Community Sewage means a system of sewage collection and disposal serving two or more parcels.

Community Use Service(S) means 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.

Community Water means a system for the distribution of fresh potable water serving two or more parcels.

Congregate Care means housing in the form of one or more dwelling units for semi-independent persons within which is provided living and sleeping facilities, meal preparation, laundry services and room cleaning. A congregate care facility may also include such associated uses and services as administrative offices for that facility, on-site residential accommodation for support staff, transportation for residents and counselling services. A congregate care facility provides only limited on-site health care services.

Convenience Store means a commercial operation where merchandise and foodstuffs are offered for retail sale. This operation may contain a banking machine or a postal outlet.

Day Care Centre means a public or private facility providing educational enrichment and custodial care to young children and are licensed by the appropriate jurisdictions.

Density means a measure of the intensity of development to the area of the site, expressed as the number of units per area /site or as floor area. Dwelling units are calculated as follows:

- (a) greater than 90 square meters floor area equals one unit;
- (b) 29 square meters and up to 90 square meters floor area equals 0.7 units; and
- (c) Less than 29 square meters floor area equals 0.3 units.

Derelict Vehicle means any vehicle which has not been licensed pursuant to the Motor Vehicle Act for a period of more than 12 months and which is not housed in a garage or carport.

Bylaw
2039-A25

Domestic Cat Shelter means a lot, building, or structure, or part thereof, used for providing care, shelter, veterinary services, adoption services, or rehabilitation to lost, abandoned, or neglected domestic cats, but does not include an animal hospital for other animals or kennel for any animals.

Dwelling Unit means a building or a part of a building in which a person(s) live(s). This means one or more rooms are to be used as or designed as a residence, which contains sleeping, cooking and sanitary facilities and has an independent entrance, either directly from outside a building or from a common hallway inside a building. Without restricting the generality of the above, this includes but is not limited to the following classifications:

Bylaw
2039-A3

- (a) **Single-family dwelling**, detached, generally designed for and occupied by one family;
- (b) **Two-family dwellings**, attached, semi attached or detached and of equivalent floor area;
- (c) **Three family dwellings** meaning any physical arrangement of three attached or detached dwelling units with exterior access to grade;
- (d) **Multi-family dwellings**, commonly referred to as either townhouses if attached or a 'pocket neighbourhood' if detached;
- (e) **Apartments**, for rent to the public or for private uses. The private use of apartments may also be used as on-site security or watchperson's quarters for industrial uses;
- (f) **Mobile home**, a transportable factory built single family dwelling designed to provide year-round living accommodation for one family and able to be connected to utility services, manufactured after June 1, 1989, in conformity with the CAN/CSA-Z240 MH Series.
- (g) **Accessory Dwelling Unit (ADU)** is an independently habitable dwelling unit including a locking entrance door, intended to enable the creation of additional housing units while respecting the look and scale of the principle dwelling or dwellings on the property, and includes:

- i. a **Secondary Suite**, contained within the primary dwelling, and occupying the lesser of 40% of the floor area of the principle dwelling or 90 square metres;
- ii. a **Garden Suite**, subordinate to and detached from the primary dwelling and occupying a maximum of 90 square metres.

Bylaw
2039-A1

- (h) **Tiny House on Wheels** is a dwelling unit on wheeled chassis, greater than 12 square meters and less than 29 square metres designed to be used as a full-time

residence in this climate.

Ecological Reserve means land used or intended to be used for the preservation of the environment or for scientific research and education pertaining to studies in the inter-relationships between species and the behaviour of unique flora and fauna.

Emergency Response and Municipal Services means a use providing the public with fire, police and/or ambulance services.

Equestrian Centre means the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the commercial racing of horses.

Exterior Side Parcel Line means a side parcel line that abuts a highway. Please see the Parcel Definition Diagram No. 1 and the Setback/Height Definition Diagram No. 2.

Farm Operation (Animal) means the growing, rearing, producing of poultry, fowl, livestock or game farm animals for commercial purposes.

Farm Operation (Crop) means the growing, rearing, producing or harvesting of agricultural or specialty crops, for commercial purposes.

Fencing or Landscape Screening means a fence, wall, berm or other similar like barriers or any combination thereof, that effectively obstructs the view or denies physical access to a parcel of land or portion thereof.

Floor Area means the aggregate of the area of all floors in a building, measured between the inside surface of the exterior walls of the building, excluding the following: carports, parking garages, and sun decks.

Front Parcel Line means a front parcel boundary that abuts a highway, and in respect of a corner parcel is the shortest parcel boundary abutting a highway. Please see the Parcel Definition Diagram No. 1 and the Setback/Height Definition Diagram No. 2.

Height (of a building or structure) means:

- (a) the vertical distance from the average finished grade level or from the flood construction level as defined in the Grand Forks Floodplain Bylaw as amended or replaced from time to time,
- (b) recorded at the outermost corners of a building or structure to the highest point of a structure,
- (c) excluding structures placed on the roof for the protection of Heating, Ventilation and Cooling, maintenance of elevator mechanisms or similar purposes (please see Setback/Height Definition Diagram No. 2).

Highway includes a street, road, lane, bridge, viaduct, government road allowances and any other way open to the use of the public, but does not include a private right-of-way on private property.

Home Industry means an occupation or profession that may include outdoor storage and accessory retail sales, carried out in a dwelling or accessory building, by the residents of the dwelling, where such occupation or profession is incidental or secondary to the residential use of the subject property.

Home Occupation means an occupation or profession that may include accessory retail sales, carried out in a dwelling, by the residents of the dwelling, where such occupation or profession is incidental or secondary to the residential use of the subject property.

Hotel means a building wherein accommodation is provided primarily for the travelling members of the public on a daily rental basis. Access to the accommodation is through the main lobby of the business operation. The accommodation may or may not include an on-site kitchenette. The building may or may not contain any of the following services:

- (a) one or more restaurants;
- (b) one or more liquor licensed rooms;
- (c) one or more banquet rooms;
- (d) one or more meeting rooms; and
- (e) recreational facilities.

Interior Side Parcel Line means a side parcel line that is not common to a highway other than a lane or walkway. Please see the Parcel Definition Diagram No. 1 and the Setback/Height Definition Diagram No. 2.

Kennel means a commercial establishment for the keeping, breeding, or training of domestic pets.

Lane means a highway, generally 10 metres in width or less, providing secondary access to a parcel of land;

Liquor Licensed Premises means any building, structure or premises licensed to sell alcohol or spirits, under the *Liquor Control and Licensing Act* and it may or may not include the selling of food or the providing of entertainment.

Lot Area means the total area of a parcel of land taken in a horizontal plane.

Lot Area Coverage means the area of the lot covered by buildings or structures, and parking if specified, expressed as a percentage of the gross lot area.

Manufacturing Facilities means a building, structure or a parcel of land used for the making of articles or products by either physical labour or with machinery or a combination of both methods. This excludes the following activities:

- (a) asphalt plants;
- (b) pulp and /or paper manufacturing facility.

Mobile Home Park means **3 or more** mobile homes on a parcel of land, but does not include the storage of unoccupied mobile homes on the parcel;

Motel means a building or buildings where accommodation is provided primarily for the travelling members of the public on a daily rental basis. Access to the accommodation is directly from the operation's off-street parking lot. The accommodation may or may not include an on-site kitchenette. The building(s) may or may not contain any of the following services:

- (a) one or more restaurants;
- (b) one or more liquor licensed rooms;
- (c) one or more banquet rooms;
- (d) one or more meeting rooms; and
- (e) recreational facilities.

Municipal Services means a system, work or resource, including but not limited to natural gas distribution, electricity, sewerage, community waterworks, and telephone services.

Open Fencing means fencing, which is constructed of wire, chain linking or other material that does not present visual obstruction.

Parcel Of Land means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

Personal Service Establishment means a business where personal services are provided to consumers and where the retail sale of goods, wares, merchandise or articles is only accessory to the provisions of such services, without restricting the generality of the above, this includes but is not limited to the following:

- (a) barber shops;
- (b) beauty shops;
- (c) tailor shops;
- (d) laundry;
- (e) dry-cleaning establishments;
- (f) shoe repair shops;
- (g) dressmakers or suit makers;
- (h) catering establishments.

Principal Use means a use, building or structure, which occupies the major or central portion of a parcel and constitutes, the primary purpose for which the parcel is used;

Professional Services means the provision of services by an individual who is registered or duly licensed as such to practice under the provisions of the authority of appropriate jurisdiction. Without restricting the generality of the above, this includes but is not limited to the following:

- (a) doctors and dentists;
- (b) lawyers;
- (c) accountants;
- (d) engineers;
- (e) surveyors;
- (f) financial advisors;
- (g) architects; and
- (h) other similar professionals.

Rear Parcel Line means the boundary of a parcel that lies the most opposite to and is not connected to the front parcel line. Please see the Parcel Definition Diagram No. 1 and the Setback/Height Definition Diagram No. 2.

Recreational Vehicle means any camper, vehicle, trailer, fifth wheel, house, car, structure or conveyance designed to travel or to be transported on the highways and constructed or equipped to be used as temporary living or sleeping quarter by travelers.

Religious Centre means a building or structure dedicated to religious worship and may include accessory uses such as a day-care centre, an assembly hall, a library, arts and craft sales, community suppers, sales of pre-owned goods and an accessory dwelling for a caretaker.

Restaurant means a building or structure where food and drink is prepared and sold to the public for consumption. This food and drink may be eaten within or outside of the building or structure or taken away from the building or structure. Does not include Charitable or Non-Profit Food Service.

Salvage Yard means the use of land for the abandonment, collection, demolition, dismantlement, keeping, storage, salvage, or sale of used, discarded, worn out or scrapped machinery, vehicles, vehicle parts, scrap metal, scrap wood, chains, used pipes, waste paper, furniture, bottles, cans, rope, iron, copper or other scrap or discarded materials.

Seniors Housing means a single building designed to provide accommodation for up to a maximum of 14 senior citizens and may include common eating and social activity areas for the

use of the residents, administration facilities and a maximum of one additional dwelling unit in the form of a self-contained apartment within the building for the use of a caregiver and the caregiver's family.

Senior Citizens Complex means any building or structure, which contains more than 3 senior citizen dwelling units. This building or structure include private or central kitchen facilities, private or common eating areas, common recreational areas, private sleeping areas and accessory facilities such as clubs or lounges.

Setback means the minimum distance required under this Bylaw between a building or structure and each of the specified parcel lines (Setback/Height Diagram No. 2);

Side Parcel Line means a parcel line other than a front or rear parcel line (Parcel Definition Diagram No. 1 and the Setback/Height Definition Diagram No. 2).

Youth-Centered Facility means any school, daycare, playground, community garden, recreation facility or other facility designed for use primarily by minors.

Value Added Wood Processing means either:

- (a) a shift away from the standardized high-volume basic wood commodity products produced, with the focus being upon the development of new products or manufacturing techniques that are tailor made for a specific sector of the market; or
- (b) a forestry manufacturing activity that generates more jobs from the same raw material sources used for the development of the standardized high-volume basic wood products.

Watchperson's Quarters means a dwelling unit that may be provided for the use of one person and their immediate family, who is providing on-site security services.

Diagram No. 1
PARCEL DEFINITIONS

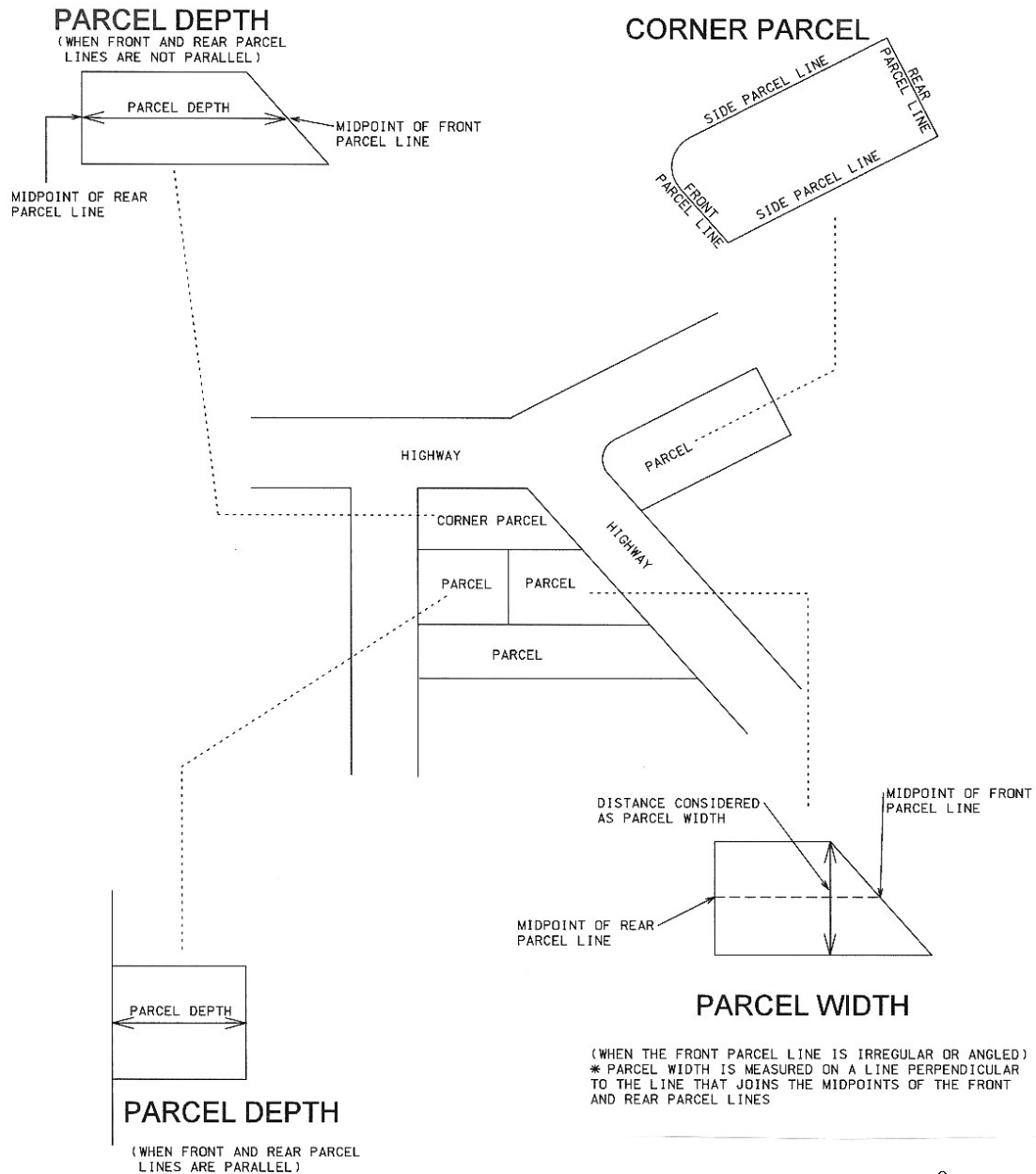
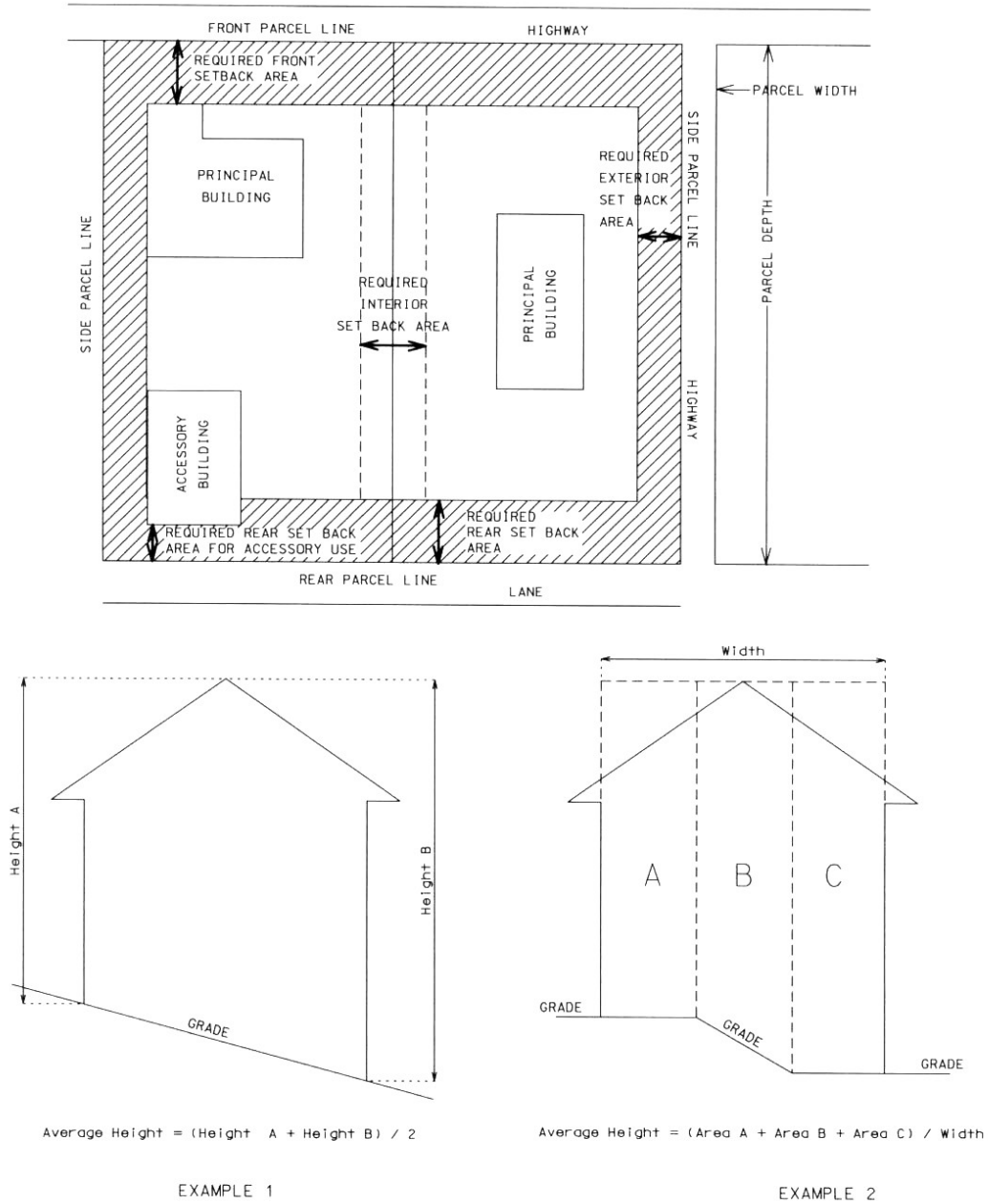


Diagram No. 2
SETBACK/HEIGHT DEFINITIONS



PART III – ADMINISTRATION

3 Application

- 3.1 This bylaw applies to all the land, surface of water, buildings and structures within the boundaries of the City of Grand Forks.

4 Compliance

- 4.1 No land including the surface of water, building or structure shall be subdivided, used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with this bylaw.

5 Non-Conforming Uses

- 5.1 Non-conforming uses of land, buildings and structures, the current siting, size or dimensions of existing buildings or structures, off-street parking areas and loading spaces shall be governed by the *Local Government Act*.
- 5.2 Where the use and density of a building or structure conform to this Bylaw but the size, shape or dimensions, or siting of a building or structure or portions thereof does not conform with this Bylaw, and was lawfully constructed prior to the enactment of the prohibition in this Bylaw, the building or structure or portions thereof may be repaired, extended or altered subject to the *Local Government Act* and the *British Columbia Building Code*, provided that:
- (a) The building or structure does not encroach on public property or public right of way;
 - (b) The repair, extension or alteration would when completed involve no further contravention of the Bylaw than that existing at the time the repair, extension or alteration was started except where the repair, extension or alteration is permitted or authorized through a Council approved variance.
- 5.3 Lots in existence prior to the adoption of this bylaw do not have to comply with the minimum lot size requirement subject to compliance of all other provisions of this bylaw.

6 Administration

- 6.1 The Administrator or such other persons appointed by the Council shall administer this bylaw.
- 6.2 Persons appointed under subsection 6.1 may enter any parcel, building or premises at any reasonable time to ascertain whether the regulations contained in this bylaw are being observed.

7 Violation

- 7.1 It shall be unlawful for any person to cause, suffer, or permit land to be used or any building or structure to be constructed, reconstructed, altered, moved, extended, or used in contravention of this bylaw or otherwise to contravene or fail to comply with this bylaw.
- 7.2 It shall be unlawful for any person to prevent or obstruct any official appointed under Section 6.1 from the carrying out of the duties under this bylaw.
- 7.3 *No land, building or structures may be used for a use that is not specifically listed as a permitted use in the zone that the land, building or structure is located, and no building or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than a specifically permitted use in that zone.*

7.4 **Prohibited Uses**

Without limiting the generality of Subsection 7.3, the following uses are prohibited in all zones:

- (a) *use of a tent or recreational vehicle as a dwelling unit; or*
- (b) *use of a tent or recreational vehicle for temporary habitation, except:*
 - i. *within an authorized municipal campground; or*
 - ii. *within a campground in a TC (Tourist Commercial) Zone; or*
 - iii. *within a Fire Suppression Base in an AP (Airport Industrial) Zone; or*
 - iv. *within a R-1, R-1A, R-2, R-4, or R-4A zoned property:*
 - a. *only where there is an established permitted use of a dwelling unit existing upon the property; and*
 - b. *for up to 7 days within a 30 day period, with an additional 7 day option in the absence of any complaints about the tent, recreational vehicle, or associated activity; and*
- (c) *the recreational vehicle shall not be connected to any residential or other waste or drainage system tied to City's infrastructure; and*
- (d) *the tent or recreational vehicle shall not be used for any business purpose whatsoever.*

8 **Penalty**

- 8.1 Any person who violates the regulations of this bylaw may be liable on summary conviction to a penalty and to the costs of prosecution. A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues.

- 8.2 *Any person designated as a Bylaw Enforcement Officer pursuant to the City of Grand Forks Municipal Ticketing Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Municipal Ticket Information Bylaw No. 2073.*

9 **General**

- 9.1 Any enactment referred to herein is a reference to an enactment of British Columbia (or, where specified, Canada) and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- 9.2 If any part, section, sentence, clause, phrase or word of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

10 **Bylaw Amendment Process**

- 10.1 An application for rezoning shall be treated as an application to amend this bylaw.
- 10.2 Any person applying to have this bylaw amended shall apply in writing to the City of Grand Forks, describing the proposed change, plus provide reasons in support of the application. The application shall include the legal description and location of the property sought to be rezoned, name and address of the owner of the property, and if the applicant is not the owner, a statement as to the applicant's interest in the property to be rezoned. The application must be accompanied with the required fee. The rezoning application may also require the Grand Forks Official Community Plan to be amended as well.

- 10.3 Every application for rezoning shall be accompanied by a fee as prescribed in relevant fees bylaw.
- 10.4 The Council will not reconsider an application for amendment to this bylaw, which has been denied within the past 6 months. The Council may review the application prior to this six-month period, if the Council deems that the original application has been substantially modified.

11 **Metric Units**

- 11.1 Metric units are used for all measurements in this bylaw. For convenience, one metre in length equals 3.28084 feet and one square metre equals 10.7639 square feet as illustrated in the following Table 1:

Table 1: Common measures in metric and imperial equivalents

| Metre | Feet | Square m | Square ft | Square m | Square ft | Acre |
|-------|--------|----------|-----------|----------|-----------|------|
| 0.50 | 1'7" | 1.0 | 11 | 930.0 | 10,010 | 23 |
| 0.60 | 1'11" | 10.0 | 108 | 1,000.0 | 10,764 | 0.25 |
| 1.00 | 3'3" | 12.0 | 129 | 1,393.5 | 15,000 | 0.34 |
| 1.50 | 4'11" | 13.0 | 140 | 10,120.0 | 108,931 | 2.50 |
| 1.85 | 6'0" | 18.0 | 194 | | | |
| 2.40 | 7'10" | 20.0 | 215 | | | |
| 2.5 | 8'2" | 29.0 | 312 | | | |
| 3.00 | 9'10' | 30.0 | 323 | | | |
| 3.70 | 12'1" | 45.0 | 484 | | | |
| 4.00 | 13'1" | 50.0 | 538 | | | |
| 4.60 | 15'1" | 75.0 | 807 | | | |
| 4.80 | 15'8" | 90.0 | 969 | | | |
| 5.50 | 18'0 | 100.0 | 1,076 | | | |
| 6.00 | 19'8" | 140.0 | 1,507 | | | |
| 7.00 | 22'11" | 485.0 | 5,220 | | | |
| 9.00 | 29'6" | 697.0 | 7,502 | | | |
| 9.75 | 31'11" | 700.0 | 7,535 | | | |
| 10.00 | 32'9' | 729.0 | 10,000 | | | |
| 10.50 | 34'5" | | | | | |

PART IV GENERAL REGULATIONS

12 Application of General Regulations

- 12.1 Except as otherwise stated, Sections 12 to 33 apply to all zones established under this bylaw.

13 Accessory Buildings - Proximity to Principal Use

- 13.1 No accessory building or accessory structure shall be located within 1 metre of any principal building on the same parcel.

14 Agricultural Land Reserve Lands

- 14.1 For land located within the Agricultural Land Reserve, this bylaw is binding only insofar as it is not contrary to the Agricultural Land Commission Act, regulations or orders of the Provincial Agricultural Land Commission.

15 Development on Hazardous or Unstable Lands

- 15.1 Please see the appropriate section of the Local Government Act, which outlines when a Building Inspector may require additional information prior to issuing a Building Permit and the Development Permit sections of the City of Grand Forks Official Community Plan.

16 Access to Arterial Highways

- 16.1 Notwithstanding any regulations contained in this bylaw, access to land adjacent to a controlled access highway shall be subject to approval from the Ministry of Transportation and Infrastructure, pursuant to the Transportation Act.
- 16.2 There shall be no direct access to a controlled access highway if any alternate access is available, without the approval of the Ministry of Transportation and Highways.

17 Garages Attached to a Principal Building

- 17.1 A garage or carport attached to a principal building is deemed to be a portion of the principal building.

18 Height Exceptions

- 18.1 No building, structure or structural feature shall exceed the height limitations set out in Part VI of this bylaw except:
- (a) flag poles;
 - (b) monuments, church steeples and spires;
 - (c) chimneys;
 - (d) communication towers, antennas or masts for the reception of communication signals;
 - (e) lighting poles, other than those in residential areas;
 - (f) tanks;
 - (g) industrial cranes.

19 Home Occupations

- 19.1 A person conducting a home occupation shall comply with the regulations in section 19.
- 19.2 There shall be no external display or advertisement other than a sign that shall not exceed one square metre in area.

- 19.3 A maximum of two persons may be employed in a home occupation, that are not residents on the parcel upon which the home occupation is taking place.
- 19.4 A home occupation shall be conducted entirely within a dwelling or within a building accessory to a dwelling.
- 19.5 The floor area of the home occupation shall not exceed 30% of the entire floor area of the entire dwelling.
- 19.6 No outdoor storage of materials , containers, or finished products shall be permitted .

20 Home Industries

- 20.1 A person conducting a home industry shall comply with the regulations in section 20.
- 20.2 No home industry shall involve or utilize materials or products that produce inflammable or explosive vapours or gases.
- 20.3 There shall be no external display or advertisement other than a sign which shall not exceed one square metre in area.
- 20.4 A maximum of four persons may be employed in a home industry who are not residents of a dwelling on the parcel upon which the home industry is taking place.
- 20.5 The entire operations of the home industry shall not exceed 25% of the parcel of land .

21 Mobile Homes and Mobile Home Parks

- 21.1 Mobile home parks shall be subject to the "City of Grand Forks Mobile Home Park Bylaw", as amended or replaced.
- 21.2 *Mobile homes may be placed on R-1 (Single and Two-family) and R-2 (Small Lot Residential) zones on lands south of the Kettle River in the North Ruckle and South Ruckle neighbourhoods.*

22 Garden Suites

- 22.1 A Garden Suite shall have a minimum floor area of 12 sq. m. and a maximum floor area of 90 sq. m.
- 22.2 A Garden Suite shall satisfy all the requirements of the *British Columbia Building Code* and other associated bylaws and regulations.
- 22.3 If a Garden Suite does not have direct access to a highway on an exterior side or rear parcel line, it shall have private or emergency access via an unobstructed pathway constructed and maintained between the public street and the Garden Suite entrance, with a minimum width of 1 m.
- 22.4 A Garden Suite shall be sited on a permanent foundation.
- 22.5 A Garden Suite shall not be permitted to be strata titled.
- 22.6 A Garden Suite shall not include a Secondary Suite.

23 Tiny House on Wheels

- 23.1 A Tiny House on Wheels must be constructed to be used as a full-time residence according to the current *British Columbia Building Code* or the CSA Z240 or Z240RV standard if it is premanufactured.
- 23.2 For residential zones permitting a single family dwelling with a floor area between 18 and 29 square metres or a Garden Suite, the Tiny House on Wheels must be converted to a single family dwelling or a Garden Suite by placement on a full-depth perimeter or point-support foundation, subject to the conditions of a Building Permit from the City.

- 23.3 A person must obtain a Temporary Use Permit to place a Tiny House on Wheels that is not converted to a principal dwelling or garden suite in a zone where it is not permitted, such that:
- (a) bonding sufficient for removal of the Tiny House on Wheels is provided to the City before the time of placement; and
 - (b) the Tiny House on Wheels is removed at the end of the Permit period; or
 - (a) to remain on the property the Tiny House on Wheels must be converted as per subsection 23.2.

24 Minimum Parcel Size Exceptions

- 24.1 Notwithstanding the regulations of this bylaw there shall be no minimum parcel size requirements for any of the following uses:
- (a) ecological reserves;
 - (b) fish and wildlife habitat areas;
 - (c) watershed protection and erosion control areas;
 - (d) municipal services;
 - (e) community gardens;
 - (f) solid waste transfer stations or sites; and
 - (g) religious centres.

25 Offstreet Loading

- 25.1 This section applies to the following land use zones;
- (a) Tourist Commercial
 - (b) Highway Commercial
 - (c) Neighbourhood Commercial
 - (d) Light, General and Value Added Industrial
 - (e) Gravel/Mineral Processing
- 25.2 Each offstreet loading area shall not be smaller than 3.7 metres in width by 9 metres in length with 4 metres of vertical clearance.
- 25.3 Each offstreet loading area shall be set back a minimum of 6 metres from the designated fronting street or a back lane.
- 25.4 Each offstreet loading area shall always have access to an unobstructed aisle that intersects with a highway.
- 25.5 The required offstreet loading area shall be located on the same parcel of land as the use, building or structure they serve.
- 25.6 Offstreet loading areas, as required by this bylaw, shall not be credited against the additional requirement of offstreet parking, if required.
- 25.7 The number of offstreet loading areas required shall be based upon the following criteria;
- (a) One space for the first 500 square metres of floor area or fraction thereof, and
 - (b) One additional space for each additional 2,024 square metres of floor area or fraction thereof.
- 25.8 The offstreet loading areas shall not project into any highway.

26 Offstreet Parking

- 26.1 Each offstreet parking space shall be not less than 2.5 metres wide and 5.5 metres long,

- and have a vertical clearance of not less than 2.5 metres;
- 26.2 Where the calculation of the number of offstreet parking spaces results in a fraction, one parking space shall be provided in respect of the fraction.
- 26.3 Where seating accommodation is the basis for the calculation of the number of parking spaces and the building or use consists of benches, pews, booths, or similar seating accommodation, each 0.5 metres of width of such seating shall be deemed to be one seat.
- 26.4 Every offstreet parking space shall always have access to an aisle that intersects with a highway, with exception to the second space required for a single-family dwelling.
- 26.5 Except for single-family dwelling units, accessory dwelling units, mobile homes and campground uses parking areas and access points shall be surfaced with durable dust free and preferably pervious material and all parking spaces shall be clearly marked.
- 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 space 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.*
- 26.7 Offstreet parking areas, as required by this bylaw, shall not be credited against the requirement of offstreet loading.
- 26.8 The number of access points from each parking area to a fronting street shall not exceed two per parcel of land.
- 26.9 ~~Where an owner or occupier of land in the Commercial Core Zone cannot provide the required number of off-street parking spaces as outlined on Table 2 below, the City may accept a cash contribution in the amount of \$1,000.00 per required parking space not developed.~~
- 26.9 Off street parking spaces for each building, structure and use permitted shall be provided in accordance with the requirements in the following Table 2:

Table 2: Class of Building/Use: Required Number of Spaces

This table does not apply to the Core Commercial Zone

| | |
|---|--|
| Animal hospital | one space per every 30 square metres of floor area |
| Automobile parts supply | one space per every 45 square metres of floor area, including outdoor sales area |
| Automobile sales, rentals, service and repair | one space per every 45 square metres of retail and outdoor storage space |
| Automobile service station | one space per every 45 square metres of floor space |
| Bed and breakfast accommodation | one space for every bedroom offered to the patrons |
| Building supply establishments supply stores | one space per every 45 square metres of covered and outdoor sales area |
| Campground | one space for the proposed campsite plus 2 additional spaces for the campground host |
| Community centre, club, and lodge | one space per every 10 square metres of floor area |
| Contractors shop and yard | one space per every 50 square metres of the shop floor area |

| | |
|---|--|
| Convenience store | one space per every 45 square metres of retail sales portion of floor area plus one space per employee per shift |
| Congregate care and rest homes | one space for every 3 bedrooms including Seniors Housing plus one space for every employee |
| Day care centre | one spaces per employee plus one space for every 5 children registered in the day care facility |
| Dwelling unit (greater than 90 square metres) Dwelling Unit (equal to or under 90 square metres) | two spaces per every unit one space per every unit |
| Farm machinery sales, service and repair | one space per every 45 square metres of retail floor and storage area |
| Fuel sales (bulk) or key lock installations | one space per every 15 square metres of floor area |
| Home occupation, home industry | one space per every 40 square metres of area used for the home occupation or home industry |
| Hospital | one space per every 10 square metres of floor space |
| Hotel, motel | one space per every unit offered daily to the public |
| Library | one space per every 10 square metres of floor area |
| Machine, welding, woodworking shop | one space per every 50 square metres of floor area |
| Manufacturing, fabricating, or processing | one space per 50 square metres of floor space |
| Medical clinic, dental clinic | one space per every 20 square metres of total floor area |
| Museum | one space per every 25 square metres of floor area |
| Nursery | one space per every 45 square metres of covered and outdoor sales area |
| Professional services | one space per every 60 square metres of floor area |
| Personal service establishment | one space per every 20 square metres of floor area |
| Printing and publishing establishment | one space per every 45 square metres of floor space |
| Public house (liquor licensed premises) | one space per every 3 seats for the patrons |
| Recreation facility | one space per every 10 square metres of ice, pool, or game area |
| Religious centre | one space per every 4 seats |
| Restaurant | one space per every 3 seats for the patrons |
| Retail store | one space per every 45 square metres of floor area |
| School, elementary | 3 spaces per every classroom |
| School, secondary and post-secondary: | 4 spaces per every classroom |
| Storage, warehousing and freight facility | one space per every 100 square metres of floor area, including outdoor sales and storage areas |
| Transportation depot | one space per every 20 square metres of total floor space |

26.10 Where a building or parcel of land contains more than one function or use the required number of parking spaces shall be the sum of the requirements of each function

27 Permitted Use Exceptions

- 27.1 Notwithstanding the regulations set out in Part VI of this bylaw, the following uses are permitted in all zones:
- (a) emergency response and municipal services;
 - (b) ecological reserves;
 - (c) fish and wildlife habitat;
 - (d) watershed protection and erosion control;
 - (e) publicly owned and operated parks and playgrounds including buildings and facilities associated therewith;
 - (f) temporary structures or storage of materials required for approved construction projects, to be removed within 30 days of the completion of the construction;
 - (g) community garden.

28 Screening and Fencing

- 28.1 A person may not place screening or fencing unless in accordance with this section except where provided otherwise in this bylaw.
- 28.2 Landscape screens and closed fencing 1.3 metres or less and open fencing 1.85 metres or less may be sited on any portion of a parcel.
- 28.3 Open fencing 2.4 metres or less shall be sited in accordance with the required front setbacks for a principal building within the same zone.
- 28.4 Landscape screens and closed fencing on the interior side parcel line shall be 1.85 metres or less in height and sited in accordance with the required front parcel line setbacks for a principal building within the same zone.
- 28.5 Landscape screens, closed fencing and open fencing greater than 2.4 metres shall be sited in accordance with the required front setbacks for a principal building within the same zone.

29 Secondary Suites

- 29.1 Notwithstanding the regulations set out in Part VI of this bylaw, a secondary suite is permitted on every parcel where a single-family dwelling is permitted, subject to the conditions in this section.
- 29.2 A secondary suite shall comply with all statutory and bylaw requirements, including approval from the agency having the jurisdiction for the proposed means of sewage disposal.
- 29.3 The secondary suite shall not exceed 90 square metres or 40% of the floor area of the principal single family dwelling, whichever is less.
- 29.4 No more than one secondary suite shall be located on a parcel of land.

30 Setback Area Exceptions

- 30.1 Notwithstanding Part VI of this bylaw, a person shall not locate any building, structure, or structural feature in a setback area except:
- (a) eaves, cornices, sills, bay windows, steps, stairs, chimneys and other similar features, provided such constructions do not extend more than 0.6 metres into the setback area;
 - (b) signs, other than those specified in Part VI of this bylaw;
 - (c) open porches or canopies over entrances to buildings, provided such projections

do not extend more than 1.5 metres into the exterior setback area and 0.6 metres into the interior setback area.

- (d) communication towers and antennas for the reception of radio and television;
- (e) a patio or terrace without a roof provided that the patio or terrace does not extend more than one metre into the setback area;
- (f) a fire escape provided that the fire escape does not extend more than one metre into the setback area;
- (g) fences and screening, as described in section 28 of this bylaw;
- (h) an arbour, trellis, fish pond, ornament, monument, silo, or flag pole.

31 Storage of Derelict Vehicles

- 31.1 In all zones, except as provided for in the (Industrial – 2) General Industrial zone, no parcel of land shall be used for the wrecking or storage of more than one derelict vehicle or as a junkyard.

32 Strata Parcels Siting Requirements

- 32.1 Interior side parcel line setbacks required by this bylaw shall not apply to a strata parcel under a registered building strata plan pursuant to the *Strata Property Act* where there is a common wall shared by two or more dwellings within a building.
- 32.2 The setback regulations of this bylaw apply to all bare land strata parcels.

33 Visibility

- 33.1 Where a parcel of land is located at the intersection of any two highways, no trees, shrubs, plants, fences, buildings or other structures shall be placed that are greater than 1.0 metre in height within a sight triangle bounded by the intersecting parcel lines at a highway corner and a line joining points along said parcel line 7.5 metres from their point of intersection, as illustrated in the following Diagram No. 3:

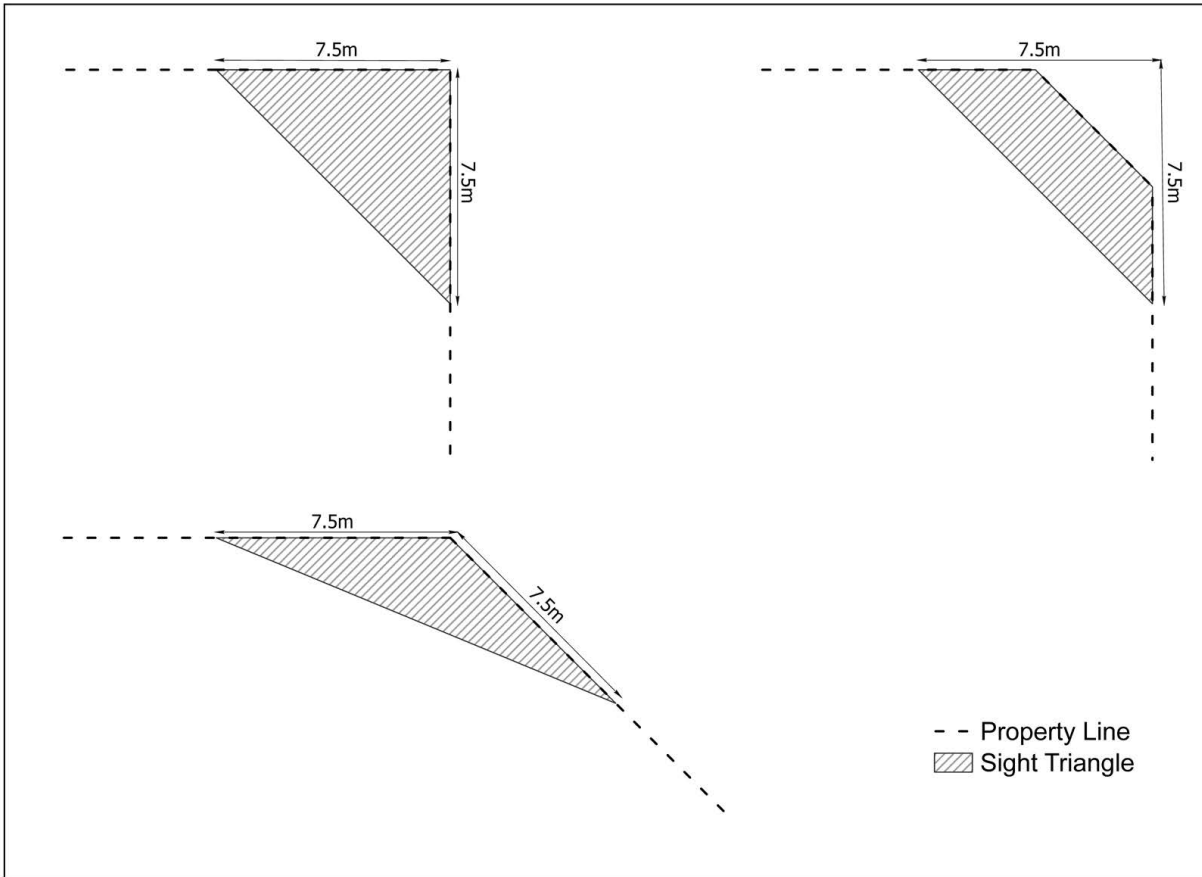


Diagram No. 3

OK

PART V CREATION OF ZONES

34 Definitions of Zones

- 34.1 The City of Grand Forks is divided into the zones defined and regulated as per the following section in Part VI of this bylaw.

35 Locations of Zones

- 35.1 The location of each zone is defined on "Schedule A" entitled "Official Zoning Map" of Zoning Bylaw No. 2039, 2018.
- 35.2 Where a zone boundary is shown on "Schedule A" as following a highway, rail right-of-way, or watercourse, the center line of the highway, rail right-of-way or watercourse shall be the zone boundary.
- 35.3 The dashed lines used in "Schedule A" shall be interpreted as if they were solid lines.

PART VI ZONES

36 **R-1 (Residential – Single & Two Family) Zone**

36.1 The following uses and no others are permitted:

- (a) dwelling units;
- (b) religious centres;
- (c) day care centres;
- (d) bed and breakfast accommodations;
- (e) home occupations.

36.2 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to permitted uses.

36.3 The minimum parcel size for subdivision purposes is:

- (a) 10,120 square metres where there is no community sewage or water system;
- (b) 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
- (c) 697 square metres when the parcel is connected to both a community sewage and water system.

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36.4 *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.*

36.5 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

36.6 No principal building or structure shall exceed 9.75 metres in height.

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36.7 *No accessory building or structure shall exceed 4.8 metres in height except for Accessory Dwelling Units which shall not exceed 7.6 metres in height.*

36.8 *The total of all the accessory buildings shall have a lot coverage not greater than the lot coverage of the principal structure.*

36.9 The minimum size for a single-family dwelling in this zone shall be 40 square metres.

36.10 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

- (a) 6 metres of a front parcel line;
- (b) 1.5 metres of an interior side parcel line;
- (c) 4.6 metres of an exterior side parcel line; or
- (d) 6 metres of a rear parcel line.

36.11 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.

36.12 See Sections 12 to 33 of this Bylaw.

37 R-1A (Residential – Single Family) Zone

- 37.1 Every subsection in section 37 refers to the R-1a (Residential – Single Family) Zone.
- 37.2 The following uses and no others are permitted in an R-1A zone:
- (a) dwelling units;
 - (b) religious centres;
 - (c) day care centres;
 - (d) bed and breakfast accommodations;
 - (e) home occupations.
- 37.3 Permitted accessory uses and buildings include:
- (a) Buildings or structures accessory to permitted uses.
- 37.4 The minimum parcel size for subdivision purposes is:
- (a) 10,120 square metres where there is no community sewage or water system;
 - (b) 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
 - (c) 697 square metres when the parcel is connected to both a community sewage and water system.
- 37.5 The only type of dwelling unit allowed on a parcel of land in this zone is one single-family dwelling.
- 37.6 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking requirements.
- 37.7 No principal building or structure shall exceed 9.75 metres in height.
- 37.8 No accessory building or structure shall exceed 4.8 metres in height.
- 37.9 The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure.
- 37.10 The minimum size for a single-family dwelling shall be 75 square metres.
- 37.11 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (a) 6 metres of a front parcel line;
 - (b) 1.5 metres of an interior side parcel line;
 - (c) 4.6 metres of an exterior side parcel line; or
 - (d) 6 metres of a rear parcel line.
- 37.12 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.
- 37.13 See Sections 12 to 33 of this Bylaw.

38 R-1B (Residential Care) Zone

- 38.1 Every subsection in section 38 refers to the R-1B (Residential Care) Zone.
- 38.2 The following uses and no others are permitted:
- (a) Seniors Housing subject to the Community Care Facility Act, as amended.
- 38.3 Permitted accessory uses and buildings include:
- (b) buildings or structures accessory to permitted uses.
- 38.4 The minimum parcel size for subdivision purposes in R-1B Zone is:
- (a) 10,120 square metres where there is no community sewage or water system;
 - (b) 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
 - (c) 697 square metres when the parcel is connected to both a community sewage and water system.
- 38.5 The minimum parcel size shall be 929 square metres with on-site accommodation for a caregiver; or 697 square metres with no on-site accommodation for a caregiver.
- 38.6 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.
- 38.7 No principal building or structure shall exceed 9.75 metres in height.
- 38.8 No accessory building or structure shall exceed 4.8 metres in height.
- 38.9 The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure;
- 38.10 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (a) 6 metres of a front parcel line;
 - (b) 1.5 metres of an interior side parcel line;
 - (c) 4.6 metres of an exterior side parcel line; or
 - (d) 6 metres of a rear parcel line.
- 38.11 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.
- 38.12 See Sections 12 to 33 of this Bylaw.

39 R-2 (Residential – Small Lot) Zone

39.1 Every subsection in Section 39 refers to R-2 (Residential – Small Lot) Zone

39.2 The following uses and no others are permitted:

- (a) dwelling units;
- (b) religious centres;
- (c) day care centres;
- (d) bed and breakfast accommodations;
- (e) home occupations.

39.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to permitted uses.

39.4 The minimum size for subdivision purposes is:

- (a) 10,120 square metres where there is no community sewage or water system;
- (b) 1,393.5 square metres when the parcel is either connected to a community sewage or water system, but not both;
- (c) 485 square metres when the parcel is connected to both a community sewage and water system.

39.5 *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.*

39.6 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

39.7 No building or structure shall exceed 9.75 metres in height.

39.8 *No accessory building or structure shall exceed 4.8 metres in height except for Accessory Dwelling Units which shall not exceed 7.6 metres in height.*

39.9 *The total of all the accessory buildings shall have a lot coverage not greater than the lot coverage of the principal structure.*

39.10 The minimum size for a single-family dwelling shall be 18 square metres.

39.11 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

- (a) 6 metres of a front parcel line;
- (b) 1.5 metres of an interior side parcel line;
- (c) 4.6 metres of an exterior side parcel line; or
- (d) 6 metres of a rear parcel line.

39.12 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.

39.13 See Sections 12 to 33 of this Bylaw.

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40 **R-3 (Multi-Family Residential) Zone**

40.1 Every subsection in Section 40 refers to R-3 (Multi-Family Residential) Zone.

40.2 The following uses and no others are permitted:

- (a) dwelling units;
- (b) religious centres;
- (c) home occupations;
- (d) uses listed in the Neighbourhood Commercial (NC) zone;
- (e) *site specific uses as permitted under Section 40.18.*

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40.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory permitted uses.

40.4 Neighbourhood Commercial uses may only be located on the first storey of a multi-storey building in an R-3 zone and may occupy a maximum of 30% of the floor area of the building.

40.5 Home occupations are only allowed in dwellings that are individually owned and have direct access to the City's roadway network.

40.6 The minimum parcel size for subdivision purposes is:

- (a) 1000 square metres.

40.7 *The following types of dwelling units are allowed:*

- (a) *multi-family dwellings;*
- (b) *apartment units.*

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40.8 The maximum permitted lot area coverage is 50% including principal building and all accessory buildings and structures.

40.9 No building or structure shall exceed 18 metres in height.

40.10 No accessory building shall exceed 4.8 metres in height.

40.11 No accessory building shall have a total floor area greater than 20% of the principal structure.

40.12 The maximum size of any unit in a bare land strata complex shall be 140 square metres.

40.13 The minimum size of any unit in a bare land strata complex shall be 18 square metres.

40.14 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

- (a) 6 metres of a front parcel line;
- (b) 1.5 metres of an interior side parcel line;
- (c) 4.6 metres of an exterior side parcel line; or
- (d) 6 metres of a rear parcel line.

40.15 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.

40.16 Every parcel must be connected to a community sewage and water system.

40.17 See Sections 12 to 33 of this Bylaw.

40.18 Site Specific

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- A. *In addition to the uses permitted by 40.2, the following use is permitted on the property located at 7114 2nd Street with parcel identifier number of PID: 006-115-233 and legal description of PARCEL A (X160413) BLOCK 1 DISTRICT LOT 108 SIMILKAMEEN DIVISION YALE DISTRICT PLAN 23:*

- (a) *Domestic Cat Shelter.*

41 R-3A (Compact Multi-Family Residential) Zone

- 41.1 Every subsection in section 41 refers to the R-3A (Compact Multi-Family Residential) Zone.
- 41.2 The following uses and no others are permitted:
- (a) dwelling units;
 - (b) home occupation.
- 41.3 Permitted accessory uses and buildings include:
- (a) buildings or structures accessory to permitted uses.
- 41.4 Home occupations are only allowed in dwellings that are individually owned and have direct access to the City's roadway network.
- 41.5 The minimum parcel size for subdivision purposes is 485 square metres.
- 41.6 The following dwelling unit types are allowed:
- (a) single family dwellings;
 - (b) two family dwellings;
 - (c) three family dwellings.
- 41.7 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.
- 41.8 No dwelling shall exceed 9.75 metres in height;
- 41.9 No accessory building or structure shall exceed 4.8 metres in height.
- 41.10 No accessory building shall have a total floor area greater than 20% of the principal structure.
- 41.11 The maximum size of any unit in a strata complex shall be 140 square metres;
- 41.12 The minimum size of any unit in a strata complex shall be 18 square metres;
- 41.13 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (a) 6 metres of a front parcel line;
 - (b) 1.5 metres of an interior side parcel line;
 - (c) 4.6 metres of an exterior side parcel line; or
 - (d) 6 metres of a rear parcel line.
- 41.14 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.
- 41.15 Every parcel must be connected to a community sewage and water system.
- 41.16 See Sections 12 to 33 of this Bylaw.

42 R-4 (Rural Residential) Zone

42.1 Every subsection in Section 42 refers to the R-4 (Rural Residential) Zone

42.2 The following uses and no others are permitted:

- (a) dwelling units;
- (b) farm operations (crops and/or animals);
- (c) bed and breakfast accommodations;
- (d) kennels;
- (e) home occupations;
- (f) home industries;
- (g) *animal hospitals*.

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42.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to any of the uses permitted in this zone.

42.4 *The minimum parcel size for subdivision purposes is:*

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- (a) *1 hectare where there is no community sewer or water system;*
- (b) *5,000 square meters where there is either community water or sewer; or*
- (c) *2,500 square meters where there is both community water and sewer.*

42.5 *The following types of dwelling units are permitted:*

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2039-A1

- (a) *one single family detached dwelling,*
- (b) *one mobile home, or*
- (c) *one two-family dwelling; plus*
- (d) *within the Agricultural Land Reserve, one additional manufactured (mobile) home subject to regulations of the Agricultural Land Commission;*
- (e) *site specific dwellings as permitted under Section 42.14.*

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42.6 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

42.7 No building or structure shall exceed 10 metres in height, with exception to farm buildings or structures.

42.8 The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure, with exception to farm buildings or structures.

42.9 The minimum size for a dwelling shall be 18 square metres.

42.10 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

- (a) 6 metres of a front parcel line;
- (b) 3 metres of an interior side parcel line;
- (c) 4.6 metres of an exterior side parcel line; or
- (d) 6 metres of a rear parcel line.

42.11 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the setback permitted for the property.

42.12 There is no restriction on height or location of open fencing.

42.13 See Sections 12 to 33 of this Bylaw.

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42.14 **Site Specific**

A. In consideration of the types of dwellings permitted by 42.5 and accessory building floor area under 42.8, on the property located at 40 Morrissey Creek Rd with parcel identifier

*number of PID: 010-900-233 and legal description of LOT 5 DISTRICT LOT 653
SIMILKAMEEN DIVISION YALE DISTRICT PLAN 3072:*

- (a) Only two single-family dwellings are permitted; and*
- (b) The total of all the accessory buildings associated with each single-family dwelling shall have a floor area not greater than 50% for that respective principal structure, with exception to farm buildings or structures.*

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43 R-4A (Rural Residential) Zone

43.1 Every subsection in Section 43 refers to the R-4 (Rural Residential) Zone

43.2 The following uses and no others are permitted:

- (a) dwelling units;
- (b) farm operations (crops);
- (c) bed and breakfast accommodations;
- (d) kennels;
- (e) home occupations;
- (f) home industries;
- (g) *animal hospitals*.

Bylaw
2039-A3

43.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to any permitted use.

43.4 *The minimum size for subdivision purposes is:*

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2039-A1

- (a) *1 hectare where there is no community sewer or water system;*
- (b) *5,000 square meters where there is community water but not sewer; or*
- (c) *2,500 square meters where there is both community water and sewer.*

43.5 *The following types of dwelling units are permitted:*

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- (a) *one single family detached dwelling;*
- (b) *one mobile home, or*
- (c) *one two-family dwelling; plus*
- (d) *within the Agricultural Land Reserve, one additional manufactured (mobile) home subject to regulations of the Agricultural Land Commission.*

43.6 The maximum permitted lot area coverage shall be 50% for the principal building with all accessory buildings, structures, and offstreet parking.

43.7 No building or structure shall exceed 10 metres in height, with exception to farm buildings or structures.

43.8 The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure, with exception to farm buildings or structures.

43.9 The minimum size for a dwelling shall be 18 square metres.

43.10 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

- (a) 6 metres of a front parcel line;
- (b) 3 metres of an interior side parcel line;
- (c) 4.6 metres of an exterior side parcel line; or
- (d) 6 metres of a rear parcel line.

43.11 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the setback permitted for the property.

43.12 There is no restriction on height or location of open fencing.

43.13 See Sections 12 to 33 of this Bylaw.

44 R-5 (Mobile Home Park) Zone

- 44.1 Every subsection in Section 44 refers to the R-5 (Mobile Home Park) Zone.
- 44.2 The following uses and no others are permitted:
- (a) dwelling unit;
 - (b) mobile home park;
 - (c) recreation facilities;
 - (d) laundry facilities;
 - (e) home occupations.
- 44.3 Permitted accessory uses and buildings includes:
- (a) buildings or structures accessory to permitted uses.
- 44.4 The minimum parcel size for subdivision purposes is 0.4 hectares.
- 44.5 A maximum of one accessory single-family dwelling is permitted.
- 44.6 The maximum permitted lot area coverage for all buildings and structures shall be 60%.
- 44.7 No principal building or structure shall exceed 7.5 metres in height.
- 44.8 The minimum size for a single-family dwelling shall be 18 square metres.
- 44.9 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any lot line.
- 44.10 On each mobile home space only 1 detached storage shed or accessory building, not exceeding 13 square metres in size, may be located, subject to the following regulations:
- (a) that such storage shed or accessory building be constructed and finished so that the design, construction and finish will complement and blend in with the mobile home;
 - (b) that the height of the storage shed or accessory building not exceed 2.5 metres;
 - (c) that such storage shed or accessory building be located to the side or rear of the mobile home and placed not closer than 1 metre to the mobile home.
- 44.11 See Sections 12 to 33 of this Bylaw and the City of Grand Forks Mobile Home Park Bylaw, as amended.

45 AUC (Adaptive Use Commercial) Zone

- 45.1 Every subsection in Section 45 refers to the AUC (Adaptive Use Commercial) Zone.
- 45.2 The following uses and no others are permitted:
- (a) professional services;
 - (b) personal service establishments;
 - (c) retail establishments;
 - (d) dwelling units;
 - (e) religious centres;
 - (f) bed and breakfast accommodations;
 - (g) home occupations.
- 45.3 Permitted accessory uses and buildings on any parcel includes:
- (a) restaurants;
 - (b) buildings or structures accessory to permitted uses
- 45.4 The minimum parcel size for subdivision purposes is 700 square metres.
- 45.5 Each parcel shall be connected to a community sewage and water system.
- 45.6 The minimum parcel size that is to be used for a two-family dwelling or a multi-family dwelling shall be 930 square metres.
- 45.7 The following dwelling unit types are allowed:
- (a) one single family dwelling;
 - (b) one two family dwelling;
 - (c) one multi-family dwelling; or
 - (d) dwelling units in combination with another permitted use.
- 45.8 A residential use shall be the only use in each storey so used.
- 45.9 The maximum permitted lot area coverage for all building and structures shall be 50%.
- 45.10 No principal building or structure shall exceed 10.5 metres in height.
- 45.11 No accessory building or structure shall exceed 4.8 metres in height.
- 45.12 The total of all the accessory building shall have a floor area not greater than 50% of the principal structure.
- 45.13 The maximum floor space dedicated to retail sales, excluding storage, shall be 100 square metres.
- 45.14 The minimum size for a dwelling shall be 18 square metres.
- 45.15 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
- (a) 6 metres of a front parcel line;
 - (b) 1.5 metres of an interior side parcel line;
 - (c) 4.6 metres of an exterior side parcel line; or
 - (d) 7.6 metres of a rear parcel line.
- 45.16 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line and not closer to the front parcel line than the facing wall of the principal building.
- 45.17 Operation of a commercial use is not permitted between the hours of 10:00 P.M. and 8:00 A.M.
- 45.18 Accessory off-street parking and accessory off-street loading shall be located entirely to the rear of the front face of the principal building.

45.19 See Sections 12 to 33 of this bylaw.

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46 **NC (Neighbourhood Commercial) Zone**

46.1 Every subsection in Section 46 refers to the NC (Neighbourhood Commercial) Zone

46.2 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*.

46.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to permitted uses;
- (b) One garden suite.

46.4 There is no minimum parcel size for subdivision purposes.

46.5 Apartment units shall be permitted up to a maximum of 50% of the principal building first storey floor area and 100% of any upper storey floor area.

46.6 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings, and structures.

46.7 No principal building or structure shall exceed 18 metres in height.

46.8 No accessory building or structure shall exceed 4.8 metres in height.

46.9 No accessory building shall have a total floor area greater than 25% of the principal structure.

46.10 Except as otherwise specifically permitted, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a Residential zone.

46.11 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line.

46.12 If a fence is erected it shall not exceed a height of 2.4 metres;

46.13 Every parcel must be connected to community water and sewage systems.

46.14 See Sections 12 to 33 of this Bylaw.

47 HC (Highway Commercial) Zone

47.1 Every subsection in Section 47 refers to HC (Highway Commercial Zone).

47.2 The following uses and no others are permitted in a HC zone:

- (a) hotels or motels;
- (b) restaurants;
- (c) automobile sales and parts supply, service stations;
- (d) convenience stores including gas bars;
- (e) car wash establishments;
- (f) retail sales establishments;
- (g) personal service establishments;
- (h) liquor licensed premises;
- (i) animal hospitals;
- (j) building supply establishments;
- (k) offices;
- (l) *professional services*;
- (m) tool and equipment rental establishments;
- (n) *Electric vehicle charging stations*.

47.3 Permitted accessory uses and buildings on any parcel includes:

- (a) a dwelling unit accessory to permitted uses;
- (b) buildings or structures accessory to permitted uses.

47.4 There is no minimum parcel size for subdivision purposes

47.5 Apartment units contained within the above-mentioned commercial activities shall be permitted up to a maximum of 50% of the principal building floor area.

47.6 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

47.7 No building or structure shall exceed 18 metres in height.

47.8 Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a Residential zone.

47.9 No accessory building shall have a total floor area greater than 25% of the principal structure.

47.10 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line.

47.11 If a fence is erected it shall not exceed a height of 2.4 metres.

47.12 Each parcel shall be connected to a community sewage and water system.

47.13 See Sections 12 to 33 of this Bylaw.

Bylaw
2039-A3

Bylaw
2039-A31

48 CC (Core Commercial) Zone

48.1 Every subsection in Section 48 refers to the CC (Core Commercial) Zone.

48.2 The following uses and no others are permitted in a CC zone:

- (a) wholesale establishments;
- (b) retail establishments;
- (c) restaurants and/or liquor licenced premises;
- (d) professional offices and offices;
- (e) medical and dental clinics;
- (f) personal service establishments;
- (g) clubs, lodges and similar fraternal organizations;
- (h) indoor entertainment facilities;
- (i) bus depots;
- (j) taxi stands;
- (k) financial institutions;
- (l) hotels and motels;
- (m) post office;
- (n) theatres;
- (o) animal hospitals with no outside runs or enclosures.

48.3 Permitted accessory uses and buildings on any parcel includes the following:

- (a) apartment units;
- (b) buildings or structures accessory to any of the uses permitted in this zone.

48.4 There is no minimum parcel size.

48.5 Apartment units shall be permitted to a maximum of 50% of first storey floor area and 100% of second or higher storey floor area.

48.6 The maximum permitted lot area coverage for all buildings and structures shall be:

- (a) 100% with approved fire-resistant walls;
- (b) 80% without approved fire-resistant walls.

48.7 No building or structure shall exceed 18 metres in height.

48.8 No accessory building or structure shall exceed 4.8 metres in height.

48.9 No accessory building shall have a floor area greater than 10% of the principal structure.

48.10 The buildings or structures used for the commercial operation must be a minimum of 4.6 metres from any parcel lot line that is adjacent to a residential parcel of land.

48.11 If a fence is erected it shall not exceed a height of 2.4 metres.

48.12 Every parcel must be connected to a community sewage and water system.

48.13 See Sections 12 to 33 of this Bylaw.

49 TC (Tourist Commercial) Zone

49.1 Every subsection in Section 49 refers to the TC (Tourist Commercial) Zone

49.2 The following uses and no others are permitted in a TC zone:

Bylaw
2039-A10

- (a) *hotels or motels*;
- (b) recreational businesses and campgrounds;
- (c) tourist facilities and related amenities;
- (d) retail establishments;
- (e) restaurants.
- (f) convenience stores including gas bars

49.3 Permitted accessory uses and buildings include:

- (a) dwelling unit accessory to a permitted use, and
- (b) buildings or structures accessory to any of the uses permitted in this zone.

49.4 There is no minimum parcel size.

49.5 Apartment units contained within the above-mentioned commercial activities are permitted. Not more than 50% of the principal building shall be used for apartments.

49.6 No designated recreational space shall be used as a permanent residence.

49.7 One Garden Suite shall be permitted.

49.8 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

49.9 No building or structure shall exceed 18 metres in height.

49.10 No accessory building shall have a total floor area greater than 25% of the principal structure.

49.11 Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign shall be located within 4.6 metres of a lot in a Residential zone.

49.12 No accessory building shall be located closer than 1.5 metres to a rear or side parcel line.

49.13 If a fence is erected it shall not exceed a height of 2.4 metres.

49.14 Every parcel must be connected to a community sewage and water system.

49.15 See Sections 12 to 33 of this Bylaw.

49.16 The property legally described as Lot A, District Lot 520, Similkameen Division Yale District Plan EPP61874" must not contain any use which may have a negative impact on the groundwater quality, such as a gas bar.

50 I-1 (Light Industrial) Zone

50.1 Every subsection in Section 50 refers to the I-1 (Light Industrial) Zone.

50.2 The following uses and no others are permitted:

- (a) auction markets, excluding the sales of animals;
- (b) contractors shop and storage yard for trade, trucking and construction service;
- (c) warehousing, cartage, express, freight facilities, indoor storage;
- (d) building supply establishments;
- (e) transportation depots, including taxi dispatch office;
- (f) public utility offices, including works yard and substations;
- (g) bulk fuel sales;
- (h) wholesale establishments;
- (i) machine shop, welding shop or a woodworking shop;
- (j) manufacturing facilities;
- (k) recycling depots;
- (l) tool and equipment rental establishments;
- (m) watchperson's quarters;
- (n) community events centre;
- (o) *professional services*;
- (p) *animal hospitals*.

50.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to any of the permitted uses

50.4 There is no minimum parcel size.

50.5 One of the following types of dwelling unit shall be permitted for use as a watchperson's quarters:

- (a) single detached dwelling;
- (b) manufactured home;
- (c) Tiny House on Wheels;
- (d) private apartment with its own separate entrance.

50.6 The maximum permitted lot area coverage shall be 60% for all buildings and structures.

50.7 No building or structure shall exceed 18 metres in height.

50.8 No accessory building shall have a total floor area greater than 50% of the principal structure.

50.9 Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign, shall be located within 4.6 metres of a lot in a Residential zone.

50.10 No accessory building shall be located closer than 1.5 metres to a rear parcel line.

50.11 All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a highway shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence.

50.12 See Sections 12 to 33 of this Bylaw.

51 I-2 (General Industrial) Zone

51.1 Every subsection in Section 51 refers to the 1-2 (General Industrial) Zone.

51.2 The following uses and no others are permitted:

- (a) manufacturing facilities and storage areas for raw materials;
- (b) auction market, including the sales of animals;
- (c) storage, warehousing, cartage, express and freight facilities;
- (d) salvage yards and recycling depots;
- (e) gravel extraction activities such as processing and screening;
- (f) machine, welding and woodworking shops, and the retail sale of these items;
- (g) kennels;
- (h) automotive repair shops;
- (i) watchperson's quarters;
- (j) bulk fuel sales;
- (k) tool and equipment rental establishments;
- (l) *animal hospitals*.

51.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory a permitted use.

51.4 There is no minimum parcel size.

51.5 One of the following types of dwelling unit shall be permitted for use as a watchperson's quarters:

- (a) single detached dwelling;
- (b) Tiny House on Wheels;
- (c) manufactured home; or
- (d) private apartment with its own separate entrance.

51.6 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

51.7 No building or structure shall exceed 18 metres in height.

51.8 No accessory building shall have a total floor area greater than 50% of the principal structure.

51.9 Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign, shall be located within 4.6 metres of a lot in a Residential zone.

51.10 All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a highway shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence.

51.11 See Sections 12 to 33 of this Bylaw.

52 I-3 (Value Added Industrial) Zone

52.1 Every subsection in Section 52 refers to the 1-3 (Value Added) Zone.

52.2 The following uses and no others are permitted:

- (a) value added wood processing activities;
- (b) storage yards and warehouses;
- (c) building supply establishments;
- (d) manufacturing facilities and retail sales of the products produced on-site;
- (e) watchperson's quarters
- (f) repairs, maintenance and storage of heavy equipment
- (g) *animal hospitals*.

52.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to a permitted use.

52.4 There is no minimum parcel size.

52.5 One of the following types of dwelling unit shall be permitted for use as a watchperson's quarters:

- (a) single detached dwelling;
- (b) Tiny House on Wheels;
- (c) manufactured home; or
- (d) private apartment with its own separate entrance.

52.6 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

52.7 No building or structure shall exceed 18 metres in height.

52.8 No accessory building shall have a total floor area greater than 50% of the principal structure.

52.9 Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign, shall be located within 4.6 metres of a lot in a Residential zone.

52.10 All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a highway shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence.

52.11 See Sections 12 to 33 of this Bylaw.

53 I-4 (Gravel/Mineral Processing) Zone

53.1 Every subsection in Section 53 refers to the 1-4 (Gravel I Mineral) Zone.

53.2 The following uses and no others are permitted:

- (a) gravel/mineral crushing or processing;
- (b) gravel and mineral storage piles;
- (c) watchperson's quarters;
- (d) storage of raw materials and finished products;
- (e) manufacturing, including processing facilities and the retail sales of the products produced on-site;
- (f) construction business operations;
- (g) heavy equipment repair and maintenance operations;
- (h) *animal hospitals*.

53.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to a permitted use

53.4 There is no minimum parcel size.

53.5 One of the following types of dwelling unit shall be permitted for use as a watchperson's quarters:

- (a) single detached dwelling;
- (b) Tiny House on Wheels;
- (c) manufactured home; or
- (d) private apartment with its own separate entrance.

53.6 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

53.7 No building or structure shall exceed 18 metres in height.

53.8 No accessory building shall have a total floor area greater than 50% of the principal structure.

53.9 Except as otherwise specifically permitted in this bylaw, no building, structure or illuminated sign, shall be located within 4.6 metres of any lot line.

53.10 All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a highway shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence.

53.11 See Sections 12 to 33 of this Bylaw.

54 **LF (Landfill) Zone**

54.1 Every subsection Section 54 refers to the LF (Landfill) Zone.

54.2 The following uses and no others are permitted:

- (a) landfill operations;
- (b) commercial composting operations;
- (c) recycling depot or containers;
- (d) kennels;
- (e) *animal hospitals*.

54.3 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to a permitted use;
- (b) watchperson's quarters.

54.4 There is no minimum parcel size.

54.5 One of the following types of dwelling unit shall be permitted for use as a watchperson's quarters:

- (a) single detached dwelling;
- (b) Tiny House on Wheels;
- (c) manufactured home;
- (d) private apartment with its own separate entrance

54.6 No building or structure shall exceed 18 metres in height.

54.7 No accessory building shall have a floor area greater than 60% of the principal structure.

54.8 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any lot line.

54.9 All outdoor storage areas and/or manufacturing activities that are adjacent to either a residential area or a street shall be screened by a solid fence or landscaped berm that shall be not less than 2.4 metres in height from the grade to the top of the berm or fence.

54.10 See Sections 12 to 33 of this Bylaw.

55 AP (Airport Industrial) Zone

55.1 Every subsection in Section 55 refers to the AP (Airport Industrial) Zone

55.2 The following uses and no others are permitted:

- (a) warehousing, cartage, express, and freight facilities;
- (b) aircraft maintenance and repair facilities;
- (c) bulk aviation gas operations;
- (d) air terminal buildings, car rental agencies and aircraft runways;
- (e) manufacturing facilities, including agricultural value-added processing;
- (f) machine shops;
- (g) restaurants;
- (h) watchperson's quarters;
- (i) retail sales, secondary to the Airport use;
- (j) fire suppression base.

55.3 Permitted accessory uses and buildings includes:

- (a) buildings or structures accessory to a permitted use.

55.4 There is no minimum parcel size in this zone.

55.5 One of the following types of dwelling unit shall be permitted for use as a watchperson's quarters:

- (a) single detached dwelling;
- (b) manufactured home;
- (c) Tiny House on Wheels;
- (d) private apartment with its own separate entrance.

55.6 The maximum permitted lot area coverage shall be 60% for the principal building with all accessory buildings and structures.

55.7 No building or structure shall exceed 10 metres in height.

55.8 No accessory building shall have a floor area greater than 50% of the principal structure.

55.9 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within 4.6 metres of any other zone.

55.10 Setbacks from runways are subject to the *Aeronautics Act* of Canada, as amended.

55.11 Open fencing with no height or location restrictions is allowed in this zone.

55.12 See Sections 12 to 33 of this Bylaw.

56 CU (Community Use) Zone

56.1 Every subsection in Section 56 refers to the CU (Community Use) Zone.

56.2 The following uses and no others are permitted:

- (a) libraries;
- (b) museums;
- (c) cemeteries;
- (d) hospital, including medical clinic, dental clinic, ambulance station, rest home or private hospitals;
- (e) post office;
- (f) community events centre;
- (g) community use service;
- (h) open space passive recreational areas;
- (i) municipal, local government or educational buildings, day care centers;
- (j) senior citizen complexes, senior activity centres and congregate care facilities;
- (k) any building or structure operating under a Private-Council partnership agreement.

56.3 Permitted accessory uses and buildings include:

- (a) Buildings or structures accessory to a permitted use.

56.4 There is no minimum parcel size

56.5 No accessory building shall have a floor area greater than 50% of the principal structure.

56.6 No building or structure shall exceed 10 metres in height, except fire halls;

56.7 Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:

- (a) 6 metres of a front parcel line;
- (b) 1.5 metres of an interior side parcel line;
- (c) 3 metres of an exterior side parcel line, or
- (d) 6 metres of a rear parcel line

56.8 See Sections 12 to 33 of this bylaw

57 Cannabis Production, Processing and Distribution Overlay (CPO)

- 57.1 *Every subsection in Section 57 refers to the Cannabis Production and Processing and Distribution Overlay (CPO).*
- 57.2 *The following uses and no others are permitted:*
- (a) Cannabis Production, Processing, or Distribution;*
 - (b) Cannabis Retail; or*
 - (c) Any use or structure permitted in the underlying zone.*
- 57.3 *Permitted accessory uses and buildings include:*
- (a) buildings or structures accessory to a permitted use.*
- 57.4 *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 residential zone or Community Use Zone, or a youth-centred facility*
- 57.5 *See Sections 12 to 33 and 50 to 55 of this bylaw.*

58 Cannabis Retail Overlay (CRO)

58.1 Every subsection in Section 58 refers to the Cannabis Retail Overlay (CRO).

58.2 The following uses and no others are permitted:

- (a) Cannabis Retail;
- (b) Any use or structure permitted in the underlying zone.

58.3 *Unless otherwise permitted in this bylaw, no building or structure may be within 50 m of the nearest parcel boundary of a lot in a Community Use Zone, or a youth-centred facility.*

58.4 Permitted accessory uses and buildings include:

- (a) buildings or structures accessory to a permitted use.

58.5 See Sections 12 to 33 and 50 to 55 of this bylaw.

59 CD (Comprehensive Development) Zones

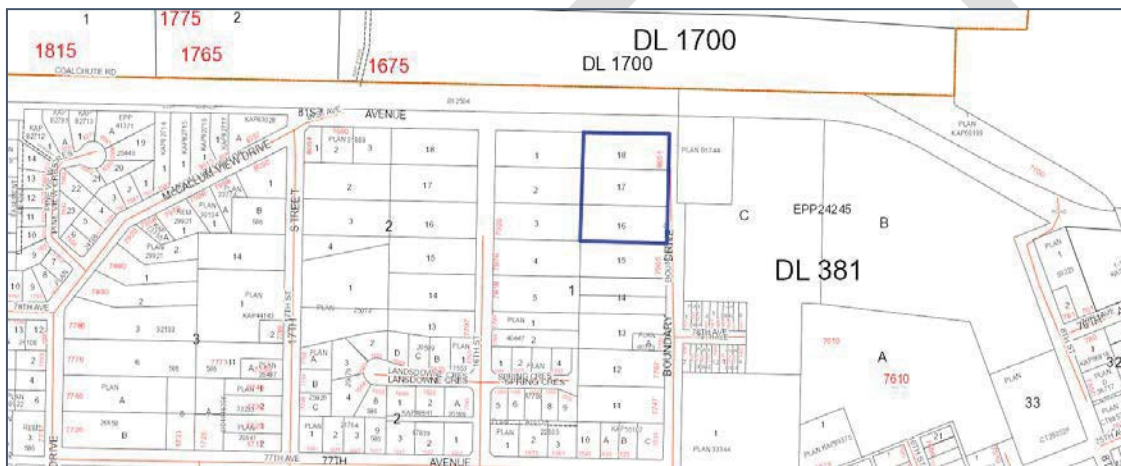
59.1 *Comprehensive Development Zones are intended to accommodate and regulate the development of a use or mixture of uses based on a comprehensive plan. They are typically created for reasons such as:*

- (a) *To ensure specific design and permitted use provisions;*
- (b) *To accommodate affordable or innovative housing; and/or*
- (c) *To encourage development with unique elements of benefit to the community.*

59.2 *Parts 1 to 11 apply to the Comprehensive Development Zones except where there is an inconsistency with a specific regulation in Part 59, in which case the specific regulation in Part 59 applies.*

59.3.1 *Every subsection in Section 59.3 refers to the CD-1 (Comprehensive Development 1) Zone.*

59.3.2 Location: *This CD-1 zone applies to approximately 1.2 hectares (3 acres) located on the west side of the most northerly extent of Boundary Drive as shown on the map below.*



59.3.3 Intent: *The intent of this zone is to allow for the development of a maximum 25- unit mobile home park, to ensure protection of an ecologically sensitive area in perpetuity, and to accommodate innovative, affordable home ownership and rental options in the City.*

59.3.4 Development Areas: *This CD Zone is divided into two areas as shown in Schedule A-I appended to this bylaw:*

| Area | Land Use |
|--------|---|
| Area 1 | Ecological reserve, conservation area, no build area. |
| Area 2 | Comprehensively designed mobile home park. |

59.3.5 *Within the CD-1 Zone, the lands shall be developed for a comprehensively designed 25-unit mobile home park and a protected ecological reserve in accordance with the plans and drawings in Schedules A-2, A-3 and A-4 appended to this bylaw.*

59.3.6 *The following uses and no others are permitted in Area 1:*

(a) *Ecological Reserve*

59.3.7 *The following uses and no others are permitted in Area 2:*

- (a) *one single-family dwelling;*
- (b) *mobile home park;*
- (c) *recreation facilities;*
- (d) *laundry facilities; and*
- (e) *home occupations*

59.3.8 *No buildings or structures shall be located within 15 metres of the edge of the wetland or ecological reserve identified in Schedule A-1.*

59.3.9 *Permitted accessory uses and buildings include buildings or structures accessory to any of the uses permitted in Area 1 and 2 of this zone.*

59.3.10 *The minimum parcel size for subdivision purposes is 0.5 hectares.*

59.3.11 *The maximum permitted lot area coverage for all buildings and structures shall be 60%.*

59.3.12 *No principal building or structure shall exceed 7.5 metres in height.*

59.3.13 *The minimum size for a mobile home or single-family dwelling shall be 30 square metres.*

59.3.14 *The minimum size of a regular (double-wide) mobile home space shall be 325 square metres and the minimum size of a small (single-wide) mobile home space shall be 228 square metres.*

59.3.15 *Off-street parking shall be provided in accordance with the Grand Forks Zoning Bylaw as amended.*

59.3.16 *Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:*

- (a) *3 metres of the front parcel line on Boundary Drive, except for mobile home spaces No. 1, 2 and 16 shown on the concept plan in Schedule II, where no building or structure shall be located within 4.6 metres of the front parcel line on Boundary Drive;*
- (b) *1.5 metres of a side parcel line; or*
- (c) *3 metres of a rear parcel line or exterior side parcel line.*

59.3.17 *On each mobile home space only 1 detached storage shed or accessor building not exceeding 13 square metres in size may be located, subject to the following regulations:*

- (a) *That such storage shed or accessory building be constructed and finished so that the design, construction and finish will complement and blend in with the mobile home;*
- (b) *That the height of the storage shed or accessory building not exceed the height of the principle dwelling (mobile home); and,*
- (c) *That such storage shed or accessory building be located to the side or rear of the mobile home and placed not closer than 1 metre to the mobile home.*

59.3.18 *A fence of not less than 1.8 metres high, a continuous vegetative landscape*

screen not less than 1.8 metres high, or a combination of both shall be located around the perimeter of the site.

59.3.19 The mobile home park shall be landscaped in accordance with the landscape concept plan as shown on Schedule A-3 appended to this bylaw.

59.4 Schedule "A-1" Development Areas, "A-2" Concept Plan, "A-3" Landscape Plan, and "A-4" Site Plan are hereby made part of Bylaw No. 2039.

DRAFT

60 Incorporation

60.1 Schedule “A” Land Use Zoning Map attached hereto is hereby made part of this bylaw.

60.2 *Schedule “A-1” Cannabis Land Use Overlay Map is hereby made part of Bylaw No. 2039.*

Table of Schedule “A” Zoning Map Amendments (for convenience)

| Bylaw Number | Adoption Date | Zoned To |
|--------------|---------------|----------|
| 2039-A2 | 2019-05-14 | CD-1 |
| 2039-A5 | 2019-06-05 | R4 |
| 2039-A7 | 2019-08-12 | R2 |
| 2039-A8 | 2019-09-16 | TC |
| 2039-A14 | 2020-08-31 | R2 |
| 2039-A15 | 2022-02-14 | HC |
| 2039-A16 | 2021-01-11 | NC |
| 2039-A17 | 2021-01-11 | TC |
| 2039-A18 | 2021-06-07 | R3 |
| 2039-A19 | 2021-10-04 | R2 |
| 2039-A20 | 2022-02-11 | R2 |
| 2039-A21 | 2022-04-11 | HC |
| 2039-A22 | 2022-07-11 | R2 |
| 2039-A23 | 2022-09-20 | R2 |
| 2039-A26 | 2022-09-20 | CU |
| 2039-A27 | 2022-09-20 | R3 |
| 2039-A29 | 2023-06-19 | R2 |
| 2039-A31 | Draft | HC |



**Regional District of
Kootenay Boundary**

STAFF REPORT

Date: November 29 2023
To: Chair McGregor and Boundary Services Committee
From: J.Chandler, General Manager Operations/Deputy CAO
Re: Boundary Transit 950 – 2024 Budget Requisition increase

File

Issue Introduction

The purpose of this report is to provide an overview of the 2024 budget for the Boundary Transit Service (950) and seek support to increase the requisition limit.

History/Background Factors

The RDKB service requisition limits can be raised by 25% every five years. The RDKB raised the requisition in 2023 from \$50,000 to \$62,500.

A shortfall in the taxable requisition in past years, has been funded by separate grants from each member participant of the service and additional Interior Health Authority funding.

To ensure long term security of the service, the RDKB have proposed an amendment to the service bylaw with consent from the Province, to raise the requisition limit once more. This approach has been in the 2023 work plan, with the goal to ensure that adequate funds can be raised in 2024, through taxation to match the anticipated annual operating costs of the service.

The Province, in review of the proposed service bylaw changes, confirmed that the requisition limit can be raised with the consent of the majority of participants, those being the City of Grand Forks, City of Greenwood, Rural Area 'D' and specified service area of Rural Area 'E'.

Implications

This report is not presented to review directly the budget expenditure for 2024, as at this time year end costs are outstanding with BC Transit. However, the budget is included with this report for summary information.

The current budget proposed a tax requisition of \$100,776 for 2024. This is an increase from \$61,793 in 2023. It is important to note that in 2023 additional funds were provided from all participants, totaling an additional \$34,916.

Budget Summary

The table below shows the cost distribution of the participants in total from 2023, with the differential funds currently anticipated for 2024.

| | 2023 Requisition | 2023 grant | 2023 total contribution | 2024 Requisition | 2023 to 2024 total cost increase |
|---------------------|---------------------|---------------|----------------------------|---------------------|--|
| City of Grand Forks | \$29,099 | \$16,344 | \$45,443 | \$47,455 | \$2,012 |
| City of Greenwood | \$3,618 | \$2,141 | \$5,759 | \$5,901 | \$142 |
| Area D | \$23,253 | \$13,085 | \$36,338 | \$37,922 | \$1,584 |
| Area E | \$5,823 | \$3,346 | \$9,169 | \$9,497 | \$328 |
| Totals | \$61,793 | \$34,916 | \$96,709 | \$100,775 | \$4,066 |

Next Steps

Staff are seeking formal agreement from each participant of the service as listed above, for their approval to raise the requisition 'limit' (The upper permissible tax requisition threshold). The intent will be to raise the limit capacity to ensure there will be adequate capacity funding for the 5 year financial plan.

Agreement to increase the requisition limit is not an agreement to the 2024 budget and financial plan, which will continue to be reviewed in detail from January 2024 through the normal process.

Advancement of Strategic Planning Goals

We will review and measure service performance and we will continue to focus on good management and governance.

Background Information Provided

- Draft 2024-2028 Boundary Transit Service (950) proposed Five Year Financial Plan

Alternatives

1. Support the formal request to each participant to address the required requisition limit increases for 2024 to 2028.
2. Do not support the formal request to each participant to address the required requisition limit increases for 2024 to 2028.
3. Provide alternate direction to staff.

Recommendation(s)

That the Boundary Services Committee approve staff to prepare formal letters and requests be sent to each participant of the Boundary Transit Service, for their approval and consent to raise the requisition limit to align with the costs presented in the 2024-2028 5 year financial plan;

Further that the response and agreements are provided to the RDKB for the January 2024 Boundary Services Committee meeting, scheduled for 10th January 2024.

December 14, 2023

Duncan Redfern
CAO
City of Grand Forks

By email: dredfearn@grandforks.ca

Dear Mr. Redfern:

Re: Consent to Adopt "Regional District of Kootenay Boundary Grand Forks and District Transit Service Establishment Amendment Bylaw No. 1852, 2023"

The Regional District of Kootenay Boundary will be taking the above-noted bylaw to a future Board meeting to seek three readings. The purpose of the bylaw is to increase the requisition for the Grand Forks and District (Boundary) Transit Service.

The requisition was raised by 25% in 2023 from \$50,000 to \$62,500 per Regulation 113/2007. The service has experienced a shortfall over the past number of years; to address this, funding from Interior Health and the service participants has sustained the service.

However, to fund the anticipated annual operating costs of the service, the requisition limit needs to be further raised. As the requisition limit can only be raised by 25% every five years, the RDKB requires consent from participants in the service per section 349(1)(b) of the *Local Government Act*. If that consent is acquired, the RDKB will forward the bylaw to the Inspector of Municipalities for approval so that the Board may then adopt said bylaw.

The RDKB is proposing, through Bylaw 1852, to raise the requisition limit to \$140,000 or \$0.0769/1,000. of net taxable value of land and improvements included in the service area. This amount will cover the anticipated increases in the Five-Year Financial Plan as per the following:

Main

202 – 843 Rossland Avenue
Trail, BC V1R 4S8
T: 250.368.9148
T/F: 1.800.355.7352
F: 250.368.3990

Grand Forks

2140 Central Avenue
Grand Forks, BC V0H 1H0
T: 250.442.2708
T/F: 1.877.520.7352
F: 250.442.2688

rdkb.com



Regional District of
Kootenay Boundary

| 2024 BUDGET | Increase(Decrease) between 2023 BUDGET and 2024 BUDGET | | 7.97% 2025 BUDGET | 5.63% 2026 BUDGET | 3.70% 2027 BUDGET | 2.95% 2028 BUDGET |
|----------------|--|-------|-------------------------|-------------------------|-------------------------|-------------------------|
| | \$ | % | | | | |
| 101,750 | 39,956 | 64.66 | 113,476 | 122,412 | 128,614 | 133,754 |

The Ministry of Municipal Affairs has confirmed that the requisition limit can be raised with the consent of the majority of service participants (City of Grand Forks, City of Greenwood, Electoral Area D and Electoral Area E).

For more detailed information, please refer to the staff report attached to this letter. Also attached is the draft bylaw.

The RDKB is seeking consent by way of a resolution from your council to support this requisition.

Sincerely,



Anitra Winje
Corporate Officer

Attachments:

1. Draft Bylaw No. 1852
2. Staff Report dated November 29, 2023

pc: Director Everett Baker

Date

Addressee Name

I, Anitra Winje, Manager of Corporate Administration/Corporate Officer of the Regional District of Kootenay Boundary, hereby certify the foregoing to be a true and correct copy of Bylaw No. 1852 cited as "Regional District of Kootenay Boundary Grand Forks and District Transit Service Local Service Establishment Amendment Bylaw No. 1852, 2023" as read a Third time this day of , 2023.

Manager of Corporate Administration

Approved by the Inspector of Municipalities this day of 2023.

Reconsidered and Adopted this day of 2023.

Chair

Manager of Corporate Administration

I, Anitra Winje, Manager of Corporate Administration/Corporate Officer the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1852 cited as "Regional District of Kootenay Boundary Grand Forks and District Transit Service Local Service Establishment Amendment Bylaw No. 1852, 2023"

as ADOPTED this day of 2023.

Manager of Corporate Administration

Phoenix Mountain Alpine Ski Society
Report on Grants and Funding - Does not include donations or fundraising
for specific project or available funding opportunities

| Fiscal Year | Received From | Amount | For |
|--------------------|--------------------------------|---------------|------------------------------|
| 2023-2024 | AM Ford | 500.00 | Event Equipment |
| 2023-2024 | City of Grand Grand Forks | 10,000.00 | Fee for Service |
| 2023-2024 | City of Greenwood | 600.00 | Operating Grant |
| 2023-2024 | GFCU (Gulf & Fraser) | 5,000.00 | Event Equipment |
| 2023-2024 | Grand Forks Realty | 2,500.00 | Event Equipment |
| 2023-2024 | Interfor | 500.00 | Event Equipment |
| 2023-2024 | Kettle River Lions | 1,000.00 | Event Equipment |
| 2023-2024 | Phoenix Foundation (CSRF) | 31,623.00 | Systems Upgrade (IT) |
| 2023-2024 | Province of BC (Gaming) | 16,000.00 | School/Racer Programs |
| 2023-2024 | RDKB - Area C | 2,500.00 | Operating Grant |
| 2023-2024 | RDKB - Greenwood/Midway | 3,000.00 | Operating Grant |
| 2023-2024 | RDKB - Op Grant | 21,000.00 | Operating Grant |
| 2023-2024 | RDKB Area D Grant In Aid | 3,000.00 | Event Equipment |
| 2023-2024 | Rotary Club of Grand Forks | 1,798.43 | Event Equipment |
| 2023-2024 | StellerVista Credit Union | 4,500.00 | Event Equipment |
| 2023-2024 | viaSport | 3,000.00 | Parent and Tot Program |
| 2023-2024 | West Boundary Community Forest | 5,500.00 | Outdoor Concession Equipment |

| | | | |
|-----------|-----------------------------------|-----------|-----------------------|
| 2022-2023 | Area D - Grant In Aid | 5,000.00 | Snow Cat/Operations |
| 2022-2023 | Area E - Grant In Aid | 5,000.00 | Snow Cat/Operations |
| 2022-2023 | Canada West Ski Area Association | 763.95 | Instructor Training |
| 2022-2023 | Canada West Ski Area Association | 736.05 | Conference Costs |
| 2022-2023 | City of Grand Grand Forks | 10,000.00 | Fee for Service |
| 2022-2023 | City of Greenwood Grant In Aid | 600.00 | Operating Grant |
| 2022-2023 | Phoenix Foundation | 3,680.00 | Brushing Equipment |
| 2022-2023 | Province of BC - Gaming | 16,000.00 | School/Racer Programs |
| 2022-2023 | RDKB - Area C | 2,000.00 | Operating Grant |
| 2022-2023 | RDKB - Greenwood/Midway | 3,000.00 | Operating Grant |
| 2022-2023 | RDKB - Op Grant | 20,000.00 | Operating Grant |
| 2022-2023 | RDKB Area C Grant In Aid | 5,000.00 | Snow Cat/Operations |
| 2022-2023 | Rotary Club of Grand Forks | 2,714.03 | Lift Operations |
| 2022-2023 | Tim Hortons Smile Cookie Campaign | 1,714.31 | Snow Cat/Operations |

| | | | |
|-----------|----------------------------------|-----------|-----------------|
| 2021-2022 | Canada West Ski Area Association | 258.00 | Course fees |
| 2021-2022 | City of Greenwood | 600.00 | Operating Grant |
| 2021-2022 | Community Futures Boundary | 5,000.00 | Lift Operations |
| 2021-2022 | Grand Forks Credit Union | 15,000.00 | Lift Operations |
| 2021-2022 | Heritage Credit Union | 2,500.00 | Lift Operations |
| 2021-2022 | Jump Start (Canadian Tire) | 10,000.00 | Rental Fleet |
| 2021-2022 | RDKB - Area C | 2,000.00 | Operating Grant |
| 2021-2022 | RDKB - Greenwood/Midway | 3,000.00 | Operating Grant |
| 2021-2022 | RDKB - Op Grant | 20,000.00 | Operating Grant |
| 2021-2022 | Regional District Grant In Aid | 5,000.00 | Lift Operations |
| 2021-2022 | Rotary Club of Grand Forks | 5,000.00 | Lift Operations |
| 2021-2022 | West Boundary Community Forest | 3,000.00 | Security system |

Support Received from other ski hills by donated items

Big White Ski Resort - Safety Pads for Towers
Big White Ski Resort - first aid supplies
Grouse Mountain - Staff clothing
Sun Peaks Resort - T-bar parts
Vail Resorts - Snowboard Rental Equipment

Reciprocal Pass Program

Phoenix has reciprocal pass arrangements with 51 other hills
Phoenix has an Indy Pass program
- both these programs bring people from out of town to Phoenix

From: [REDACTED]
Cc: [REDACTED]
Subject: InterFor Trail Update
Date: December 7, 2023 4:51:37 PM

CAUTION: External Email - Check before you click!

Hi

This email hopes to update you on the Trails Society's efforts to move this trail project along and to ask for your continued support.

The Society has been in discussion with the Trans Canada Trail Foundation and has confirmed that the grant application could come in two parts: design and construction. The Society intends to submit a formal application for the TCT design grant by the December 15th deadline. Other applications for design funding will be submitted to Infrastructure Canada and the Phoenix Foundation in January. It is the intention of the Society to apply for construction funding and assistance only after a design is in place. If the grant applications are successful, a design will be constructed for approval, permitting and funding in 2024. If all that comes together, construction would start in 2025.

This afternoon myself and John Granby met with Bernie Penner of Pennco Engineering onsite at the south end of the Darrel Priede Bridge. We discussed the deliverables for the design and the resources needed to complete it. Most of our attention was focused on a new connection to the bridge from the power line right of way. This 50 m span could either be ramped or bridged with culverts. Any connection would avoid the city power pole and not cross the rail line. The first thing needed for the design would be Digital Terrain Mapping as well as Flood Mapping of the area. Only then drawings could be made of the different design options. It is also important to have approved pedestrian access to the proposed trail to complete a design process.

We sincerely thank you for your support to complete a new greenway route for the Trans Canada Trail and the community of Grand Forks.

Chris Moslin, Secretary
Grand Forks Community Trails Society
Box 2921
Grand Forks, BC
V0H 1H0

c

www.gftrails.ca

From: [REDACTED]
To: [REDACTED]
Subject: FW: FW: Remarks of City following our December 11th request for consideration
Date: January 3, 2024 1:42:57 PM

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

From: Wayne Koch [REDACTED]
Sent: Tuesday, January 2, 2024 11:53 AM
To: Duncan Redfearn [REDACTED]
Cc: GENE KOCH [REDACTED]
Subject: Re: FW: Remarks of City following our December 11th request for consideration

CAUTION: External Email - Check before you click!

Best wishes for the New Year as well.

Thank you for your thoughts.

I would like this to be treated as correspondence to Council. You may include this reply as part of that material.

Frankly, we had a dim view of Mr. Zilenski's remarks and the apparent support which followed; this was our admonition. It's a bad look for the City if Council is acting as the bully on the playground. This reflects badly on the culture at the City vis a vis anyone who might be considering Grand Forks as a good place to do business.

We were so concerned about the matter we have engaged Cox-Taylor, one of the preeminent law firms in the province and Kent-McPherson, one of the best respected Appraisal firms in the province in this area as well.

We look forward to a positive and fair minded discourse.

Southfield Real Estate Ltd
Wayne Koch

On Tue, Jan 2, 2024 at 11:34 AM Duncan Redfearn [REDACTED] wrote:

>

> Good Day Wayne

>

> First of all, happy new year, we look forward to working with you on your upcoming projects in Grand Forks, hope all is well.

>

> I wanted to follow up regarding your email below. Are you requesting the City include this on our next Council agenda as correspondence? Or did you want us to email this out to council for their information?

>

> Thanks

> Duncan Redfearn

>

> _____

>

> Chief Administrative Officer

> City of Grand Forks

> 250-442-8266 [REDACTED]

>

>

> _____

>
> _____
> DISCLAIMER: This message is intended for the addressee (s) named and
> is confidential. The message must not be circulated or copied without
> the prior consent of the sender or the sender's representative
> Corporation or the Corporation's F.O.I Officer
>
> -----Original Message-----
> From: Wayne Koch [REDACTED]
> Sent: Monday, January 1, 2024 11:32 AM
> To: Info <info@grandforks.ca>
> Cc: GENE KOCH [REDACTED]
> Subject: Remarks of City following our December 11th request for
> consideration
>
> [REDACTED]
>
> CAUTION: External Email - Check before you click!
>
>
> We are writing in response to a discussion led by Councilor Zielinski and largely supported by most or perhaps all
of the remaining council at the December 11th discussion following a proposed land swap we originated.
>
> There was an apparent willingness to initiate "expropriation" as it would be related to property which we own.
Mr. Zielinski stated "put everything on hold ... & go for expropriation".
>
> We would like to go on record to state our concerns are as follows:
> - Expropriation is generally considered a last resort and is
> typically pursued by governments or authorities when all other attempts to acquire property or assets have failed.
> - Expropriation involves the compulsory seizure of private
> property for public use, accompanied by fair compensation to the owner.
> - Instructions from Council to the City of Grand Forks should
> strive to negotiate with ourselves and reach a voluntary agreement before resorting to expropriation. Negotiations
may involve discussions on compensation, land use, or other terms that satisfy both parties. We recognize, however,
if these negotiations fail and there is a compelling public interest, the City may resort to expropriation to ensure the
completion of projects deemed critical for the public welfare.
> - As you would know, the decision to expropriate is generally
> governed by legal frameworks that outline the conditions, procedures, and compensation mechanisms. It is crucial
for a fair and transparent process to be in place to protect the rights of property owners and to ensure that
expropriation is used as a last resort after exhausting all other options.
>
> There are several alternatives to expropriation - these alternatives aim to reach mutually agreeable solutions with
property owners without resorting to the compulsory seizure of assets. Some common alternatives include:
>
> Negotiation and Voluntary Agreements:
> - Engaging in open and transparent negotiations with property
> owners to reach a voluntary agreement on the terms of acquisition, including compensation, land use, or other
relevant conditions.
> - Eminent domain allows the government to acquire private property
> for public use, but it emphasizes fair compensation for property owners. Condemnation refers to the legal process
through which the government exercises its eminent domain authority.
>
> Land Swaps:
> Instead of acquiring property through monetary compensation, governments may explore land swap agreements
where property owners receive equivalent land or assets in exchange for the property needed.
>
> Joint Development Ventures:

- >
- > Collaborating with property owners on joint development ventures where both parties share in the benefits of a project. This can be a win-win situation, fostering cooperation and agreement.
- >
- > Incentives and Benefits:
 - > Providing incentives or benefits to property owners as a way to encourage their cooperation. This could include tax breaks, development rights, or other perks that make the arrangement more attractive.
- >
- > Mediation and Arbitration:
 - > Involving neutral third-party mediators or arbitrators to facilitate discussions and help resolve disputes between the government and property owners.
- >
- > These alternatives emphasize collaboration, fairness, and respect for property rights, aiming to find solutions that benefit both the public interest and the rights of property owners. The specific approach taken will depend on the nature of the project, legal frameworks, and the willingness of all parties to find common ground.
- >
- > We raise this discussion as a caution; the apparent readiness of the Councilor to state "we need to go for expropriation" at this juncture is premature and we admonish the Councilor and Council if indeed their expressed intention ignores established protocols.
- >
- > Thank you for your consideration in this regard.
- >
- > Southfield Real Estate Ltd
- > Wayne Koch
- > Gene Koch