



The Corporation of the City of Grand Forks
Regular Meeting
AGENDA

Meeting #: R-2019-13
Date: Monday, July 15, 2019, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

1. CALL TO ORDER

2. ADOPTION OF AGENDA

- a. Adopt agenda
July 15, 2019, Regular Meeting agenda

Recommendation

THAT Council adopts the July 15, 2019, Regular Meeting agenda as presented.

3. MINUTES

- a. Adopt minutes - Public Hearing and Public Feedback
June 24, 2019, Public Hearing and Public Feedback minutes

5 - 12

Recommendation

THAT Council adopts the June 24, 2019, Public Feedback and Public Hearing Meeting minutes as presented.

- b. Adopt minutes - Special to go In-Camera
June 24, 2019, Special to go In-Camera Meeting minutes

13 - 14

Recommendation

THAT Council adopts the June 24, 2019, Special to go In-Camera Meeting minutes as presented.

- c. Adopt minutes - Regular
June 24, 2019, Regular Meeting minutes

15 - 23

Recommendation

THAT Council adopts the June 24, 2019, Regular Meeting minutes as presented.

- d. Release of In-Camera Minutes
June 10, 2019 - Minutes regarding purchase of 70th Avenue properties

24 - 47

Resolution #: I058/19/06/10 MOVED / SECONDED

THAT Council release from In-Camera the June 10, 2019, Request for Decision regarding "Release of Minutes from In-Camera", all minutes relating to the purchase and use of lots A-D on 70th Avenue from February 11, 2019 to May 10, 2019, as attached in Appendix 1, and the Letter-of-Intent signed with BC Housing.

Carried

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

- a. Reports of Council
Councillors

48 - 51

Recommendation

THAT all reports of Council at the July 15, 2019, Regular Meeting be received.

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

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

52 - 52

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

Recommendation

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

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

- a. Amendment of 2019 Council Meeting Schedule
Corporate Services

53 - 56

Recommendation

THAT Council directs staff to change the dates of the final three meeting days scheduled in 2019 to November 12 and 25, and December 16.

- b. Events Insurance
Corporate Services

57 - 57

Recommendation

THAT Council approves the Service Provider Agreement of the Municipal Insurance Association of BC for the Events Manager Service between the City of Grand Forks and Erinne Allen, and the addition of Ms. Allen as an Associate Member to the City's MIABC policy.

- c. Long Term Borrowing for the Fall 2019 MFA Issue - Loan Authorization Bylaws No. 1922 and 1923

58 - 71

Chief Financial Officer

Recommendation

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Fall Borrowing Session, \$425,000 as authorized through the "City of Grand Forks Emergency Water Supply for Fire Protection Loan Authorization Bylaw No 1922, 2011" and that the Regional District of Kootenay Boundary be requested to consent to the City's borrowing over a twenty-five year term and include the borrowing in a Security Issuing Bylaw.

Recommendation

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Fall Borrowing Session, \$1,495,000 as authorized through the "City of Grand Forks Capital Renewal Loan Authorization Bylaw No 1923, 2011" and that the Regional District of Kootenay Boundary be requested to consent to the City's borrowing over a twenty-five year term and include the borrowing in a Security Issuing Bylaw.

- d. Weeds Glass & Gifts Non-Medical Cannabis Retail Licence Application
Development, Engineering & Planning

72 - 151

Recommendation

THAT Council APPROVE or DENY the Development Variance Permit Application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone.

Recommendation

THAT Council receives the report for a POSITIVE or NEGATIVE recommendation for the Non-Medical Cannabis Retail Store Licence Application from 1179711 BC Ltd. (Weeds Glass & Gifts) at 7500 Donaldson Drive.

Recommendation

THAT Council APPROVE or DENY the operating hours for the proposed Non-Medical Cannabis Retail Store Licence for 7500 Donaldson Drive.

- e. Consideration of In-Kind Support for Property Owners in DMAF Land Acquisition
Development, Engineering & Planning

152 - 156

Recommendation

THAT Council endorses the Policy Objectives and Process for the buy out; and FURTHER THAT Council directs staff to hold exploratory discussions with landowners on identified options and present findings to Council for decision.

9. **REQUESTS ARISING FROM CORRESPONDENCE**

10. **INFORMATION ITEMS**

11. BYLAWS

- a. Bylaw 2045-A2 - 2018-2022 Financial Plan Amendment 157 - 164
Financial Services

Recommendation

THAT Council gives final reading to the 2018-2022 Financial Plan Amendment Bylaw No. 2045-A2.

- b. Bylaw 2060 - Reserve Fund Establishment 165 - 197
Financial Services

Recommendation

THAT Council gives final reading to Reserve Fund Establishment Bylaw No. 2060, 2019.

- c. Bylaw 2039-A4 Final Reading - Rezoning from R1 Residential to R4 Rural Residential to 198 - 213
accommodate agricultural uses on the 7600 Block of 8th Street
Development, Engineering and Planning

Recommendation

THAT Council gives final reading to Bylaw No. 2039-A4.

- d. Bylaw 2039-A7 - Proposed Rezoning from R1 to R2 - 2680-75th Avenue 214 - 223
Development, Engineering and Planning

Recommendation

THAT Council gives third reading to Zoning Bylaw Amendment No. 2039-A7.

12. LATE ITEMS

13. QUESTIONS FROM THE PUBLIC AND THE MEDIA

14. ADJOURNMENT



The Corporation of the City of Grand Forks
Public Feedback Session
MINUTES

PF-2019-3

Monday, June 24, 2019, 1:00 pm

7217 - 4th Street, City Hall Council Chambers

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

Absent: Councillor Neil Krog

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Daphne Popoff - Corporate Administrative Assistant
Dolores Sheets - Manager of Development & Engineering Services

GALLERY

1. Call to Order

The Chair will call the Session to Order:

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

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

(c) All information, correspondence, petitions or reports that have been received concerning the application(s) have been made available to the public. The correspondence and petitions received after June 12, 2019 (date of notification) are available for inspection during the course of this Session and are located on the information table in the foyer of the Council Chamber.

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

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

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

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

Mayor Taylor called the June 24, 2019, Public Feedback Session to order at 1:08 pm.

2. Notification of Meeting

3. Individual Application Submissions

- a. 2019-06-24-BL-RWEE20-LCRB002100-7500_Donaldson_Cannabis_Retail_PFS

Development, Engineering & Planning

Discussion:

Jim Kennedy, Weeds Glass and Gifts, spoke in regard to the Cannabis store application, zoning, community focus benefits, history of owners, security, Warming Center, Whispers of Hope

- 317 Market Avenue and 7500 Donaldson Drive are owned by Devan Brier, no intention of manufacturing of edibles will be done in the future

- Pamela Kennedy spoke in regard to the Warming Center

Nigel James spoke in regard to the distance from the property to James Donaldson Park, resident properties

Bernie Bartkowski - OPPOSED, spoke in regard to the distance and changing the bylaw to suit the person applying for the business application, look out for members of this City, too many Cannabis stores already

Sharon Toorenburgh, new resident to Grand Forks, OPPOSED, spoke in regard to James Donaldson Park and children playing there, other uses for the current building

Greg Snider - OPPOSED, spoke in regard to Jim Kennedy's opening remarks, worked as retired teacher and kids' cannabis use, time of the Public Feedback should have been held in the evening when more people are able to attend, talked to many people in Grand Forks regarding this issue

Pamela Kennedy spoke in regard to advertising more for meetings

4. Adjournment

The June 24, 2019, Public Feedback Session was adjourned at 1:45 pm.

5. Procedure on each Application Submission

(a) Brief description of the application by City Staff (Planning Department);

(b) The Chair will request that the Corporate Officer indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

- i. The microphone at the delegates table has been provided for any person(s) wishing to make representation at the Session.
 - ii. The Chair will recognize ONLY speakers at the delegation table.
 - iii. Those who wish to speak concerning the proposed bylaw should, at the appropriate time, commence your address to the Council and the meeting by clearly stating your name and address. A sign-in sheet is provided at the delegation table and speakers should print their name and address legibly to ensure accurate minutes are recorded.
 - iv. Speakers are encouraged to limit their remarks to 5 minutes; however, if they have additional information, they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions of staff by members of Council must be asked before the Public Feedback Session is closed and not during debate of the bylaw at the next Regular Meeting, unless for clarification.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Session on the bylaw in question be held open, the Chair shall state to the gallery that the Public Session on the Application is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, etc.) to assist in their presentation or questions, however videos, PowerPoint presentations, or other electronic means may not be used. Please ask staff for assistance prior to the Session if required.

Mayor Brian Taylor

Corporate Administrative Assistant –
Daphne Popoff



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

PH-2019-4

Monday, June 24, 2019, 1:00 pm

7217 - 4th Street, City Hall Council Chambers

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

Absent: Councillor Neil Krog

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Daphne Popoff - Corporate Administrative Assistant
Dolores Sheets - Manager of Development & Engineering Services

GALLERY

1. Call to Order

The Chair will call the Hearing to Order:

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

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

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after June 12, 2019 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

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

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

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

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

Mayor Taylor called the June 24, 2019, Public Hearing to order at 1:00 pm.

2. Notification of Meeting

The Corporate Officer will affirm that Notice of Public Hearing was given in compliance with Section 466 of the *Local Government Act*.

3. Individual Bylaw Submissions

a. 2019-06-24 Bylaw 2039-A4 ZA 1902 Public Hearing

Development, Engineering and Planning

After the Mayor asked three times if there was anyone that would like to speak in regard to this proposed rezoning application, there were no speakers.

4. **Adjournment**

The June 24, 2019, Public Hearing was adjourned at 1:07 pm.

5. **Procedure on each Bylaw Submission**

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

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, etc.) to assist in their presentation or questions, however videos, PowerPoint presentations, or other electronic means may not be used. Please ask staff for assistance prior to the Hearing if required.

Mayor Brian Taylor

Corporate Administrative Assistant –
Daphne Popoff

DRAFT



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

Meeting #: SP-2019-11
Date: Monday, June 24, 2019, 1:30 pm
Location: 7217 - 4th Street, City Hall Council Chambers

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

Absent: Councillor Neil Krog

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer

GALLERY

1. CALL TO ORDER

Mayor Taylor called the June 24, 2019, Special To Go In-Camera Meeting to order at 2:09 pm.

2. IN-CAMERA RESOLUTION

a. Adopt Resolution as per Section 90

MOVED / SECONDED

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

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

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

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

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

Carried

3. LATE ITEMS

4. ADJOURNMENT

The June 24, 2019, Special to go In-Camera Meeting was adjourned at 2:09 pm.

MOVED / SECONDED

THAT the June 24, 2019, Special to go In-Camera Meeting be adjourned at 2:09 pm.

Carried

Mayor Brian Taylor

Corporate Officer - Daniel Drexler



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

Meeting #: R-2019-12
Date: Monday, June 24, 2019, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

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

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer
Daphne Popoff - Corporate Administrative Assistant
Dolores Sheets - Manager of Development & Engineering Services
Juliette Rhodes - Chief Financial Officer

GALLERY

1. CALL TO ORDER

Mayor Taylor called the June 24, 2019, Regular Meeting to order at 7:01 pm.

2. ANNUAL REPORT

a. Annual Report 2018

2018 Annual Report, consideration of report and submissions and questions from the public

Deputy Corporate Officer gave an overview of the Annual Report.

There were no submissions or questions from the public regarding the Annual Report.

Resolution #: R217/18/6/25 MOVED/SECONDED

THAT Council receives the 2018 Annual Report and considers submissions and questions from the public.

Carried

3. ADOPTION OF AGENDA

a. Adopt agenda

June 24, 2019, Regular Meeting agenda

Resolution #: R218/19/06/24 MOVED/SECONDED

THAT Council adopts the June 24, 2019, Regular Meeting agenda as presented.

Amended

Resolution #: R219/19/06/24 MOVED/SECONDED

THAT Council adopts the June 24, 2019, Regular Meeting agenda as amended to add a 'Late Item' discussion on the Warming Center.

Carried

4. MINUTES

a. Adopt minutes - Special to go In-Camera

June 10, 2019, Special to go In-Camera Meeting minutes

Resolution #: R220/19/06/24 MOVED/SECONDED

THAT Council adopts the June 10, 2019, Special to go In-Camera Meeting minutes as presented.

Carried

- b. Adopt minutes - Regular

June 10, 2019, Regular Meeting minutes

Resolution #: R221/19/06/24 MOVED/SECONDED

THAT Council adopts the June 10, 2019, Regular Meeting minutes as presented.

Carried

5. REGISTERED PETITIONS AND DELEGATIONS

- a. West Boundary Community Services Co-op Association

Vicki Gee, Regional Director, RDKB

Vicki Gee gave an overview and presented a request for the Mayor to sign letter of support for Food Hub grant application. Spoke in regard to: university involvements, lab food testing, grant opportunities, funding, explanation of Food Hub, land area is 4.6 acres for Co-op building and Food Hub as second building.

Resolution #: R222/19/06/24 MOVED/SECONDED

THAT Council supports the Mayor to sign letter of support for Food Hub grant application.

Carried

6. UNFINISHED BUSINESS

7. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

- a. Reports of Council

Councillors

Councillor Moslin spoke in regard to the Roger Brooks videos for downtown revitalization.

Councillor Eburne-Stoodley spoke in regard to the Car Show, Grad Ceremonies and the Roger Brooks videos.

Councillor Thompson asked that the Downtown Business Association present an overview from the Roger Brooks presentations. All Council agreed.

- Amber from the DBA and Jeff from the Chamber of Commerce spoke in regard to the Roger Brooks workshops (he is a revitalization specialist), plans for Grand Forks downtown revitalization and business and street improvements, and the July 20th Party in the Streets

Councillor Zielinski gave a shout out to those that maintain James Donaldson Park during the GFI, all the volunteers and all the sponsors, also to the Granby Dental office for fitting in a Cuban player last minute. He would also like an update on the landscaping around the Women's Transitional House.

Councillor Korolek spoke in regard to the downtown businesses and the Roger Brooks workshops, Boundary Museum funding for students and the Citizens on Patrol meeting.

Resolution #: R223/19/06/24 MOVED/SECONDED

THAT all reports of Council at the June 24, 2019, Regular Meeting be received.

Carried

Resolution #: R224/19/06/24 MOVED/SECONDED

THAT Council directs staff to discuss with Council and provide budget numbers for 2020 for the maintenance of the boulevards from the Regional District office to OK Tire.

Carried

Resolution #: R225/19/06/24 MOVED/SECONDED

THAT Council directs staff to include in the Electrical Master Plan the removal of utility poles from 2nd Street to OK Tire.

Carried

b. Discussion on 2nd Street Development

Discussion:

- project set back to September
- community not in favor
- BC Housing has not come forth with any further information, not enough resources from policing to mental health available in our community
- require stability for the current people that attend Warming Center
- City did look at Wildlife Hall area
- Core Commercial Zone in Zoning Bylaw

Resolution #: R226/19/06/24 MOVED/SECONDED

THAT Council supports a 34 unit supportive housing facility on 2nd Street and Central.

Opposed (6): Eburne-Stoodley, Korolek, Krog, Moslin, Thompson, and Zielinski

Defeated

Resolution #: R227/19/06/24 MOVED/SECONDED

THAT Council acknowledges that a 34 unit supportive housing building, as described in the letter of intent, does not fit the definition of core commercial zoning.

Opposed (1): Taylor

Carried

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

a. Verbal Report - RDKB Representative

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

Read the RDKB agendas here:

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

Mayor Taylor had no report. However, did mention that the next meeting would be on Thursday and that the RDKB is putting together a Code of Conduct.

9. RECOMMENDATIONS FROM STAFF FOR DECISIONS

10. REQUESTS ARISING FROM CORRESPONDENCE

11. INFORMATION ITEMS

- a. Meeting requests with Premier Horgan, Provincial Cabinet Ministers and Minister of Municipal Affairs and Housing

Civic Info. - UBCM

Discussion:

- flood mitigation, smaller and rural communities, forestry, Premier and Ministers, Interior Health, natural resources, housing
- Corporate Officer stated that through this Council discussion and feedback, he will go forward with drafting briefing appointments and discussions

Mayor Taylor stated that there will not be a motion, just feedback.

12. BYLAWS

- a. Bylaw 2045-A2 - 2018-2022 Financial Plan Amendment

Financial Services

Resolution #: R228/19/06/24 MOVED/SECONDED

THAT Council gives first three readings to the 2018-2022 Financial Plan Amendment Bylaw No. 2045-A2.

Carried

- b. Bylaw 2060 - Reserve Fund Establishment

Financial Services

Discussion:

- point 3.6 funds allocated from the annual operating budget or surplus
- budgeting process
- capital reserve fund

- land sales reserve

Resolution #: R229/19/06/24 MOVED/SECONDED

THAT Council gives first three readings to Reserve Fund Establishment Bylaw No. 2060, 2019.

Opposed (1): Moslin

Carried

- c. Bylaw 2054 – Smoke- and Vape-Free Places

Corporate Services

Discussion:

- point 3. under Smoking Regulation
- enforcement of bylaw - public to be proactive, designated smoking areas

Resolution #: R230/19/06/24 MOVED/SECONDED

THAT Council gives final reading and adoption of Bylaw No. 2054, Smoke- and Vape-Free Places.

Carried

- d. Bylaw 2057-A1 - Amendment of Parks Access Bylaw 2057 Schedule “A”

Corporate Services

Resolution #: R231/19/06/24 MOVED/SECONDED

THAT Council give final reading to the Parks and Public Spaces Access Amendment Bylaw No. 2057-A1.

Carried

- e. Bylaw 2039-A4 - Third Reading - Rezoning from R1 Residential to R4 Rural Residential to accommodate agricultural uses on 7600 Block of 8th Street

Development, Engineering and Planning

Resolution #: R232/19/06/24 MOVED/SECONDED

THAT Council gives third reading to Zoning Bylaw Amendment No. 2039-A4.

Carried

- f. Bylaw 2039-A7 - Proposed Rezoning and Development Variance Permit
2680 - 75th Avenue

Development, Engineering & Planning

Resolution #: R233/19/06/24 MOVED/SECONDED

THAT Council approves the variance request for relaxation of the rear yard setback from 6.0m to 2.72 m on proposed Lot 2; AND FURTHER THAT Council gives first and second readings to Zoning Bylaw Amendment 2039-A7.

Carried

13. LATE ITEMS

- a. Warming Center Discussion

Discussion:

- was for an extreme weather shelter and is now more
- Whispers of Hope and BC Housing meeting

Resolution #: R234/19/06/24 MOVED/SECONDED

THAT Council supports its Planning bylaws with light industrial not allowing overnight accommodation other than a watchman quarter; AND FURTHER directs staff to enforce those bylaws.

Opposed (1): Taylor

Carried

14. QUESTIONS FROM THE PUBLIC AND THE MEDIA

- Les Johnson spoke in regard to the Polonicoff building and zoning on Donaldson Drive

- Bronwen Bird, SD51, spoke in regard to the School District passing a policy at the last meeting regarding that smoking of any kind is not allowed on any SD51 property
- Amber Esovoloff, DBA, spoke in regard to the 2nd Street and Market intersection and that City Public Works vehicles use an alternate route other than 2nd Street
- Jensen Edwards, Gazette, regarding retail Cannabis stores in Grand Forks
- Angela Nichols spoke in regard to the outcome if the Warming Center closed, felt that the center was working, expectations moving forward, treatment of people
- Pamela Kennedy spoke in regard to helping people by working together to find a location that works for everyone

15. ADJOURNMENT

The June 24, 2019, Regular Meeting was adjourned at 9:05 pm.

Resolution #: R235/19/06/24 MOVED/SECONDED

THAT the June 24, 2019, Regular Meeting was adjourned at 9:05 pm.

Carried

Mayor Brian Taylor

Corporate Administrative Assistant -
Daphne Popoff

Request for Decision



To: In-Camera Meeting
From: **Corporate Services**
Date: June 10, 2019
Subject: Release of Minutes from In-Camera
Recommendation: **THAT Council release from In-Camera the June 10, 2019 Request for Decision regarding “Release of Minutes from In-Camera”, all minutes relating to the purchase and use of lots A-D on 70th Avenue from February 11, 2019 to May 10, 2019 as attached in Appendix 1, and the Letter-of-Intent signed with BC Housing.**

Background

Some information regarding the purchase of the lots on 70th Avenue has already been released from In-Camera, however there are parts of the original proposal and deliberation on uses for the properties which have not been cleared for release.

Feb 11, 2019 – First discussion of the potential strategic acquisition of 4 lots on the south side of 70th Avenue, and instruction to staff to bring back a report on that acquisition.

Feb 25, 2019 – Report on acquisition of lots, their potential to alleviate the single access to the 19th St. housing development, and inclusion into the west end sector development plan. Resolution I016/19/02/25 to proceed with acquisition.

March 25, 2019 – Discussion of completed acquisition of lots, possible use as community kitchen or temporary construction access for BC Housing.

Resolution I024/19/03/25 has released all information to date.

Resolution I025/19/03/25 instructed staff to offer use of the lots for construction access.

April 8, 2019 – Discussion with BC Housing and BFS which included the proposal to potentially move the 2nd Street project to the 4 lots on 70th Avenue.

April 15, 2019 – Discussion on development costs for 70th Avenue properties, initial letter from BC Housing regarding 70th Avenue, resolution to have staff make a counter-offer (I037/19/04/15)

April 23, 2019 – Discussion on pros and cons of the 70th Avenue and 2nd Street locations, purchase cost of the 2nd Street property, infrastructure requirements at 70th Avenue, resolutions to ask BC Housing to prepare a Letter-of-Intent (I041/19/04/23) and to release from in-camera “that Council has offered the lots to BC Housing” (I042/19/04/23)

April 30, 2019 – Discussion of the Letter-of-Intent from BC Housing with proposed changes. Resolutions to return the Letter-of-Intent to BC Housing with proposed changes. (I046/19/04/30 and I047/19/04/30)

May 10, 2019 – Discussion of revised Letter-of-Intent, resolution to sign Letter-of-Intent regarding the 4 lots on 70th Avenue as presented. (I054/19/05/10)

As part of the process regarding the potential rezoning of the 70th Avenue lots, Staff recommend that the portions of minutes from the listed In-Camera meetings as described above be packaged and released from In-Camera.

Benefits or Impacts

General

Strategic Impact



Community Engagement

- Transparency of process

Policy/Legislation

Attachments

Appendix 1 – Minutes from February 11, 2019, to May 10, 2019, regarding the purchase and use of Lots A,B,C,D on 70th Ave.

Letter-of-Intent with BC Housing, dated May 1, 2019.

Recommendation

THAT Council release from In-Camera the June 10, 2019 Request for Decision regarding “Release of Minutes from In-Camera”, all minutes relating to the purchase and use of lots A-D on 70th Avenue from February 11, 2019 to May 10, 2019 as attached in Appendix 1, and the Letter-of-Intent signed with BC Housing.

Options

1. THAT Council release the minutes from In-Camera as described.
2. THAT Council release a sub-set of the minutes from In-Camera.
3. THAT Council retain the information In-Camera.

Appendix 1

Meeting #: I-2019-03
Date: Monday, February 11, 2019, 10:30 am
Location: 7217 - 4th Street, City Hall Council Chambers

8. INFORMATION ITEMS

- a. Verbal Update - Developments - CC S. 90 (1) (e)
Manager of Development, Planning, and Engineering
19th Street:
- parking lot for the development
 - height of development
 - West End Development Plan and potential development of 70th Avenue
 - potential strategic acquisition of 4 lots on north side of 70th Avenue

Resolution #: I011/19/02/11

Moved by: Krog
Seconded by: Korolek

THAT Council instructs staff to bring back a report to an In-Camera Meeting of Council regarding the potential strategic acquisition of the 4 lots on the south side of 70th Avenue between Dick Bartlett Park and the BC Housing 19th Street Development property that are currently for sale.

Carried

Meeting #: I-2019-04
Date: Monday, February 25, 2019, 5:30 pm
Location: 7217 - 4th Street, City Hall Council Chambers

6. RECOMMENDATIONS FROM STAFF FOR DECISIONS

- a. Proposed acquisition of Lots A, B, C & D 70th Avenue

Development, Engineering & Planning

The Manager of Development, Engineering, and Planning joined the meeting at 5:45pm.

Discussion ensued regarding:

- size of the lots
- inclusion in Area Sector Development Plan for West-End
- current zoning - R1
- possible consolidation of properties
- potential costs of development of road access and services
- potential benefit to BC Housing (BCH) development
- listed property costs
- potential future affordable development for those properties
- decision to offer a maximum of \$64,000 for the properties for the purpose of strategic development opportunities in the West End.

Resolution #: I016/19/02/25

Moved by: Thompson

Seconded by: Moslin

THAT Council direct staff to move forward with the acquisition of four lots legally described as: Lot A, DL 380, SDYD, KAP22999; Lot B, DL 380, SDYD, KAP22999; Lot C, DL 380, SDYD, KAP22999; Lot D, DL 380, SDYD, KAP22999 at a price not higher than \$64,000, for the purpose of West End strategic development opportunities.

Carried

Meeting #: I-2019-05
Date: Monday, March 25, 2019, 5:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Resolution #: I020/19/03/25

Moved by: Moslin
Seconded by: Zielinski
THAT the agenda be amended to include a discussion on a potential land swap with BC Housing as Item 9.b.

Carried

6. RECOMMENDATIONS FROM STAFF FOR DECISIONS

- b. City's Purchase of Lots A, B, C & D on 70th Avenue - Section 90(1)(e)

Development, Engineering and Planning

The Manager of Development and Engineering joined the meeting at 5:26 pm.

Brief discussion ensued regarding:

- a potential site for the community kitchen on one of the four lots on 70th Ave.
- temporary construction access for BC Housing

Resolution #: I024/19/03/25

Moved by: Moslin
Seconded by: Thompson
THAT all previous in camera Council reports and resolutions respecting the City's acquisition of Lots A, B, C & D on 70th Avenue be released as public municipal records.

Carried

Resolution #: I025/19/03/25

Moved by: Zielinski
Seconded by: Korolek

THAT Council instruct staff to offer the properties to BC Housing for temporary construction access for the 19th Street project.

Carried

9. LATE ITEMS

b. Discussion on Potential Land Swap - CC S. 90 (1) (e)

The order of the agenda was amended to discuss Item 9.b. before 9.a. so the Manager of Development and Engineering would be present.

Staff shared draft renderings for the 2nd street proposal and discussion ensued:

- Development permit would need approval of Council
- BC Housing (BCH) does not need Council approval
- maximum building height defined by bylaw is approximately 59 ft
- potential to use other exterior finish
- concerns about style of roof
- The Mayor advised that he connected with BCH in the morning. The Chief Administrative Officer read a statement from BCH that indicated that BCH is not considering other locations
- West End development and opportunities within the west side of town and new lots on 70th Ave.
- Downtown Business Association explained the other day that they will not challenge BC housing on the 2nd Street project any more.
- potential for brick veneer
- potential for more storage, murals on fence
- BCH will be attending an in-camera meeting on April 8, 2019

- a motion was proposed to offer the four lots on 70th Ave to BCH for a land swap for 2nd street

The Manager of Development and Engineering left the meeting at 6:22 pm.

Resolution #: I027/19/03/25

Moved by: Moslin
Seconded by: Zielinski

THAT Council offer the recently acquired four lots on 70th Avenue as a land swap to BC Housing; AND THAT staff be instructed to communicate this proposal via email before the end of the Month.

Opposed (1): Taylor

Carried

Meeting #: I-2019-06
Date: Monday, April 8, 2019, 11:00 am
Location: 7217 - 4th Street, City Hall Council Chambers

4. REGISTERED PETITIONS AND DELEGATIONS

a. BC Housing Projects

BC Housing / Boundary Family Services

BC Housing (BCH) and Boundary Family Services (BFS) representatives, the Manager of Development and Engineering, and the two Planning Technicians joined the meeting at 11:15 am.

BCH presented regarding the projects in Grand Forks and discussion ensued regarding:

- definitions of supportive housing terminology
- partnership between BCH, BFS, and Interior Health Authority (IHA)
- support services and funding of services
- reasons for homelessness and housing needs for Grand Forks
- success stories from other municipalities
- behaviour guidelines for residents of the facility

- potential impacts on community if clients do not follow guidelines and are removed from facility
- concerns about past communications, potentials for improvements for the future regarding communications
- potential for other locations in Grand Forks, especially by 19th Street Project
- potential population growth -> BCH advised that facilities are primarily for Grand Forks residents including flood victims. Staff advised that there was already a shortage of roughly 80 homes before the flood.
- concern about the height of the proposed facility
- concern about zoning and definitions in zoning bylaw
- timelines for development, public engagement
- primary renderings of proposed facility
- BCH acknowledged that they would take the proposal to potentially move to the 4 lots on 70th Ave by the 19th Street project under advisement, but BCH would want 1000% of Council support if the location is changed. In addition, servicing and other costs would need to be shared with the City. A rough preliminary cost was estimated at \$500,000.

Meeting #: I-2019-07
Date: Monday, April 15, 2019, 10:00 am
Location: 7217 - 4th Street, City Hall Council Chambers

8. INFORMATION ITEMS

- a. Verbal update on BC Housing projects.

Discussion ensued regarding:

- neighbours in the vicinity of the four lots seem to be aware that the discussion with BC Housing (BCH) regarding a potential land swap is underway
- financial impacts on the City:
 - long term costs and responsibilities once lease expires
 - statutory advertisement and public process requirements
 - not clear if they would be paying grant-in-lieu or paying taxes

- not clear if development cost charges (DCC's) would be impacted
- DCC's are necessary to fund upgrades to sewer crossing
- taxation implications to the public
- potential projects that could be postponed or cancelled to afford this project
- water, sewer, road to cost roughly \$485,000
- letter from BCH and expectations to cost share on infrastructure, most likely 50/50
- concerns with 2nd Street lot not being made available to the City
- potential to lease the lot on 2nd Street from BCH
- potential impact on future development of 70th Avenue
- servicing of development of BCH property off of 19th Street
- concerns about social impacts on the area based on affordable and supported housing being in close proximity with each other
- Downtown Business Association (DBA) members discussed with neighbouring businesses in the vicinity of Kelowna facilities and most problems seemed to be resolved by now.
- potential to release communication regarding negotiations between BCH and the City
- DBA seems to be accepting and reasonable at the time towards the development at 2nd Street
- current BCH proposal is deemed not appropriate
- Imagine Grand Forks report from 2010 envisioned 2nd Street corner as key to economic development of the downtown and revitalization
- potential future development of 70th Ave
- potential counter offer. Staff was directed to negotiate with BCH
- potential press releases
- Council directed Staff to communicate with BCH to ask for a purchase or lease of the 2nd Street property to the City

Resolution #: I036/19/04/15 MOVED / SECONDED

THAT Council directs Staff to negotiate with BC Housing.

Carried

Resolution #: I037/19/04/15 MOVED / SECONDED

THAT Council directs Staff to counter BC Housing's Offer, asking if BC Housing would re-consider selling the 2nd and Central Avenue property to the City, or alternatively to provide a reciprocal 60-year Lease of 2nd and Central land to the City.

Carried

Meeting #: I-2019-08
Date: Tuesday, April 23, 2019, 1:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

8. INFORMATION ITEMS

- a. BC Housing - 2nd Street - C.C. s.90(1)(e)

Update from Staff

The Chief Financial Officer, the Manager of Development, Engineering, and Planning, and the Planning Technician joined the meeting at 1:10pm and discussion ensued regarding:

- pros and cons regarding locations
- purchase cost of 2nd Street property
- cost of infrastructure at 70th Ave
- potential lift station may be needed at the property due to slope and potential cost
- potential development of 70th Ave infrastructure for future development
- West End Area Sector Development Plan
- leased land, may be exempt from grant in lieu
- form and character may not be Council's decision at that location

- impacts on asset management reserves

2nd Street concerns:

- entrance to the City
- definition of congregate care in zoning Bylaw
- downtown revitalization project could give direction for possible 2nd Street developments in the future if the City purchases the property
- reserve bylaws may need to be amended
- various concerns of the downtown businesses, some seem to be accepting the potential BC Housing development on 2nd Street
- potential impacts on future development in the downtown area
- commercial lot used for housing

Council discussed to release a portion of the discussion from In-Camera and further instructions for staff. Two resolutions were passed.

Resolution #: I041/19/04/23 MOVED / SECONDED

THAT Council instructs staff to continue discussions with BC Housing and ask BC Housing to prepare the Letter of Intent to be reviewed by Council.

Opposed (2): Taylor, and Moslin

Carried

Resolution #: I042/19/04/23 MOVED / SECONDED

THAT Council release from In-Camera that "City Council has offered the four lots A,B,C,D on 70th Ave to BC Housing, and

that negotiations are ongoing; if this proceeds there will be a public process."

Carried

Meeting #: IC2019-09
Date: Tuesday, April 30, 2019, 10:00 am
Location: 7217 - 4th Street, City Hall Council Chambers

7. REQUESTS ARISING FROM CORRESPONDENCE

- a. Letter of Intent - 2nd Street and 70th Avenue

BC Housing Management Commission

During discussion of the Letter of Intent, Council proposed changes to the wording of the document:

- Section A - Defining "The Lands", and correcting the street name for 2nd Street (from Avenue)

A motion was proposed to alter the definition in section C, but there was no seconder.

Councillor Korolek joined the meeting at 10:20am.

Further changes included:

- Section 1.01 - Changing "permit" to "allow", maintaining intent without implying the issuance of a Permit, as a housekeeping item.
- Section 2.04, add words "endeavours to" consider 4th reading within the specified timeline "subject to third party agencies."
- Section 3.01(c) - Change the word "east" to describe the specific property/properties intended.
- Section 3.01(f) - Correct wording of lease terms to avoid ambiguity over which party is paying rent, as a housekeeping item.

Discussion included permits, consents, and timelines in Section 5.01(b).

The City will request a breakdown on the "Throwaway Costs", and ask to include City costs reciprocally. An apparent typo in Section 6.02 was noted.

Following the resolution to return the letter to BC Housing, there was brief discussion over what could be released from in-camera at the public forum the following night; it was determined that until BC Housing confirms the amended agreement that the Letter of Intent remain in-camera.

Resolution #: I046/2019/04/30 MOVED / SECONDED

THAT Council direct staff to respond to the Letter of Intent provided by BC Housing including the discussed and recommended changes.

Carried

Resolution #: I047/2019/04/30 MOVED / SECONDED

THAT the changes to the Letter of Intent formulated by Council be returned to BC Housing for consideration.

Carried

Meeting #: IC2019-10
Date: Friday, May 10, 2019, 10:30 am
Location: 7217 - 4th Street, City Hall Council Chambers

7. REQUESTS ARISING FROM CORRESPONDENCE

- a. Revised Letter-of-Intent Regarding Lots A-D (70th Ave) - s.90(2)(b)

BC Housing

The order of the agenda was varied to discuss item 7.a. last.

The planning technicians joined the meeting at 11:55am and discussion ensued regarding:

- anticipated costs for infrastructure
- anticipated revenues for DCC's
- potential costs for a lift station, which may be required due to grading of site, but will depend on engineering if it is needed
- cost for purchasing 2nd Street and other costs related to 2nd Street property
- potential rezoning options and associated timelines
- potential of comprehensive development zone -> Council directed staff to pursue this option in the report to be presented at the May 21, 2019 Regular Meeting of Council.
- zoning of 2nd Street property
- potential future implications of letter of intent
- amendments to the letter of intent since changes were proposed

The planning technicians left the meeting at 12:25 pm and discussion continued regarding the potential pros and cons of signing the Letter of Intent.

A motion to sign the Letter of Intent with BC Housing was carried.

Resolution #: I054/19/05/10 MOVED / SECONDED

THAT Council signs the Letter of Intent with BC Housing regarding the 4 lots on 70th Avenue as presented.

Opposed (1): Krog

Carried

Report Approval Details

Document Title:	2019-06-10-ReleaseFromInCamera-70thAve.docx
Attachments:	- Letter of Intent - Signed.pdf
Final Approval Date:	Jun 5, 2019

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

Daniel Drexler - Jun 5, 2019 - 12:51 PM

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jun 5, 2019 - 12:53 PM

This Agreement dated for reference the 1st day of May 2019

BETWEEN:

British Columbia Housing Management Commission

(The "Commission")

AND:

THE CORPORATION OF THE CITY OF GRAND FORKS

(the "City")

WHEREAS:

- A. On behalf of the Commission, the Provincial Housing and Management Corporation ("PRHC") is the registered owner of land in the City, having a civic address of 7382 2nd Street, known as the Lands, which are shown on the plan attached hereto as Schedule "A".
- B. The Commission purchased the Lands for \$179,000 ("Lands Purchase Price") and proposes to develop the Lands for a Supportive Housing project consisting of a 4-story permanent structure of approximately 21,519 sqft., built by modular form of construction and includes an elevator. The building will contain a total of 34 self-contained 1-bedroom units, 2 of which are self-contained wheelchair accessible units. The first floor of the building will include a

commercial kitchen, medical room, office space for staff, and a kitchen and dining room (the "Project").

C. The Lands are presently zoned as "CC" Commercial Core, which zone permits the development and use of the Lands for the Project.

D. The Commission has advanced the Project on the Lands to the stage of tendering and awarding the development of the Project on the Lands. In addition to the Lands Purchase Price, to date, the Commission has expended approximately \$58,000 towards the development of the Project on the Lands, which costs are considered as being unrecoverable as they related specifically to the development of the Project on the Lands ("Thrown Away Costs").

E. The City has approached the Commission and requested that development of the Project be moved to four City owned lots in the City shown on Schedule B, having civic addresses of 1960, 1980, 2026 & 2048 70th Ave Grand Forks and legally described as:

Lot A Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-095

Lot B Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-117

Lot C Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-141

Lot D Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-176

(jointly the "Property").

F. The Property will require a rezoning to permit the development and use of the Property for the Project.

G. The parties wish to cooperate with each other to expedite the rezoning and permitting the development of the Project on the Property within the timelines set out in the Agreement.

H. The Commission and the City have agreed that it is in their mutual interests to enter into an agreement in the form of this Agreement to reflect understandings reached regarding overall use and development of the Project on the Property.

NOW THEREFORE in consideration of the mutual promises set out herein, the parties hereto agree as follows:

1.0 THE LANDS

- I. 1.01 At the time PRHC purchased the Lands, the City acknowledges the Lands were zoned to allow the development of the Project.

2.0 REZONING OF THE PROPERTY

2.01 The City acknowledges that it has requested the Commission to consider a relocation of the Project to the Property and as the City is the owner of the Property, it agrees to forthwith commence, at its cost, an application to consolidate the Property into a single parcel and to rezone the Property to a zone that will permit the development and use of the Property for the Project (the "Rezoning Bylaw"). Without limiting the generality of the foregoing sentence, the City agrees that the zoning amendment bylaw will provide, without variance, for all necessary parking required for the Project on the Property.

2.02 The City further agrees that the Rezoning Bylaw shall be brought before Council for consideration of 1st and 2nd reading within three weeks of the date first written above.

2.03 Should the Rezoning Bylaw receive 1st and 2nd reading within the timeline set out in Section 2.02, the City shall advance the Rezoning Bylaw to a Public Hearing within three weeks of receipt of 1st and 2nd reading.

2.04 The City agrees to present the Rezoning Bylaw for 3rd reading at the first Council meeting after the Public Hearing.

2.05 The City further agrees that, subject to the ultimate time deadline set out in Section 5.1, to consider 4th reading and adoption of the Rezoning Bylaw, within the latter of:

(a) three weeks of 3rd reading; or

(b) the next Council meeting after MOTI approval should that approval not be obtained within the three weeks following 3rd reading referred to in Section 2.05(a).

3.0 DEVELOPMENT OF THE PROPERTY

3.01 Concurrent with the Rezoning Bylaw process set out in Article 2.0, the Commission and the City shall:

- (a) Determine all necessary servicing (roads, water, sewer etc.) required to service the Property necessary for the Project (the "Services");
- (b) Design the Services and agree on a cost sharing formula between the Parties for the Services. It is currently contemplated that the cost of such Services will be divided equally between the City and the Commission;
- (c) Agree to the terms of and prepare a statutory right of way over a portion of the Property to allow pedestrian and vehicular access from the most easterly area within Lots A, B, C & D of the 70th Avenue Property and upon which the Commission has developed a separate family housing project;
- (d) Revise the Project development plans to accommodate the move of the Project from the Lands to the Property;
- (e) Apply for and prepare for issuance a building permit for the Project on the Property. The City agrees that in connection with the building permits referred to in this Section 3.1(e) that no further environmental or other approvals are required, and no land dedication requirements will be imposed, with the Commission's requirements being limited to submission of plans and related standard building permit documents; and
- (f) Agree to the terms of a long term (60 year) lease of the Property from the City to PRHC for nominal rent.

4.0 Non-Fettering of Discretion

4.01 The Commission acknowledges and agrees that despite the City's acknowledgment of the intended rezoning applications set out herein, that all rezoning applications are subject to a public process and nothing herein shall in

any way fetter, limit or restrict the legislative discretion of City Council of the City of Grand Forks.

5.0 PROCESS IN THE EVENT OF FAILURE TO ADOPT REZONING BYLAW

5.01 Despite any provision to the contrary in the Agreement, if the Rezoning Bylaw for the Property, set out in Article 2.0 is not adopted and the agreements and obligations set out in Article 3.0 are not agreed to, approved or issued by June 30, 2019, the City acknowledges and agrees with the Commission that:

(a) the Commission shall be entitled to develop the Lands for the Project;
and

(b) that all permits, permissions consents or otherwise required to be provided by the City in connection of the development of the Project on the Lands shall be issued on or before July 15, 2019.

6.0 PROCESS IN THE EVENT THAT THE PROJECT IS DEVELOPED ON THE PROPERTY

6.01 In the event that the Rezoning Bylaw for the Property, set out in Article 2.0 is adopted and the agreements and obligations set out in Article 3.0 are agreed to, approved or issued by June 30, 2019 the Commission agrees to sell and the City agrees to purchase the Lands for \$237,000 consisting of the Lands Purchase Price of \$179,000 plus \$58,000 for the Costs Thrown Away by the Commission in moving the Project from the Lands to the Property less any costs incurred by the City for surveying and consolidation of the Lots A,B,C & D – 70th Avenue. PRHC to provide the City with a breakdown of the Throw Away Costs.

6.02 The \$58,000, (Cost Thrown Away) less City cost of consolidation and survey fees to Lots A, B, C & D – 70th Avenue, shall be payable on July 15, 2019 and the

\$179,000 (Land Purchase Price) shall be payable on closing which shall be within thirty (30) days after the issuance of a final inspection or occupancy permit for the Project on the Property.

7.0 Mutual Cooperation

7.01 The City and the Commission acknowledge and agree that the nature of this Agreement involves broad understandings that will require further agreements in the future. In recognition of that, each party agrees to act reasonably and cooperate with the other in achieving completion of the various aspects of development and use of Lands and the Property.

8.0 Representation and Assurance


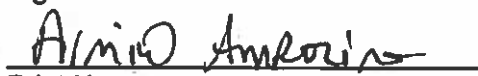
8.01 Each party represents to the other that it has taken all necessary steps to secure approval for execution and delivery of this Agreement and that it is an agreement that is within its lawful authority and binding on it.

9.0 Time is of the Essence

9.01 The parties agree that time shall be considered of the essence in this Agreement

British Columbia Housing Commission

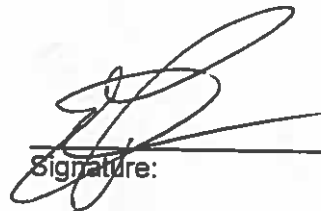
by its
authorized signatories:


Signature: _____)
_____)

Print Name: _____)
_____)

C/S

The City of Grand Forks
by its authorized signatories:

)
)
)
)
)



Signature:
BRIAN TAYLOR

Print Name:

)
)
)
)
)

C/S

Schedule "B"

The Property

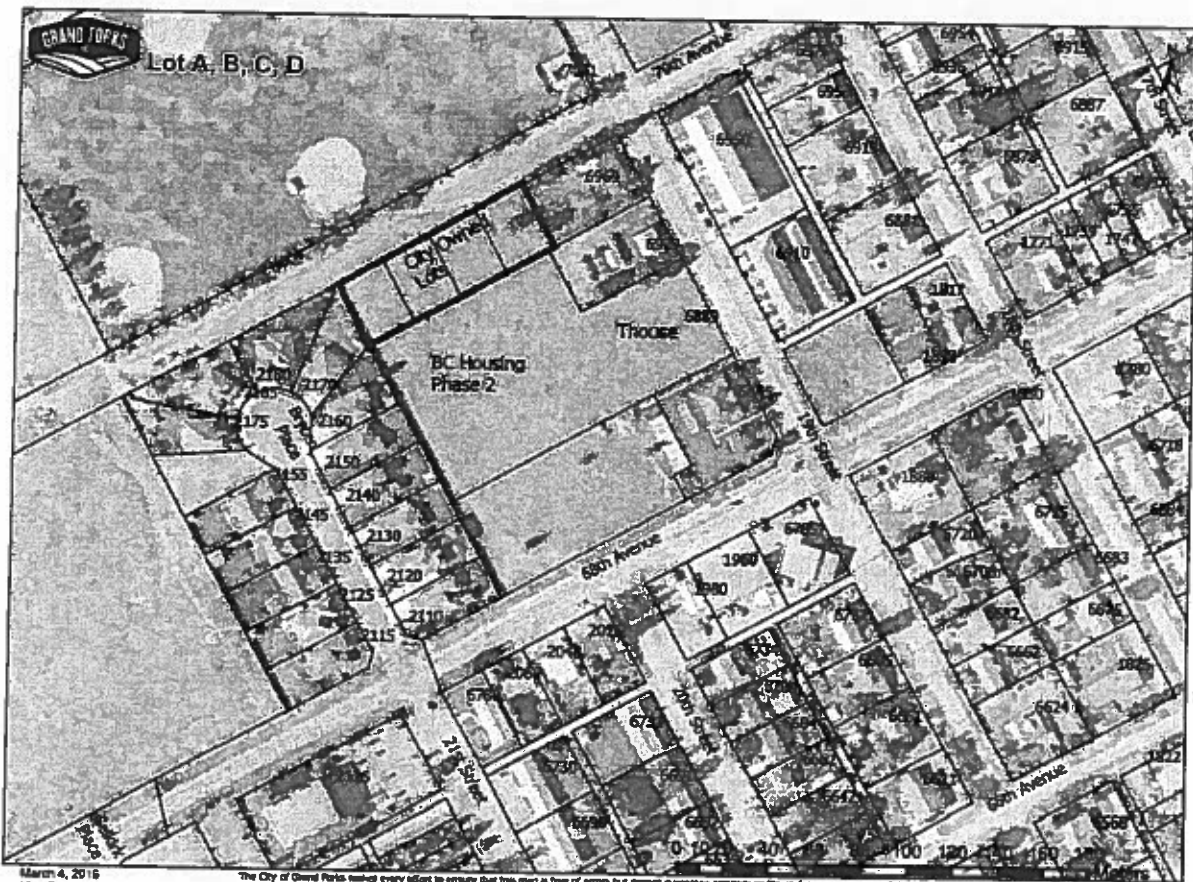
1960, 1980, 2026 & 2048 70th Ave, Grand Forks BC

Lot A Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-095

Lot B Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-117

Lot C Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-141

Lot D Plan KAP22999 District Lot 380 Land District 54 - PID: 006-611-176



March 4, 2016

Map Produced By: Leford Lelayette

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

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: July 15, 2019
Subject: Reports, Questions and Inquiries from the Members of Council
Recommendation: **THAT all reports by members of Council be received.**

Background

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

Benefits or Impacts

General

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

Strategic Impact



Community Engagement

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

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT all reports by members of Council be received.

Options

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

Report July 2019

- Attended Canada Day celebrations
- Attended CBC broadcast at the Gem, very well attended, hope they make it over here more often
- Had a meeting with RCMP, Citizens on patrol, Block Watch, DBA, Governance Plus

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241E155-7



REPORT TO COUNCIL

FROM: Councillor Christine Thompson

DATE: July 15, 2019

SUBJECT: Report to Council

I attended the announcement of the DMFA grant funding by Parliamentary Secretary to the Premier, Jennifer Rice. This is exciting news for the Boundary area, and Grand Forks in particular.

Along with Councillor Korolek, we took the opportunity that morning to have a brief discussion with the Parliamentary Secretary. We thanked her for the government's and BC Housing's support in building the 52 units of affordable housing behind the Women's Transition House. We also advised her of the way that the 2nd Street project was announced to our downtown business community, and that the previous Council was not aware of this until the day before a letter was circulated. We advised her that the members of the DBA were upset that such a project was to be built at the east entrance to our City, particularly as most downtown business had been devastated by the 2018 flood and were in recovery mode. We also advised that BC Housing would not consider another location until the lots on 70th Avenue were offered; however, due to public outcry the offer was withdrawn. The Parliamentary Secretary had not viewed the 2nd Street location and we gave her directions to there from 9th Street in Ruckle Addition.

The GFI was certainly a huge success for our City. I want to take this opportunity to recognize and thank the organizers of this tournament for all their hard work over the past year in organizing this annual event. I sold 50-50 tickets on Sunday morning and really enjoyed it. I said that I would like to do some morning shifts next year selling tickets.

I watched the Canada Day Parade and thought that it was a great success. (I am aware of the controversy one float caused that was deemed anything but celebratory.) Councillors Korolek, Moslin, and I served 200 cupcakes to attendees, and that is always part of the fun for me. The vendors and entertainment were excellent. Job well done by our Events Manager, Errine Allen.

Respectfully submitted,

Councillor Christine Thompson

The Grand Forks Social Services Advisory Group

On July 9th the Mayor and I attended the new Community Advisory Group on Social Services. This is not a moment too soon as I have been requesting such a forum since election day. This group will provide the following deliverables

- It will provide direction in policy direction and advocacy at a Provincial level for local governments
- Provide opportunities for collaboration between agencies
- Provide feedback on the delivery of social services in the community

This group will include representatives from Interior Health, the RCMP, D 51, who, the DBA, Habitat for Humanity, BFSS, Service BC, Ministry of Children and Family Development, Citizens for a Better Grand Forks. It is open to additional members and guests.

There are two immediate issues before Council that we need to set a clear direction. I will be seeking advice from this group on two very basic questions:

- Does the community need an emergency shelters and / or an all year round 'Warming Center'?
- Does the Community need Supportive housing?

Notice of Motion: that \$ xxxxx be budgeted to support the work of the GFSSAG

Roger Brooks To-Do List

I was a bit surprised and a bit flattered when Mr. Brooks challenged our city to be the best family-friendly biking town in BC. I have been pursuing that goal on and off council for decades. Mr. Brooks very clearly outlined what the city should try to accomplish in the next 2 years for Downtown Revitalization. This included assisting with façade improvement

Notice of Motion: that the City contribute \$1000 towards the mural painting of the "Copy Cat" wall

He also had some goals for the trails proponent on council - me. I have taken up his challenge and begun to upload my GPS trails collection to the well know internet source on biking trails: Trailforks. If you are a trail hound and have photos or gps kml files of our beautiful trails please go take a look and contribute to bringing our amazing collection of trails closer to visitors.

DMAF Announcement

On June 26th I watched the grant announcement from the shores of the new South Ruckle revetment. This announcement was way too long in coming and it was bittersweet. The previous council set a course to win this award and now this council must work hard to implement it. As Council knows I have been critical of options set forward in the Dobson report. The underlying assumption is that the only way to adapt to climate change was for the city to abandon some of its flood plains. I can't agree as these lands represent a significant capital and human investment. As more detailed engineering becomes available, I would like to Council to reconsider the wholesale expropriation of North Ruckle. I believe Dobson's other option of creating industrial and utility lands would be more beneficial to the city. I am hoping that future engineering will also take advantage of the new flood modelling so that more of the west shore of the Granby can be retained for future high-density development.

GFI

And I huge shout out to the organizers, volunteers, participants and spectators of the GFI. Once again it was wonderful family experience in our town. I am in awe of what our town can accomplish!

Thank- you !!!!

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: July 15, 2019
Subject: Report – from the Council's Representative to the Regional District of Kootenay Boundary
Recommendation: **THAT Mayor Taylor's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.**

Background

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

Benefits or Impacts

General

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

Strategic Impact



Community Engagement

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

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

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

Options

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

Request for Decision



To: Regular Meeting
From: **Corporate Services**
Date: July 15, 2019
Subject: Amendment of 2019 Council Meeting Schedule
Recommendation: **THAT Council directs staff to change the dates of the final three meeting days scheduled in 2019 to November 12 and 25, and December 16.**

Background

The schedule for the 2019 meetings for Committee-of-the-Whole and Regular Meetings were set in late 2018.

Since the schedule was set, an off-site course which several staff are registered to attend has been scheduled which would conflict with the November 4th meeting. Other staff members are also scheduled to be away on holidays. Although it is possible to conduct the meeting with staff away, Corporate Services proposes shifting the dates of the last three meetings on 2019 back by one week.

This will have the net effect of introducing an additional (third) week gap following the October 21 meeting, but would also push the lone meeting in December closer to the Christmas break, which would reduce the gap between the December meeting and the first meeting in January, likely from five weeks to four depending on the 2020 meeting schedule.

The proposed new schedule is attached to this RFD. The changes are:

Regular Meetings:

Tuesday, November 12, 2019
Monday, November 25, 2019
Monday, December 16, 2019

Committee-of-the-Whole

Tuesday, November 12, 2019
Monday, December 16, 2019

Upon approval of the schedule change, the meeting dates posted on the City website will be updated. Advertisements of the revised dates would appear in the local newspaper not less than two weeks prior to the original meeting date, per Community Charter s.94 and 127.

Benefits or Impacts

General

Average the gaps between meetings late in the year.

Sr. Staff will be available to support the meetings while having the ability to be away for a relevant educational opportunity.

Policy/Legislation

Community Charter, s.94 – Requirements for Public Notice

Community Charter, s.127 – Notice of Meetings

Attachments

Revised 2019 Regular and Committee-of-the-Whole Meeting Schedule

Recommendation

THAT Council directs staff to change the dates of the final three meeting days scheduled in 2019 to November 12 and 25, and December 16.

Options

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

Report Approval Details

Document Title:	2019-07-15-RFD-AmendCouncilMeetingSchedule.docx
Attachments:	- 2019 Schedule of COTW and Regular Council Meetings-Amended.doc
Final Approval Date:	Jun 14, 2019

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

Daniel Drexler - Jun 14, 2019 - 2:28 PM

Diane Heinrich - Jun 14, 2019 - 2:32 PM



Settle down.

THE CORPORATION OF THE CITY OF GRAND FORKS

NOTICE OF YEAR 2019 REGULAR & COMMITTEE OF THE WHOLE COUNCIL MEETINGS

In accordance with Section 127 of the Community Charter, please take notice that the following is a listing of scheduled **Regular Meetings** of Council for the City of Grand Forks for the Year 2019:

Monday, January 14, 2019	Monday, June 24, 2019
Monday, January 28, 2019	Monday, July 15, 2019
Monday, February 11, 2019	Monday, August 12, 2019
Monday, February 25, 2019	Tuesday, September 3, 2019
Monday, March 11, 2019	Monday, September 16, 2019
Monday, March 25, 2019	Monday, October 7, 2019
Monday, April 8, 2019	Monday, October 21, 2019
Tuesday, April 23, 2019	Tuesday, November 12, 2019
Monday, May 6, 2019	Monday, November 25, 2019
Tuesday, May 21, 2019	Monday, December 16, 2019
Monday, June 10, 2019	

Please note there is only one Regular Meeting in the months of July, August, & December. All Regular Meetings of Council are held at City Hall – 7217 - 4th Street upstairs Council Chambers, beginning at 7:00 p.m., unless otherwise advertised.

The following is a listing of scheduled **Committee of the Whole (COTW) Meetings** of Council for the City of Grand Forks for the year 2019. The COTW Meetings are at 9:00 a.m. and are held once per month at the same location as the Regular Meetings.

Monday, January 14, 2019	Monday, July 15, 2019
Monday, February 11, 2019	Monday, August 12, 2019
Monday, March 11, 2019	Tuesday, September 3, 2019
Monday, April 8, 2019	Monday, October 7, 2019
Monday, May 6, 2019	Tuesday, November 12, 2019
Monday, June 10, 2019	Monday, December 16, 2019

Dated this 3rd day of December, 2018
Daniel Drexler
Corporate Officer

Amended this 15th day of July, 2019
Kevin McKinnon
Deputy Corporate Officer

Request for Decision



To: Regular Meeting
From: **Corporate Services**
Date: July 15, 2019
Subject: Events Insurance
Recommendation: **THAT Council approves the Service Provider Agreement of the Municipal Insurance Association of BC for the Events Manager Service between the City of Grand Forks and Erinne Allen, and the addition of Ms. Allen as an Associate Member to the City's MIABC policy.**

Background

Similar to coverage provided for the Campground Manager, the Municipal Insurance Association of BC (MIABC) recommends adding the Events Manager as an Associate Member of the City's policy.

This will provide "[c]overage solely for liability arising out of service provided for, or on behalf of, the [City]."

In order to add Ms. Allen to the policy, MIABC requires a resolution of Council.

Benefits or Impacts

General

Adding the Events Manager to the City's existing MIABC policy provides insurance coverage for approximately 10% of the cost of a stand-alone policy.

Recommendation

THAT Council approves the Service Provider Agreement of the Municipal Insurance Association of BC for the Events Manager Service between the City of Grand Forks and Erinne Allen, and the addition of Ms. Allen as an Associate Member to the City's MIABC policy.

Options

1. THAT Council approves the addition to the City's MIABC policy.
2. THAT Council refers the matter back to staff for further information.

Request for Decision



To: Regular Meeting
From: Chief Financial Officer
Date: July 15, 2019
Subject: Long Term Borrowing for the Fall 2019 MFA Issue - Loan Authorization Bylaws No. 1922 and 1923
Recommendation: **RESOLUTION NO. 1**

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Fall Borrowing Session, \$425,000 as authorized through the “City of Grand Forks Emergency Water Supply for Fire Protection Loan Authorization Bylaw No 1922, 2011” and that the Regional District of Kootenay Boundary be requested to consent to the City’s borrowing over a twenty-five year term and include the borrowing in a Security Issuing Bylaw.

RESOLUTION NO. 2

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Fall Borrowing Session, \$1,495,000 as authorized through the “City of Grand Forks Capital Renewal Loan Authorization Bylaw No 1923, 2011” and that the Regional District of Kootenay Boundary be requested to consent to the City’s borrowing over a twenty-five year term and include the borrowing in a Security Issuing Bylaw.

Background

The City has two approved loan authorization bylaws which were adopted in 2012 in order to fund the West Side emergency water supply for fire protection project and the construction of multi-utility road, water and sewer capital works. Temporary borrowing bylaws were adopted in September 2014 to fund these projects until completion. As the promissory notes securing the temporary borrowing mature at the end of September, this interim financing needs to be converted to long term debt through the Municipal Finance Authority’s Fall Issue.

The City must advise the Regional District of Kootenay Boundary of its intent to borrow long-term through a Municipal Security Issuing Resolution and request the Regional District's consent to undertake the financing. In order to meet the MFA fall issue deadline of August 9th, the resolutions for approval here are required for RDKB Board approval on July 25th.

There is currently \$381,590 outstanding on the West Side fire protection temporary loan, with an additional approximately \$43,500 of funding required in 2019, for a total long-term borrowing amount of \$425,000. The long-term borrowing request for the multi-utility capital project is \$1,495,000, which includes the loan balance of \$1,463,231 plus \$31,769 to complete the 22nd Street project.

The current 10 year loan rate with the Municipal Finance Authority is 2.44%, with estimated annual interest and principal payments of \$22,027 and \$77,483 over the twenty-five year term.

Benefits or Impacts

General

A security issuing resolution of Council is required for the Regional District of Kootenay Boundary's July 25th meeting in order to proceed with the long-term debt funding process for the emergency water supply for fire protection and multi-utility capital projects.

Strategic Impact



Fiscal Responsibility

- The estimated annual loan payments total \$99,510 with a repayment term of 25 years. Repayment of these loans has been included in the 2019-2023 Five Year Financial Plan.

Policy/Legislation

Community Charter Section 179

Attachments

City of Grand Forks Emergency Water for Fire Protection Loan Authorization Bylaw No. 1922, 2011 and Temporary Borrowing Bylaw No. 1950, 2014.

City of Grand Forks Capital Renewal Loan Authorization Bylaw No. 1923, 2012 and Temporary Borrowing Bylaw No. 1998, 2014.

Recommendation

RESOLUTION NO. 1

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Fall Borrowing Session, \$425,000 as authorized through the “City of Grand Forks Emergency Water Supply for Fire Protection Loan Authorization Bylaw No 1922, 2011” and that the Regional District of Kootenay Boundary be requested to consent to the City’s borrowing over a twenty-five year term and include the borrowing in a Security Issuing Bylaw.

RESOLUTION NO. 2

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Fall Borrowing Session, \$1,495,000 as authorized through the “City of Grand Forks Capital Renewal Loan Authorization Bylaw No 1923, 2011” and that the Regional District of Kootenay Boundary be requested to consent to the City’s borrowing over a twenty-five year term and include the borrowing in a Security Issuing Bylaw.

Options

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

Report Approval Details

Document Title:	Long Term Borrowing Fall Issue - Bylaw 1922 and 1923.docx
Attachments:	- Bylaws 1922 and 1950 - Emergency Water Supply.pdf - Bylaws 1923 and 1998 - Capital Renewal.pdf
Final Approval Date:	Jul 4, 2019

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

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jul 4, 2019 - 6:28 PM

CITY OF GRAND FORKS BYLAW NO. 1922

A Bylaw to Authorize the Borrowing of Up to \$1.3 Million for Emergency Water Supply for Fire Protection in accordance with the *Community Charter*.

WHEREAS it is deemed desirable and expedient to address the Emergency Water Supply for Fire Protection to meet the requirements of the insurance industry whose underwriters insure properties of Grand Forks residents;

AND WHEREAS the estimated cost for the planning, study, design and construction of fire flow requirements (additional well, stand-by pumps and pipe) is the sum of one million and three hundred thousand dollars (\$1,300,000);

AND WHEREAS the term of the debt that may be authorized by this bylaw is twenty five (25) years;

AND WHEREAS the total debt to be created by this bylaw is not exceeding the sum of one million and three hundred thousand dollars (\$1,300,000);

AND WHEREAS the approval of the Inspector of Municipalities has been obtained prior to adoption, in accordance with the *Community Charter*;

AND WHEREAS Council has provided for a referendum process in relation to the proposed Loan Authorization Bylaw;

NOW THEREFORE Council of the Corporation of the City of Grand Forks, in open meeting assembled, enacts as follows:

1. Council of the City of Grand Forks is hereby authorized to:
 - a) Borrow upon the credit of the City a sum not exceeding one million and three hundred thousand (\$1,300,000) for the purpose of undertaking and carrying out, or causing to be carried out, the planning, study, design and construction of works for the provision of the facilities and equipment relating to the fire flow requirements (additional well, standby pumps and pipe); and,
 - b) Acquire all real property, easements, rights-of-way, leases, licenses, rights or authorities as may be requisite, or desirable for, or in connection with the construction of the fire flow requirements (additional well, standby pumps and pipe).
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty five (25) years.

3. This bylaw shall take effect on the date of its adoption by Council.
4. This bylaw may be cited for all purposes as the "City of Grand Forks Emergency Water Supply For Fire Protection Loan Authorization Bylaw No 1922, 2011."

READ A FIRST TIME THIS 18TH DAY OF JULY, 2011

READ A SECOND TIME THIS 18TH DAY OF JULY, 2011

READ A THIRD TIME THIS 18TH DAY OF JULY, 2011

Certified a true copy of Bylaw No. 1922 as at third reading.

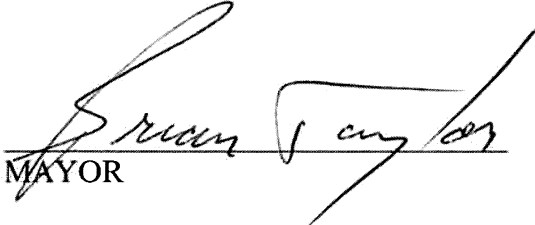


Corporate Officer

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 6TH DAY OF SEPT, 2011

RECEIVED THE ASSENT OF THE ELECTORS AT A REFERENDUM HELD NOVEMBER 19, 2011.

FINALLY ADOPTED THIS 16th DAY OF April, 2012



MAYOR



CORPORATE OFFICER

FILED with the Inspector of Municipalities this 22 day of May, 2012.

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 1922 as adopted by the Municipal Council of the City of Grand Forks on the 16th day of April, 2012



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



No. **16841**

Certificate of Approval

Under the authority of the *Local Government Act*, I certify that Bylaw No. 1922, cited as the "City of Grand Forks Emergency Water Supply For Fire Protection Loan Authorization Bylaw No. 1922, 2011" of the City of Grand Forks has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

Dated this 6th *day*
 of June , 2012



Deputy Inspector of Municipalities of British Columbia

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1950

A Bylaw to Authorize Temporary Borrowing Pending the Sale of Debentures

WHEREAS it is provided by Section 181(1) of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assets or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw No. 1922, cited as "City of Grand Forks Emergency Water Supply For Fire Protection Loan Authorization Bylaw No. 1922", authorizing the planning, study, design and construction of fire flow requirements (additional well, stand-by pumps and pipe) in the amount of one million, three hundred thousand dollars (\$1,300,000.00);

AND WHEREAS the sale of debentures has been temporarily deferred:

NOW THEREFORE, Council for the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS**, as follows:

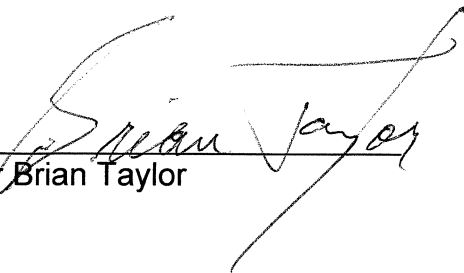
1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of one million, three hundred thousand dollars (\$1,300,000.00), as the same may be required.
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Financial Officer.
3. The money so borrowed shall be used solely for the purpose set out in said Bylaw No. 1922.
4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
5. This Bylaw may be cited as "Temporary Borrowing Bylaw No. 1950, 2014".

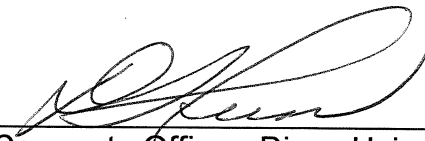
Read a **FIRST** time this 2nd day of September, 2014.

Read a **SECOND** time this 2nd day of September, 2014.

Read a **THIRD** time this 2nd day of September, 2014.

FINALLY ADOPTED this 15th day of September, 2014.



Mayor Brian Taylor

Corporate Officer, Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true copy of bylaw No. 1950, as adopted by the Municipal Council of the City of Grand Forks on the 15th day of September, 2014.



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

CITY OF GRAND FORKS BYLAW NO. 1923

A Bylaw to Authorize the Borrowing of Up to \$4.2 million for Road, Water and Sewer Capital Renewal Projects in Accordance with the *Community Charter*.

WHEREAS it is deemed desirable and expedient to replace road, water and sewer works in the City of Grand Forks, with preference being given to multi-utility projects (combining road, water and sewer needs into the same project for cost efficiency);

AND WHEREAS the term of the debt that may be authorized by this bylaw is twenty five (25) years;

AND WHEREAS the total debt to be created by this bylaw is not exceeding the sum of four million and two hundred thousand dollars (\$4,200,000);

AND WHEREAS the approval of the Inspector of Municipalities has been obtained prior to adoption, in accordance with the Community Charter;

AND WHEREAS Council has provided for a referendum process in relation to the proposed Loan Authorization Bylaw;

NOW THEREFORE Council of the Corporation of the City of Grand Forks, in open meeting assembled hereby enacts as follows:

1. Council of the City of Grand Forks is hereby authorized to:
 - a) Borrow upon the credit of the City a sum not exceeding four million and two hundred thousand (\$4,200,000), for multi-utility projects that combine road, water and sewer needs into the same project and estimated to be 45% for roadways, 35% for water system, and 20% for sewer system, for the purpose of undertaking and carrying out, or causing to be carried out, the planning, study, design and construction of works for the provision of the facilities and equipment relating to the road, water and sewer capital renewal projects; and
 - b) Acquire all real property, easements, rights-of-way, leases, licenses, rights or authorities as may be requisite, or desirable for, or in connection with the construction of the road, water and sewer capital renewal projects.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty five (25) years.
3. This bylaw shall take effect on the date of its adoption by Council.
4. This bylaw may be cited all purposes as the "City of Grand Forks Capital Renewal Loan Authorization Bylaw No. 1923, 2011."

READ A FIRST TIME THIS 18TH DAY OF JULY, 2011

READ A SECOND TIME THIS 18TH DAY OF JULY, 2011

READ A THIRD TIME THIS 18TH DAY OF JULY, 2011

THIRD READING RESCINDED THIS 15TH DAY OF AUGUST, 2011

BYLAW AMENDED AS AT 2ND READING THIS 15TH DAY OF AUGUST, 2011.

READ A THIRD TIME AS AMENDED THIS 15TH DAY OF AUGUST, 2011.

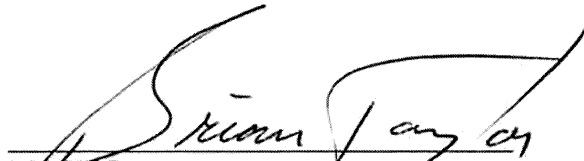
Certified a true copy of Bylaw No. 1923 as at third reading.


Corporate Officer

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 14TH DAY OF SEPT, 2011

RECEIVED THE ASSENT OF THE ELECTORS AT A REFERENDUM HELD NOVEMBER 19TH, 2011.

FINALLY ADOPTED THIS 16TH DAY OF APRIL, 2012



MAYOR


CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS ____ DAY OF ____, 2011

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 1923 as adopted by the Municipal Council of the City of Grand Forks on the 16th day of April, 2012


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



No. **16842**

Certificate of Approval

Under the authority of the *Local Government Act*, I certify that Bylaw No. 1923, cited as the "City of Grand Forks Capital Renewal Loan Authorization Bylaw No. 1923, 2011" of the City of Grand Forks has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

Dated this 6th *day*
 of June , 2012



Deputy Inspector of Municipalities of British Columbia

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1998

A BYLAW TO AUTHORIZE TEMPORARY BORROWING
PENDING THE SALE OF DEBENTURES

WHEREAS it is provided by Section 181(1) of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assets or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw No. 1923, cited as "City of Grand Forks Capital Renewal Loan Authorization Bylaw No. 1923, 2011", authorizing road, water and sewer capital renewal projects in the amount of four million, two hundred thousand dollars (\$4,200,000.00);

AND WHEREAS the sale of debentures has been temporarily deferred:

NOW THEREFORE Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

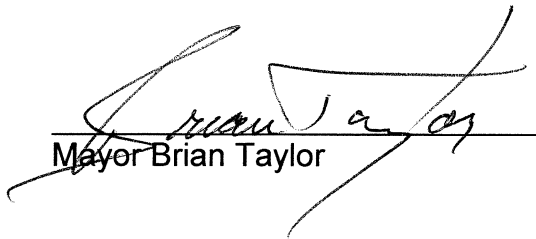
1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of four million, two hundred thousand dollars (\$4,200,000.00), as the same may be required.
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Financial Officer.
3. The money so borrowed shall be used solely for the purpose set out in said Bylaw No. 1923.
4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
5. This Bylaw may be cited as the "**Temporary Borrowing Bylaw No. 1998, 2014**".

Read a **FIRST** time this 2nd day of September, 2014.

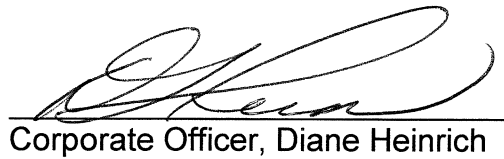
Read a **SECOND** time this 2nd day of September, 2014.

Read a **THIRD** time this 2nd day of September, 2014.

FINALLY ADOPTED this 15th day of September, 2014.



Mayor Brian Taylor



Corporate Officer, Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true copy of bylaw No. 1998, as adopted by the Municipal Council of the City of Grand Forks on the 15th day of September, 2014.



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

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: July 15, 2019
Subject: Weeds Glass & Gifts Non-Medical Cannabis Retail Licence Application

Recommendation: **THAT Council APPROVE or DENY the Development Variance Permit Application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone.**

THAT Council receives the report for a POSITIVE or NEGATIVE recommendation for the Non-Medical Cannabis Retail Store Licence Application from 1179711 BC Ltd. (Weeds Glass & Gifts) at 7500 Donaldson Drive.

THAT Council APPROVE or DENY the operating hours for the proposed Non-Medical Cannabis Retail Store Licence for 7500 Donaldson Drive.

Background

At the June 10, 2019 meeting, the Committee of the Whole recommended that Council direct staff to proceed with the statutory requirement for public notice respecting a Non-Medical Cannabis Retail Store Licence application for 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380 PID: 018-155-588.

At the June 10th, 2019 Regular Meeting, Council approved the recommendation to proceed with the statutory requirements.

The applicant, Weeds Glass & Gifts Ltd., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) Licence proposed to be located at 7500 Donaldson Drive.

The property owner, 1179711 BC Ltd., has applied to the City of Grand Forks (City) for a Development Variance permit to vary subsection 58.3 of Zoning Bylaw 2039 to reduce, from 100m to 36m, the setback distance from a building or structure to the nearest parcel boundary of a lot in a Community Use (CU) Zone.

Council can restrict the hours of operations from those proposed by the applicant. The applicant proposes operating hours of 9:00 am to 11:00 pm daily.

At the March 25, 2019 regular meeting council denied a similar development variance permit application and directed staff to send a letter of rejection to the LCRB for the Non-Medical Cannabis Retail Store Licence application for 246 Central Avenue. Staff recommendations are based on best practices and the consistent application of the City of Grand Forks bylaws and regulations.

Ownership

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

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

Zoning and Policy Context

The 0.233 hectare (0.576 acre) property is zoned I1 (Light Industrial 1). As shown in Schedule A-1 of Zoning Bylaw 2039, Non-Medical Cannabis Retail is a permitted use in the I1 zone.

The property is not in a development permit area.

The subject property was the previous location of the Greyhound Bus Depot and currently houses the warming shelter.

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

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

The owner's rationale is outlined in Appendix 1 attached.

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

Events held at James Donaldson Park include:

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

At the March 25, 2019 regular meeting, council defeated a motion for a development variance permit to relax the setback distance to a Community Use zone and to a youth centred facility for the Non-Medical Cannabis Retail store application for 426 Central Avenue. At the same meeting, council further directed staff to send a letter of rejection to the LCRB for the Non-Medical Cannabis Retail Store Licence application.

Proposed Hours of Operation:

The proposed hours of operation for the Non-Medical Cannabis Retail store are 9:00am to 11:00pm daily.

Council can restrict the hours of operation.

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

Comments from Referral Agencies

The June 24th letter from the Interior Health Authority (IHA) is attached as Appendix 4. The IHA letter recommends that the city consider supporting a public health approach to retail sale of non-medical cannabis. The letter further speaks to selecting locations that reduce exposure to cannabis marketing to youth and discourage harmful patterns of consumption in the general population as the desired option. Additionally, the letter speaks to James Donaldson park being potentially used by kids and the arena and aquatic centre being within 350m of the proposed cannabis retail store.

The other referral respondents indicated that their interests were not affected by the proposed development.

Timing

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

Table 2 Timeframe	
ACTIVITY	TIMING
<i>Committee of the Whole – Public Introduction of Application</i>	<i>June 10, 2019</i>
<i>Regular Council Meeting – Council directed staff to proceed with statutory notice (letters to adjacent property owners & notice in 2 issues of the local paper)</i>	<i>June 10, 2019</i>
<i>Letters sent to adjacent property owners</i>	<i>June 17, 2019</i>
<i>Notice published in two consecutive issues of the newspaper</i>	<i>June 12 & June 19, 2019</i>

<i>Public Feedback Session (Deadline for receiving written feedback)</i>	<i>June 24, 2019 (June 23, 2019 written)</i>
Regular Council Meeting <ul style="list-style-type: none"> - Staff report on written feedback received - Council decision on DVP Application - Council decision and direction to staff to send a letter of RECOMMENDATION or REJECTION of the Non-Medical Cannabis Retail Store Licence application to the LCRB 	July 15, 2019
Staff report to LCRB for recommendation or rejection of the non-medical cannabis retail licence application.	July 22, 2019

Benefits or Impacts

General

The regime to legalize the non-medical use and sale of cannabis is relatively new to British Columbia. The proposed location is close to a community park facility.

Strategic Impact



Community Engagement

- Written notice was provided to adjacent property owners.
- Ads were placed in 2 editions of the local newspaper.
- Written comments will be forwarded to the LCRB.
- A public Feedback session was held.

Policy/Legislation

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

Attachments

Appendix 1	Page 1-67:	June 10, 2019 Report to Council
Appendix 2	Page 1-2:	Ads in June 12 & 19 issues of the Grand Forks Gazette
Appendix 3	Page 1-4	Public Feedback Session Minutes
Appendix 4	Page 1	IHA Letter

Recommendation

THAT Council APPROVE or DENY the Development Variance Permit Application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone.

THAT Council receives the report for a NEGATIVE recommendation for the Non-Medical Cannabis Retail Store Licence Application from 1179711 BC Ltd. (Weeds Glass & Gifts) at 7500 Donaldson Drive.

THAT Council APPROVE or DENY the operating hours for the proposed Non-Medical Cannabis Retail Store Licence for 7500 Donaldson Drive.

Options

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

Report Approval Details

Document Title:	2019-07-15-DVP1901-7500 Donaldson Cannabis DVP RFD.docx
Attachments:	<ul style="list-style-type: none">- 2019-06-12-DVP1901-Appendix_1-7500_Donaldson-Cannabis_Retail01.pdf- 2019-07-15-DVP1901-Appendix_2_Gazette_Ads.pdf- 2019-07-15-DVP1901-Appendix_3-Minutes-Public_Feedback_Session_190624.pdf- 2019-07-15-Appendix_4-IHA-Letter.pdf
Final Approval Date:	Jul 4, 2019

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

Dolores Sheets - Jul 4, 2019 - 4:53 PM

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jul 4, 2019 - 6:19 PM

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: June 10, 2019

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

Recommendation: **THAT Council directs staff to proceed with the statutory requirement for public notice respecting a Non-Medical Cannabis Retail Store Licence application proposed for 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380 PID 018-155-588.**

Background

At the June 10, 2019 meeting, the Committee of the Whole recommended that Council direct staff to proceed with the statutory requirement for public notice respecting a Non-Medical Cannabis Retail Store Licence application proposed for 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380.

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

The owner has applied to the City for a Development Variance permit to vary subsection 58.3 of Zoning Bylaw 2039 that regulates the distance a Non-Medical Retail Cannabis Store can be relative to a community use zone.

The building proposed for the Non-Medical Cannabis Store is located within 100m of the nearest parcel boundary of a lot in a Community Use (CU) Zone.

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

Ownership

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

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

Zoning and Policy Context

The property is zoned I1 (Light Industrial 1) and is 0.576 acres in size. As shown in schedule A-1 of the zoning bylaw Non-Medical Cannabis Retail is a permitted use in the I1 zone. The property is not in a development permit area.

The subject property was the previous location of the Greyhound Bus Depot and currently houses the warming shelter.

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

Events held at James Donaldson Park include:

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

Proposed Hours of Operation:

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

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

Comments from Referral Agencies

The project is being reviewed by affected referral agencies and a staff report will be presented to the council.

Timing

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

Table 1 Timeframe	
ACTIVITY	TIMING
<i>Committee of the Whole – Public Introduction of Application</i>	<i>June 10, 2019</i>
<i>Regular Council Meeting – Council Direct staff to proceed with statutory notice (letters to adjacent property owners and notice in 2 issues of the local paper)</i>	<i>June 10, 2019</i>
Letters sent to adjacent property owners	June 11, 2019
Notice published in two consecutive issues of the newspaper	June 12 & June 19, 2019
Deadline for receiving written feedback	June 24, 2019

Regular Council Meeting <ul style="list-style-type: none"> - Staff report on written feedback received - Council decision on DVP Application - Council decision and direction to staff to send a letter of RECOMMENDATION or REJECTION of the Non-Medical Cannabis Retail Store Licence application to the LCRB 	June 24, 2019
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Benefits or Impacts

General

The regime to legalize the non-medical use and sale of cannabis is relatively new to British Columbia. The proposed location is close to a community park facility.

Strategic Impact



Community Engagement

- Written notice will be provided to adjacent property owners.
- Ads will be placed in 2 editions of the local newspaper.
- Written comments will be accepted and will be forwarded to the LCRB.
- A public Feedback session will be held.

Policy/Legislation

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

Attachments

Appendix 1

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

Appendix 2

- Pages 1-59: DVP package submitted by applicant.

Recommendation

THAT Council directs staff to proceed with the statutory requirement for public notice respecting a Non-Medical Cannabis Retail Store Licence application proposed for 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380 PID 018-155-588.

Options

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

Report Approval Details

Document Title:	2019-06-10-DVP1901-7500_Donaldson_CANNABIS_Retail_I.docx
Attachments:	- Appendix 1_DVP1901.pdf - Appendix 2_DVP1901_Application Package.pdf
Final Approval Date:	May 31, 2019

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

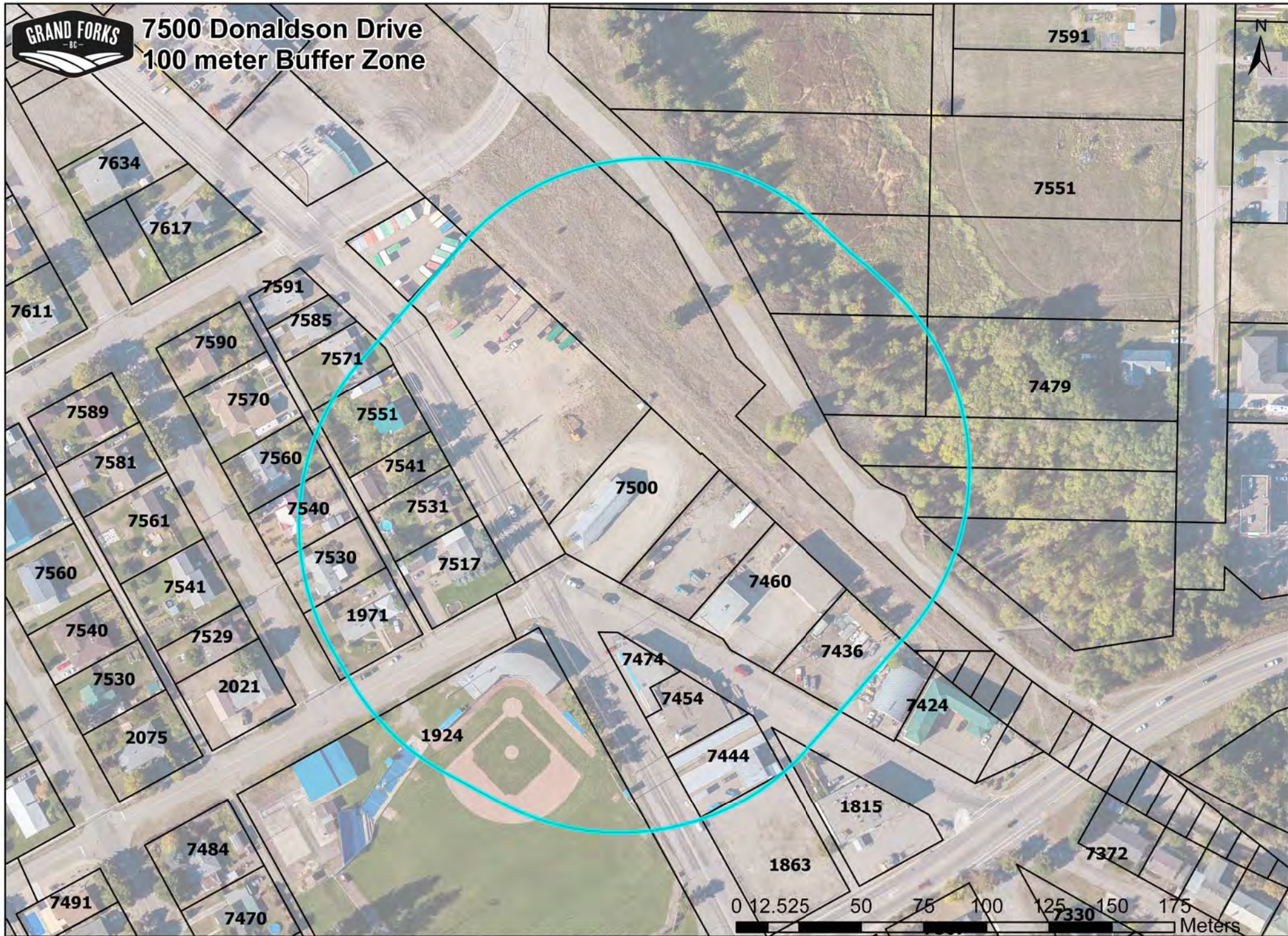
Diane Heinrich - May 31, 2019 - 2:45 PM







7500 Donaldson Drive 100 meter Buffer Zone



THE CORPORATION OF THE CITY OF GRAND FORKS

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



DEVELOPMENT VARIANCE PERMIT APPLICATION

LOCAL GOVERNMENT ACT, SECTION 498

APPLICATION FEE \$350.00

Receipt No. _____

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

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

1350 William St. Vancouver, BC V5L 2P5

Telephone: Home: 778-918-2869 Work: 778-918-2869

Email: devon@weedsgg.ca

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

P.I.D: 018-155-588

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

DECLARATION PURSUANT TO THE WASTE MANAGEMENT ACT

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


(signature)

14 May, 2019

(date)

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

Supporting documents are included in this pdf as follows:

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

Submit the following information with the application:

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

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

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


Signature of Owner

14 May, 2019
Date

AGENT'S AUTHORIZATION

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

Name of Authorized Agent: Jim Kennedy/Weeds Glass & Gifts Ltd
Mailing Address: 1108 Richards Street, Vancouver
BC V6B 3E6
Telephone: 778-957-4595
Email: jim@weedsgg.ca



Owner(s) Signature of Authorization

DEVELOPMENT VARIANCE PERMIT APPLICATION

APPENDIX A

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

Submitted by: Weeds Glass & Gifts Ltd.

Provisions Sought to Vary

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

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

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

Reasons for Request

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

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

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

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

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

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

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

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

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

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

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

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

(Affidavit #1 of AHuynh, para. 3)

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

(Affidavit #1 of AHuynh, Exhibit B)

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

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

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

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

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

15. On April 29, 2019, the Applicant was informed by a delegate of the Director that “upon preliminary review we note that the proposed location is less than the required 100 m distance from a community use zone... as you may already know, council rejected the last application that did not meet the setback distance requirement from a community use zone *and* from a youth centred facility” (italics added).
16. In this case, the Applicant is within 100m of a CU Zone, but not within 100m of a youth centered facility. Accordingly, the Applicant is seeking a development variance in relation to the 100m distancing requirement from a CU Zone. The specific use within the CU Zone that the Applicant is within 100m of is James Donaldson Park, which is not a “youth centred facility” as it is not a school, daycare, playground, community garden, recreation facility, or other facility designed for use primarily by minors. James Donaldson Park is a baseball field that hosts baseball tournaments, and this is in addition to, allowing any member of the community to use the baseball park to play baseball (the “Baseball Park”).

(Affidavit of AHuynh #1, Exhibit E)
17. In particular, the Baseball Park hosts an “International Baseball Tournament”, and although it is a family-friendly event, the baseball players are all adults, and most of the attendees are adults, rather than minors.

(Affidavit of AHuynh #1, Exhibit F)
18. Presumptively, the City Council members’ primary rationale for the distancing requirement of section 58.3 of the Zoning Bylaw 2039-A1 and 2039-A3 is concerning youth exposure to cannabis. However, the Applicant has operated other Cannabis Stores across the country and has never been alleged to have exposed minors to cannabis. This is because the Applicant has implemented the following to reduce youth’s exposure to cannabis in other locations:
 - a. The windows used obscure the view of the contents of the store unless an individual is very close to the windows. The lighting fixtures used also diminish visibility of the contents of the store, as the light used in the store are specific blue lights meant to mimic and simulate daylight, which makes it more difficult to view its contents.

(Affidavit #1 of Taizo Ellis sworn 24 April 2019 [“Affidavit #1 of TELLIS”], para. 17)
 - b. The entrance to the store is locked and requires ringing a doorbell to notify staff members to permit or deny entry through a buzzer.

(Affidavit #1 of TELLIS, para. 14)
 - c. Because of the specific lighting used in the store, staff members are able to see people who are seeking entry into the store through the windows of the front door,

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

(Affidavit #1 of TELLIS, para. 15)

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

(Affidavit #1 of TELLIS, para. 16)

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

(Affidavit #1 of TELLIS, para. 22)

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

(Affidavit #1 of TELLIS, para. 11)

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

(Affidavit #1 of TELLIS, para. 12)

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

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

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

(Affidavit #1 of AHuynh, Exhibit G)

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

(Affidavit #1 of AHuynh, Exhibit H)

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

(Affidavit #1 of AHuynh, Exhibit I)

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

(Affidavit #1 of AHuynh, Exhibit J)

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

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

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

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

(Affidavit #1 of AHuynh, Exhibit K)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Conclusion

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

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

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

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

DEVELOPMENT VARIANCE PERMIT APPLICATION

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

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

AFFIDAVIT OF ALICE HUYNH

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


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

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

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

 A commissioner for taking affidavits)
 For British Columbia)

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



) Alice Huynh

February 13, 2018



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

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

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

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

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

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

GALLERY

1. CALL TO ORDER

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

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

February 13, 2018, Committee of the Whole

Moved by: Thompson

THAT the COTW adopts the agenda as presented.

Carried

b. In-Camera Meeting Reminder

Reminder:

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

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

January 15, 2018, Committee of the Whole Meeting minutes

Moved by: Thompson

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

Carried

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

Grand Forks Community Trails Society

Councillor Ross joined the meeting at 9:04 am.

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

- 2017 year review

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

Moved by: Tripp

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

Carried

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

The Boundary Museum Society

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

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

Moved by: Thompson

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

Carried

c. Quarterly Update

Grand Forks Art Gallery Society

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

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

Moved by: Ross

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

Carried

5. REGIONAL TOPICS FOR DISCUSSION - WITH AREA D

6. PRESENTATIONS FROM STAFF

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

Outside Works

Councillor Krog joined the meeting at 9:53 am.

Discussion ensued regarding the proposed policy:

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

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

Moved by: Thompson

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

Carried

b. Cannabis Legalization Critical Path

Engineering and Development

Discussion ensued regarding:

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

Moved by: Hammett

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

Carried

c. Monthly Highlight Reports

Department Managers

Discussion ensued regarding:

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

Moved by: Ross

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

Carried

7. REPORTS AND DISCUSSION8. PROPOSED BYLAWS FOR DISCUSSION9. INFORMATION ITEMS10. CORRESPONDENCE ITEMS11. LATE ITEMS12. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF THE COUNCIL (VERBAL)13. QUESTION PERIOD FROM THE PUBLIC

Rod Zielinski:

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

Gene Koch:

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

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

14. **ADJOURNMENT**

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

Moved by: Ross

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

Carried

Mayor Frank Konrad

Deputy Corporate Officer – Daniel
Drexler



Child Care Resource and Referral Program - Boundary

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

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

Services include:

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

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

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

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

_____ A Commissioner for taking Affidavits for British Columbia



Our Story

JAZZercise GRAND FORKS · THURSDAY, SEPTEMBER 27, 2018

Child-minding available for 4 classes a week.

Dazzle Dance + Fitness *2018-2019* *Class Schedule*

Monday

5pm Inter Jazz (7-9yrs) (Miss Sophia)

6pm Pre-Teen Jazz (9-11yrs) (Miss Sophia)

815pm Bruins Yoga (Miss Jillian)

Tuesday

4pm Preteen/Teen Lyrical (Miss Kayla)

5pm Teen Musical Theatre (10+) (Miss Kayla)

6pm Teen/Pre-Comp Jazz (12+) (Miss Kayla)

7pm * Pre-Comp/Comp Jazz Tech (12+) (Miss Kayla)

8-9:30pm Adult Lyrical (18+) (Miss Kayla)

Wednesday

3pm Creative Dance (3-5yrs) (Miss Stacey)

4pm Creative Dance (3-5yrs) (Miss Stacey)

5pm Junior Ballet (5-7yrs) (Miss Stacey)

6pm Junior Jazz (5-7yrs) (Miss Stacey)

7pm Hip Hop (Miss Stacey + Mr Jalin)

Thursday

4pm Jr tap (5-8yrs) (Miss Kristy)

5pm Inter Tap (9-12yrs) (Miss Kristy)

6pm Pre-Teen/Teen Belly Dance Fusion (9+) (Miss Michele)

7pm Adult Belly Dance (18+) (Miss Michele)

8pm – 10pm Rented

Friday

10am Pre-Teen Ballet (8-11yrs) (Miss Lucy/Miss Sophia/Miss Kayla)

11am *Comp Musical Theatre (12+) (Miss Lucy/Miss Kayla/Miss Sophia)**12pm *Comp Jazz (12+) (Miss Lucy/Miss Sophia/Miss Kayla)****1pm * Comp Lyrical (12+) (Miss Lucy/Miss Sophia/Miss Kayla)**

2pm Teen Ballet (12+) (Miss Lucy/Miss Kayla/Miss Sophia)

Sunday

12pm Acro (5-7yrs) (Miss Dawn)

1pm Acro (8+) (Miss Dawn)

Minimum of 4 students/class to run

*** By audition and invitation only**

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

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The Corporation of the City of Grand Forks

Public Hearing AGENDA

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

This is Exhibit "C" referred to in the affidavit of Alice Huynh sworn before me at Vancouver BC this 9th day of May 2019.
A Commissioner for taking Affidavits for British Columbia
Pages

1. Call to Order

The Chair will call the Hearing to Order:

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

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

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

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

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

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

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

2. Notification of Meeting

3. Individual Bylaw Submissions

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

4. Adjournment

5. Procedure on each Bylaw Submission

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

Request for Decision



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

Background

Overview

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

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

Application Details

Details about the applicant and the site are as follows:

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

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

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

Legal Descriptions (three lots to be consolidated):

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

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

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

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

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

Issues to be Resolved Prior to Bylaw Adoption

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

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

Timing

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

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

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

Benefits or Impacts

General

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

Strategic Impact



Community Engagement

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



Community Livability

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



Economic Growth

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

Policy/Legislation

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

Attachments

Bylaw No. 2039-A2

Recommendation

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

Options

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

Request for Decision



To: Regular Meeting

From: Development, Engineering & Planning

Date: January 28, 2019

Subject: First and Second Reading –Amendments to the Zoning Bylaw with respect to cannabis retail stores, accessible parking spaces and other minor changes (File: ZA1901)

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

Background

Overview

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

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

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

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

Timing

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

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

Benefits or Impacts

General

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

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

Strategic Impact



Community Engagement

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



Community Livability

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



Economic Growth

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



Fiscal Responsibility

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

Policy/Legislation

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

Attachments

Zoning Bylaw Amendment No. 2039-A3, 2019

Recommendation

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

Options

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

THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A3

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

=====

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

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

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

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

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

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

40.7 The following types of dwelling units are allowed:

 - (a) multi-family dwellings;

(b) apartment buildings.

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

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

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

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

PUBLIC HEARING HELD this ____ day of _____, 2019.

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

FINALLY ADOPTED this ____ day of _____, 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

CERTIFICATE

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

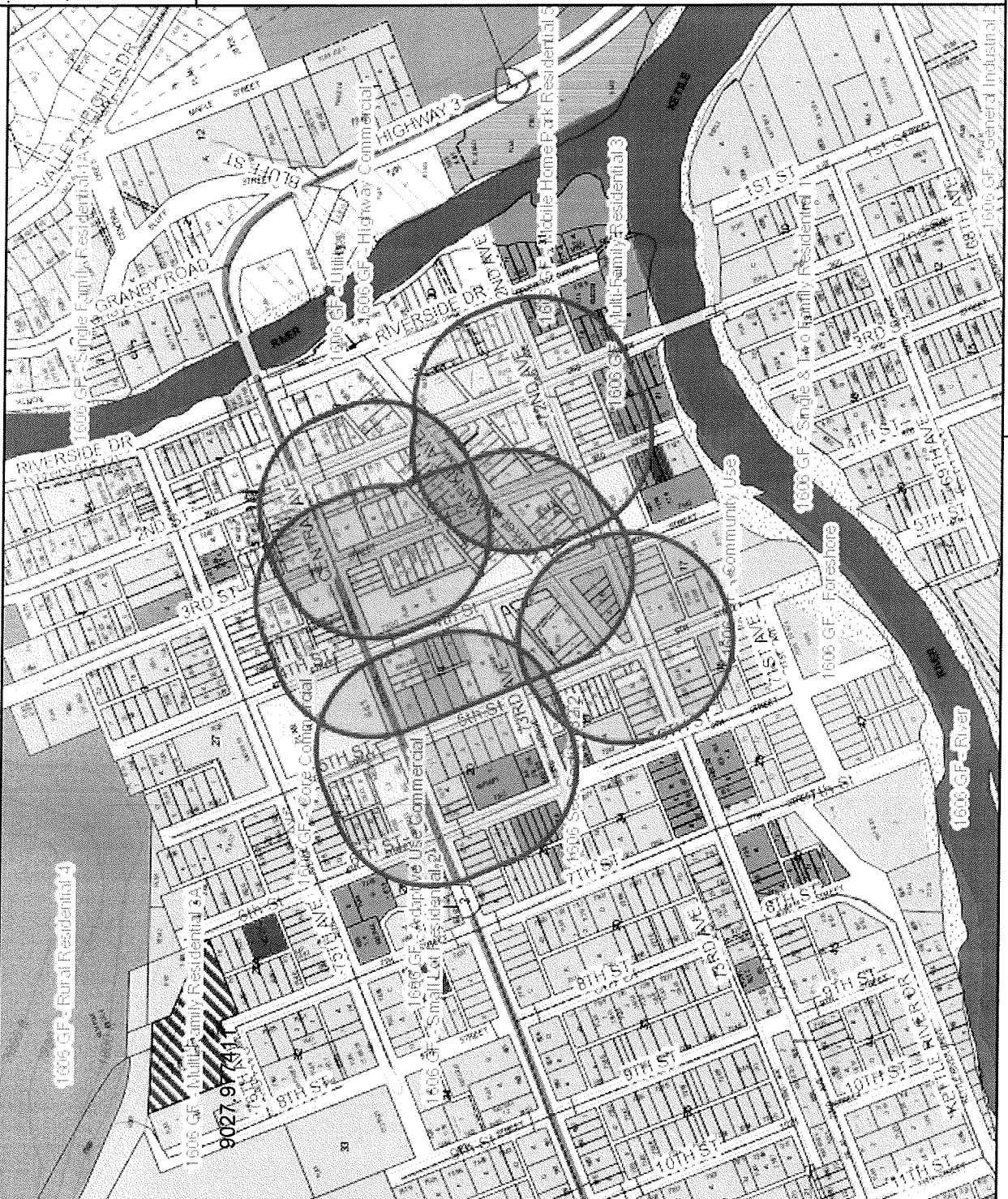
Corporate Officer of the Corporation of the
City of Grand Forks

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

A Commissioner for taking Affidavits
for British Columbia
Grand Forks

RDKB Internet Mapping

Regional District of Kootenay Boundary
Interactive Mapping System



Legend

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

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

Notes:

Printed on 04-May-2019

Datum: WGS 84 Projection: Web Mercator

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



James Donaldson Park



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

Imagery ©2019 DigitalGlobe, Map data ©2019 Google



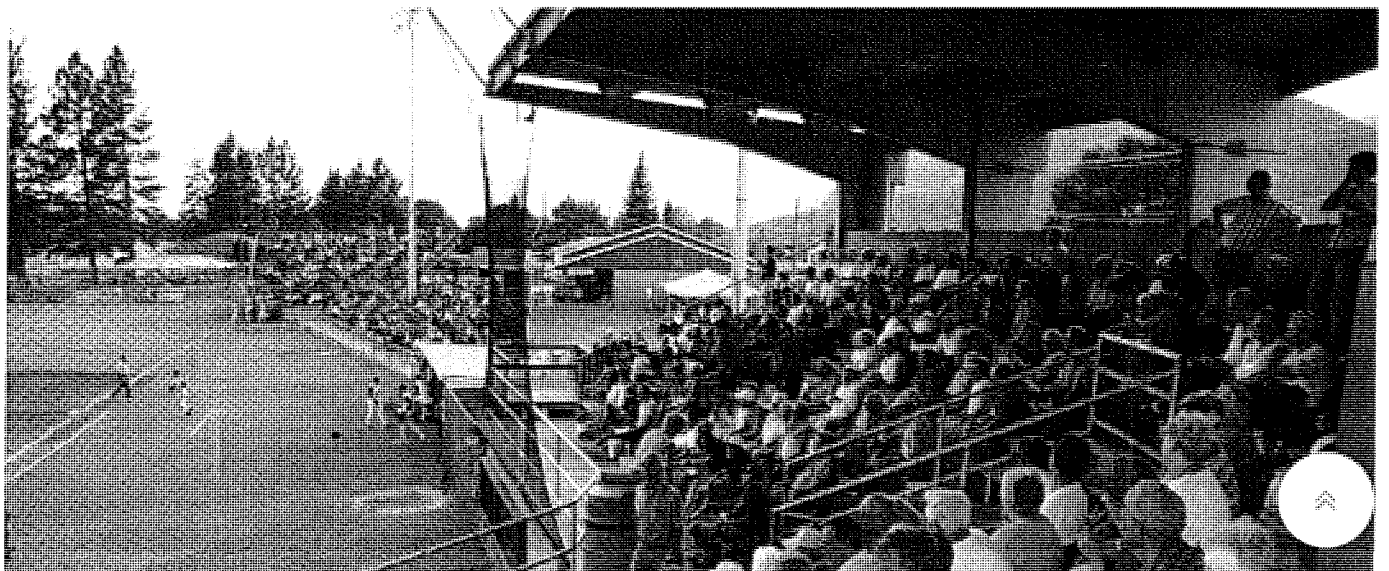
his is Exhibit "F" referred to in the
 affidavit of Alice Hymn
 sworn before me at Vancouver, BC
 this 9th day of May 2019

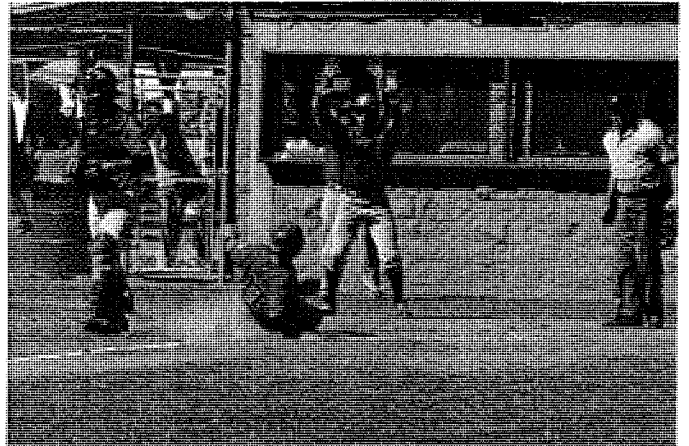
A Commissioner for taking Affidavits
 for British Columbia

Photos









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Tournament Passes on Sale Now

GFI 37th – Teams Announced





GFI 2018 for the NW Honkers



GFI on Facebook



Grand Forks International (...)

1,040 likes

Like Page

Share

Timeline

Events

Be the first of your friends to like this





THE CUBANS ARE COMING!

and we need billets!

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

We are in need of billets who could provide:

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

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

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





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[GFI HALL OF FAME](#)

[VOLUNTEERS](#)

[CONTACT US](#)

[LINKS](#)

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[FAQ](#)

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[SCHEDULE](#)

[RULES](#)

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Past Teams

[2016 TEAM LINE UP](#)

[2015 TEAM LINE UP](#)

[2012 TEAM LINE UP](#)





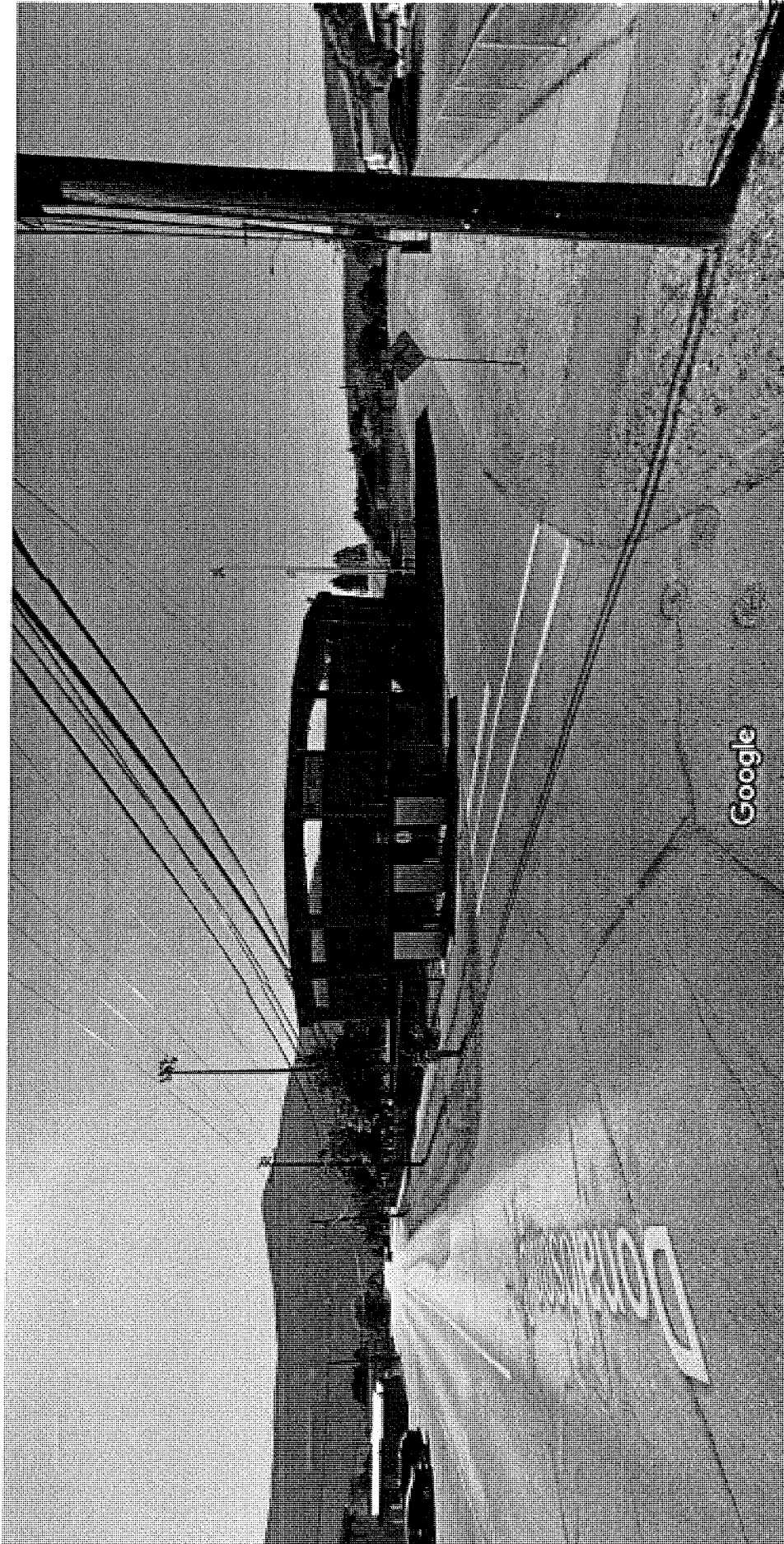
WEBSITE BY CODE'S CAD



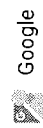
© GRAND FORKS INTERNATIONAL



Google Maps 7515 Donaldson Dr



Grand Forks, British Columbia

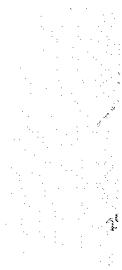


Street View - Oct 2012

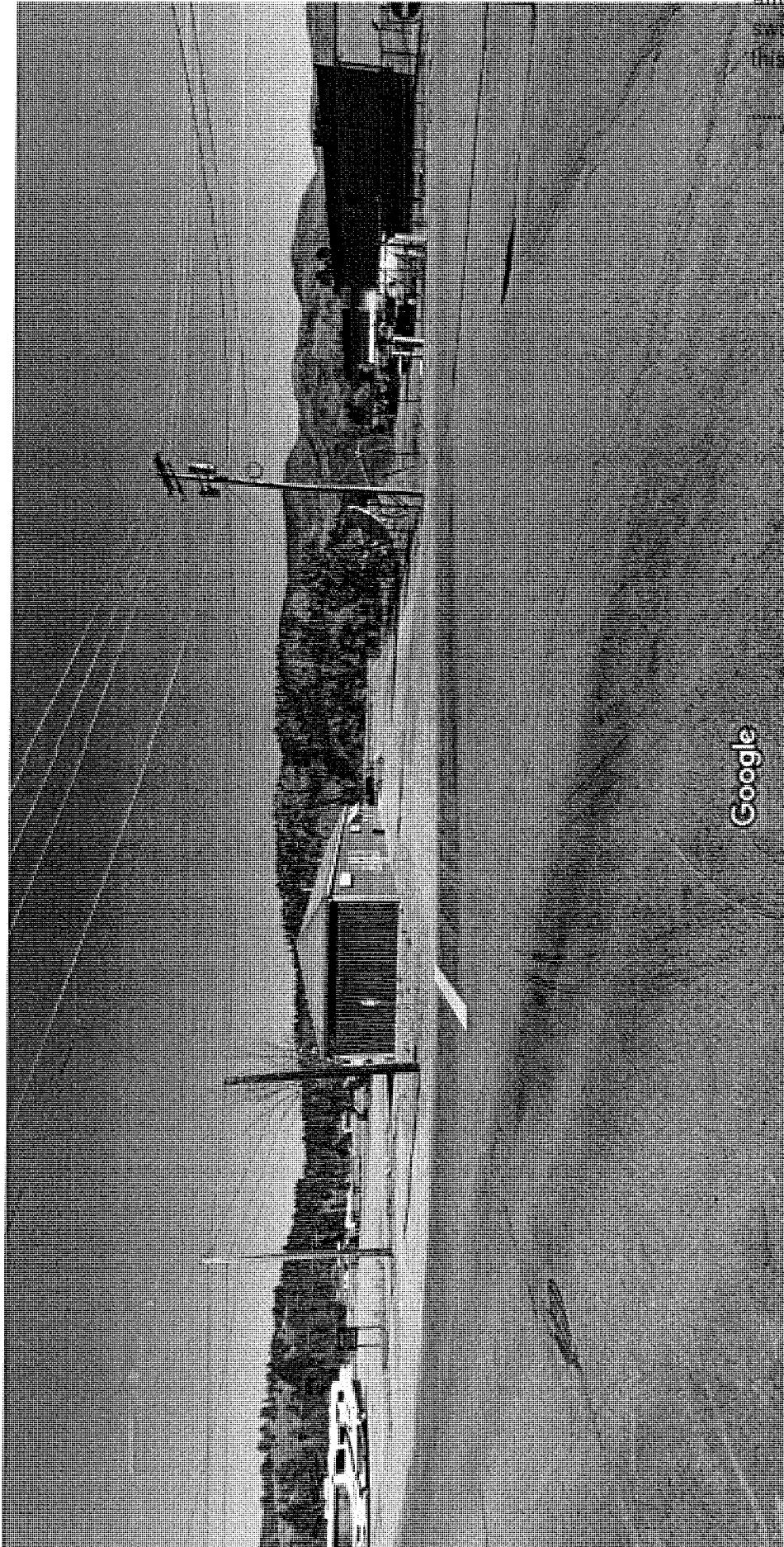


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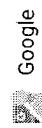
This is Exhibit "G" referred to in the
Affidavit of Alice Huynh
made before me at Vancouver, B.C.
on the 14 day of May, 2019.
[Signature]
Commissioner for taking Affidavits
for British Columbia



19 St



Grand Forks, British Columbia



Street View - Oct 2012



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

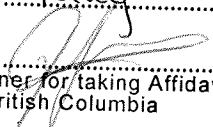
This is Exhibit "H" referred to in the
affidavit of Alice Huynh
sworn before me at Vancouver, B.C.
this 16 day of May, 2019

A Commissioner for taking Affidavits
for British Columbia

Image capture: Oct 2012

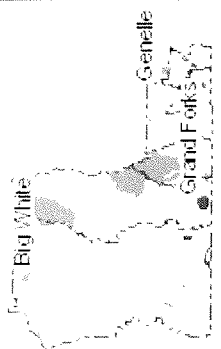
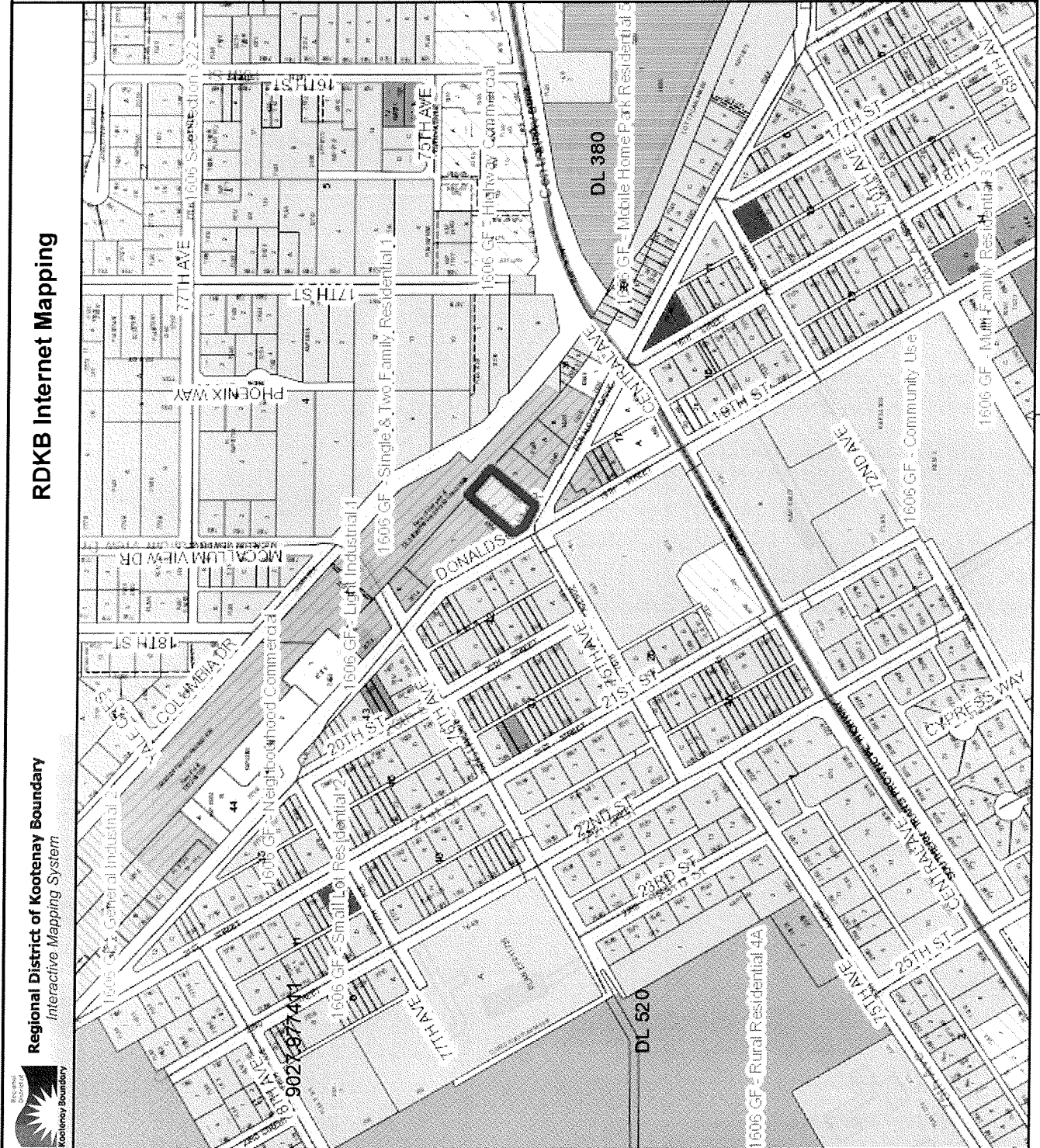


Imagery ©2019 DigitalGlobe, Map data ©2019 Google

Measure distance

Total distance: 61.74 m (202.55 ft)

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



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

A Commissioner for taking Affidavits for British Columbia



Notes:

Printed on 05-May-2019

Datum: WGS 84 Projection: Web Mercator

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





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

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

April 24th, 2019

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

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

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

Dear Sir/Madam,

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

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

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

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

Yours truly,

Kenneth Sam
Owner 2580 Kingsway
604 649-1580

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

Career Opportunities

Christina Lake - Little Lakers Learning Centre seeking a ECE

To work part time, 5 days a week, with the option to extend to full time, 5 days a week. The applicant must have a valid ECE Certificate, and/or equivalent. Rate of pay and hours dependent on education and experience.

Please submit Resumes to
lakedaycare@gmail.com
or contact Stacey at 250 447 6336

Employment

Help Wanted

Christina Lake Home seeks **Handyman** capable of basic duties:

Carpentry, Landscaping, Painting Cleaning etc. 20-40 hours per week, \$21/hour.

Experience and References Required.
Email:
TeamPlayer01Alpha@gmail.com

Looking for **Housekeeper/ Kitchen Helper** at Christina Lake.

Duties include Cleaning, Laundry, Kitchen Prep, Serving and Clearing.
4pm-9pm Daily
20-40 hours per week \$20/hour.

Email:
TeamPlayer01Alpha@gmail.com

WANTED:
Experienced Line Cook
Flexible hours, competitive wages. Please bring resume to Cheryl at the Pub Mondays through Thursdays 10:00 a.m.

Services

Financial Services

GET BACK ON TRACK!
Bad credit? Bills? Unemployed? Need Money? We Lend! If you own your own home - you qualify. Pioneer Acceptance Corp. Member BBB.
1-877-987-1420
www.pioneerwest.com

Career Opportunities

Services

Medical Health

GET UP TO \$50,000 from the Government of Canada. Do you or someone you know Have any of these Conditions? ADHD, Anxiety, Arthritis, Asthma, Cancer, COPD, Depression, Diabetes, Difficulty Walking, Fibromyalgia, Irritable Bowels, Overweight, Trouble Dressing...and Hundreds more. ALL ages & Medical Conditions Qualify. Have a child under 18 instantly receive more money. CALL BRITISH COLUMBIA BENEFITS 1-(800)-211-3550 OR Send a Text Message with Your Name and Mailing Address to (604) 739-5600 For Your FREE benefits package.

Garden & Lawn

Will haul trash, yard waste, weekly mowing & clean-up. 250-442-8163

Merchandise for Sale

Building Supplies

STEEL BUILDING SALE.. "MEGA MADNESS SALE - BIG CRAZY DEALS ON ALL BUILDINGS!" 20x21 \$5,868. 25x27 \$6,629. 30x31 \$8,886. 32x35 \$9,286. 35x35 \$12,576. One End Wall Included. Pioneer Steel 1-855-212-7036. **www.pioneersteel.ca**

Estate Sales

We Buy & Sell Estates & clean out houses. Ken 250-444-0401

Firewood/Fuel

Half-cords, unsplit, mixed, fir, larch, birch \$100 delivered 250-442-0619

Garage Sales

Christina Lake **Estate Sale**
1538 Burger Road
Saturday, June 15th
9:00 a.m. - 5:00 p.m.
All household furniture and items

Grand Forks **All-Week Garage Sale**
7269 9th Street
Starts on **Saturday, June 15th**
10:00 a.m. - 2:00 p.m. each day

Merchandise for Sale

Garage Sales

Grand Forks Garage Sale
5635 Hughes Road
Saturday, June 15th
8:00 a.m. - 12:00 p.m.
Big Free Pile!
Tools, ornaments, art work & much more!

Grand Forks Two-Family Garage Sale
8091 Pineview Crescent
Saturday, June 15th
8:00 a.m. - 12:00 p.m.
Crafts and Collectibles Stamp! Up!
Punches, stamps, inks, dye cuts, lots of paper, beading supplies, cicut machine with supplies, hand-made sewing, and quilted items, etc.

Heavy Duty Machinery

Grand Forks
1969 Case Back Hoe, good shape.
Working circular saw mill. Mid 70's rough terrain fork lift. 2006 Ford 3 quarter ton 4 wheel drive, diesel, needs work. Offers on all. See at 485 Gilpen Road. 250-443-2500

Houses For Sale

Merchandise for Sale

Misc. for Sale

Steel Shipping Containers
All sizes, new & used
We own what we sell.
Kootenay Containers
Castlegar
250-365-3014

Misc. Wanted

(250)-864-3521
Collector Buying Royal Canadian Mint coins, collections, old coins, paper money, pre 1968 silver coins, bars, world collections. + ANYTHING GOLD & SILVER
Todd The Coin Guy
(250)-864-3521

Able buyer of all your old coins, coin collections, Collector COINS, all silver, gold, rare, common, old money, bullion. + **Todd The Coin Guy** (250)-864-3521
Coin Collector Buying Coins, Collections, Olympic Gold & Silver Coins, Rare coins & common silver Coins, paper currency etc. Also, buying ALL kinds of Gold and Silver, Estates. Call Chad 1-250-499-0251
Choose the JOB you love!
www.localworkbc.ca

Houses For Sale

Merchandise for Sale

Sporting Goods

FOR Sale 2 fly rods and reels and complete fly tying kit also hip waders. 250.00 dollars Call 250-442-2968

Real Estate

For Sale By Owner

Grand Forks
7583 23rd St
For Sale
Unique 3 bedroom, 2 1/2 bath rancher with double garage on a corner lot. Near hospital
\$395,300
250-442-5209

Lots

Grand Forks: For Sale 100 by 120ft. Treed lot w/ old house. 250-442-2804

Other Areas

Wanted
Cash paid for Land and Timber or Timber, all species
Call:
778-517-5257 or 778-582-1050 or 250-741-4278

Houses For Sale

Rentals

Property Management

RENTALS

Grand Forks
COMMERCIAL
2 commercial spaces, 748 & 1759 sq ft.

REFERENCES REQUIRED
Ken: 250-442-2632
ken.dodds@yahoo.ca
Ron: 250-442-7636
woodsre@telus.net
Grand Forks Realty Ltd.

Recreation

Cascade Cove RV Park and Campground Seasonal Sites Available
\$2500 per season, price includes free winter storage. Sites located on the Kettle River at the foot of Cascade Falls.
250-447-6662

Conveniently call the classified department to place your ad...
IN YOUR PAJAMAS
1.866.865.4460
BCClassifieds.com

Houses For Sale

Legal Notices

Legal Notices



THE CORPORATION OF THE CITY OF GRAND FORKS

NOTICE OF

ZONING BYLAW AMENDMENT

TAKE NOTICE THAT pursuant to the Local Government Act, the City of Grand Forks is considering Bylaw No. 2039-A4 to amend the Zoning Bylaw to rezone property on the 7600 Block of 8th Street, legally described as Lot B, Plan EPP24245, District Lot 381, Land District 54; PID: 028-956-036, from the current R-1 (Residential Single and Two-Family) zone to R-4 (Rural Residential) zone, to accommodate agricultural activities and to reflect the current use of the land.

TAKE FURTHER NOTICE THAT Council for the City of Grand Forks will hear any public input with respect to the above mentioned proposal at a Public Hearing scheduled for June 24, 2019 at 1:00pm upstairs in Council Chamber of City Hall located at 7217-4th Street, Grand Forks, B.C.

PROPERTY LOCATION: 7600 Block of 8th Street at the base of Observation Mountain



A draft copy of Bylaw No. 2039-A4 may be inspected between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (excluding holidays) until June 24th, 2019 at City Hall, 7217 - 4th Street, Grand Forks, B.C.



NOTICE OF INTENT UNDER THE CANNABIS CONTROL AND LICENSING ACT

APPLICATION FOR A NON-MEDICAL CANNABIS RETAIL STORE LICENCE

An application has been received by the Liquor and Cannabis Regulation Branch (LCRB) from "Weeds Glass & Gifts" for a non-medical cannabis retail store licence at "7500 Donaldson Drive".

Applicants Proposed Hours of Operation	
Monday to Sunday	9:00 am to 11:00 pm

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

A Public Feedback Session will be held on June 24th, 2019 at 1:00 pm in the Council Chambers at City Hall, 7217 - 4th Street.

A package, containing details of this application and supporting documentation, may be inspected between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (excluding holidays) until June 24th, 2019 at City Hall, 7217 - 4th Street.

The deadline for submission of written views is "4:00 pm, June 23, 2019." PETITIONS WILL NOT BE ACCEPTED. Your name(s) and address must be included in your letter.

Residents, tenants and owners of businesses may comment on this proposal in writing to:

Manager of Development, Engineering & Planning
City of Grand Forks,
7217-4th Street, Grand Forks, BC, V0H 1H0

Please note that your comments may be made available to the applicant or local government officials where disclosure is necessary to administer the licensing process.

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250-442-2124

CALL US FIRST!
1-800-949-4499
www.bordercountryrealty.ca

Flec 250-442-7037

Sharon 250-442-6396

Edan 250-584-4451

Nick 250-443-4562

Brett Hamill 604 542-2994

FEATURE OF THE WEEK

1439 SQ. FT RANCHER
w/full finished walkout bsmt offers Great room with sunroom, 4 Bdrm, plus den, huge family room & 4 baths. Classic barn, 5 ac in hay, great garden! **\$579,000.**
MLS#2437339, Call to view!

IDEAL LOCATION FOR YOUR BUSINESS! Two Level Lots at Busiest Intersection in G.F. on Hwy #3. 100x113' MLS#2414305 is **\$189,000** & 60x108 is **\$89,000** MLS#2414204. Commercial Core Zoning - Call for details.

FANTASTIC OPPORTUNITY
to get a fully serviced lot in scenic Greenwood for a phenomenal price! Lots 2 & 4 Government Ave. **\$27,500** ea. Package deal for both lots available! MLS# 2423195, MLS# 2423196

MOVE IN READY & YOURS TO ENJOY! Well planned 3 bed home in GWD. Attached carport, fenced yard, sundeck, gorgeous garden & fruit trees w/access on both sides of yard. **\$220,000.** MLS# 2433059

COMMERCIAL ZONING IS PERFECT FOR Business w/ living quarters in Downtown Midway! Asking price is below assessed value! **\$29,900** for each pair of lots. MLS# 2431139 & 2431140. Call for more info!

JUST REDUCED \$25,000! GORGEOUS GWD CREEK-FRONT w/3 Bed 2 Bath Home on .61 AC. Spotless condition, detached shop, carport, fenced yard & Privacy. **NOW \$299,900.** MLS# 2431135. Call to view!

LOOKING FOR THAT PERFECT ACREAGE FOR YOUR HOBBY FARM? This 8.9 AC property is serviced by Covert Water System. Located in the desirable west end of the Grand Forks valley & enjoys a gorgeous view. **\$294,900.** MLS# 2432635

OPTIONS GALORE! Successful FIFTY's Diner! Own this great business complete with Owners Suite & 3600 Sq. Ft building - or buy the Business and lease the building. At the busiest intersection on Hwy 3 downtown GF. **\$499,000.** MLS# 2431301

MIDWAY RIVERFRONT 1.55 acre, **\$115,000** MLS #2436558 & 4.3 acre **RIVERFRONT REDUCED TO \$199,000.** MLS #2436557. Lots are measured & laid out for well & septic! Call for info package.

PRIME HWY 3 COMMERCIAL! Front Retail/Office space, plus Living quarters and second CITY LOFT Greenwood. **\$158,500.** MLS# 2435467

REDUCED!!! Don't miss this opportunity to own a beautiful 0.454 acre lot, easy walk to Schools and Downtown. So inexpensive & Vendor financing possible OAC. **\$29,900.** MLS# 2433279

FOR SALE

Classifieds - for all your real estate needs!

Merchandise for Sale**Garage Sales**

Grand Forks Huge Estate Sale
2071 66th Ave.
South of arena
(Follow signs on 19th St. or 68th Ave.)
Saturday, June 22 thru Monday, June 24
8:00 AM to 5:00 PM
House sold - 50 years of treasures must go! Antiques, bdrm. suite, bedding, canning jars /supplies, chests of drawers, china, clocks, cloth, coffee tables, collectibles, curios, desks, dining table / chairs, dishes, Doukhor handcrafts + heirloom spinning wheel & accessories, end tables, furniture, kitchenware, knick knacks, lamps, mattresses, mirrors, noodle makers, ornaments, pots & pans, Russian collectibles, sewing machine & accessories, sewing/quilting/embroidery accessories and supplies (seamstress' delight!), shelving, sofa & love seat, table cloths, trunks, upholstered chairs, wall decor, wool & more!
New bargains EVERY DAY!

Merchandise for Sale**Heavy Duty Machinery**

Grand Forks
1969 Case Back Hoe, good shape.
Working circular saw mill.
Mid 70's rough terrain fork lift. 2006 Ford 3 quarter ton 4 wheel drive, diesel, needs work.
Offers on all.
See at 485 Gilpen Road.
250-443-2500

Misc. for Sale

Handcrafted Bear Mountain design cedar strip canoe
17.5 ft.
excellent condition, always stored under cover. Plus 2 paddles, 2 PFDs and Canoecraft book. \$1950.
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1-866-865-4460

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Steel Shipping Containers
All sizes, new & used
We own what we sell.
Kootenay Containers
Castlegar
250-365-3014

Misc. Wanted

(250)-499-0251
Coin Collector Buying Coins & Collections, Olympic Gold & Silver Coins, Paper Currency etc. Any size Collection! Also, Buying All types of Gold & Silver, Estates+ Chad The Coin Guy
1-250-499-0251

Able buyer of all your old coins, coin collections, Collector COINS, all silver, gold, rare, common, old money, bullion.+ Todd the Coin Guy (250)-864-3521

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BC Classifieds.com
1-866-865-4460

Legal Notices**Merchandise for Sale****Misc. Wanted**

(250)-864-3521
Collector Buying Royal Canadian Mint coins, collections, old coins, paper money, pre 1968 silver coins, bars, world collections.+ ANYTHING GOLD & SILVER
Todd The Coin Guy
(250)-864-3521

Real Estate**For Sale By Owner**

Grand Forks
7583 23rd St
For Sale
Unique 3 bedroom, 2 1/2 bath rancher with double garage on a corner lot.
Near hospital
\$395,300
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W. Trail 2 Bdrms enclosed garage, freshly painted 850 plus utilities 250-551-1106

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Legal Notices**NOTICE OF SALE**

The contents of Unit 5 belonging to: Mike Allinsan (Allinson) last known address 6804 5th St/Grand Forks BC) will be available for viewing at Grand Forks Self Storage, 7444 19th Street, Grand Forks, BC on June 28, 2019 between 10:00 AM and 1:00PM. Sealed bids will be accepted at that time. In debt for \$400.00 for storage fees.

GRAND FORKS
Settle down.
THE CORPORATION OF THE CITY OF GRAND FORKS

NOTICE OF ZONING BYLAW AMENDMENT

TAKE NOTICE THAT pursuant to the Local Government Act, the City of Grand Forks is considering Bylaw No. 2039-A4 to amend the Zoning Bylaw to rezone property on the 7600 Block of 8th Street, legally described as Lot B, Plan EPP24245, District Lot 381, Land District 54; PID: 028-956-036, from the current R-1 (Residential Single and Two-Family) zone to R-4 (Rural Residential) zone, to accommodate agricultural activities and to reflect the current use of the land.

TAKE FURTHER NOTICE THAT Council for the City of Grand Forks will hear any public input with respect to the above mentioned proposal at a Public Hearing scheduled for June 24, 2019 at 1:00pm upstairs in Council Chamber of City Hall located at 7217-4th Street, Grand Forks, B.C.

PROPERTY LOCATION: 7600 Block of 8th Street at the base of Observation Mountain



A draft copy of Bylaw No. 2039-A4 may be inspected between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday (excluding holidays) until June 24th, 2019 at City Hall, 7217 - 4th Street, Grand Forks, B.C.

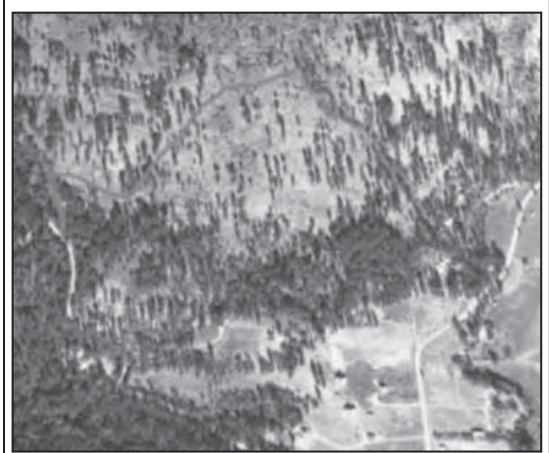
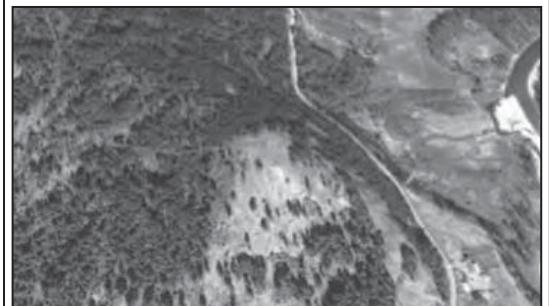
Legal Notices**Legal Notices****Legal Notices****LAND ACT:****Notice of Intention to Apply for a Disposition of Crown Land**

Take notice that, **China Creek Internet Service Ltd.**, from Princeton, BC, has applied to the British Columbia Ministry of Forests, Lands and Natural Resource Operations and Rural Development (FLNRORD), Kootenay Boundary Region, for three (3) Licenses of Occupation to legalize existing communication sites situated on Provincial Crown land located at north of Grand Forks (2 sites) and west of Christina Lake (1 site)

FLNRORD invites comments on this application, the Lands File are **4405956, 4405957 and 4405958.**

Written comments concerning this application should be directed to Authorization Specialist, FLNRORD, Kootenay Boundary Region, at 1902 Theatre Road, Cranbrook, BC V1C 7G1. Comments will be received by FLNRORD up to January 4, 2020. FLNRORD may not be able to consider comments received after this date. Please visit the website at <http://comment.nrs.gov.bc.ca/> for more information.

Be advised that any response to this advertisement will be considered part of the public record. Access to these records requires the submission of a Freedom of Information (FOI) request. Visit <http://www.gov.bc.ca/freedomofinformation> to learn more about FOI submissions.



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The Corporation of the City of Grand Forks
Public Feedback Session
MINUTES

PF-2019-3

Monday, June 24, 2019, 1:00 pm

7217 - 4th Street, City Hall Council Chambers

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

Absent: Councillor Neil Krog

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Daphne Popoff - Corporate Administrative Assistant
Dolores Sheets - Manager of Development & Engineering Services

GALLERY

1. Call to Order

The Chair will call the Session to Order:

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

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

(c) All information, correspondence, petitions or reports that have been received concerning the application(s) have been made available to the public. The correspondence and petitions received after June 12, 2019 (date of notification) are available for inspection during the course of this Session and are located on the information table in the foyer of the Council Chamber.

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

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

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

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

Mayor Taylor called the June 24, 2019, Public Feedback Session to order at 1:08 pm.

2. Notification of Meeting

3. Individual Application Submissions

- a. 2019-06-24-BL-RWEE20-LCRB002100-7500_Donaldson_Cannabis_Retail_PFS

Development, Engineering & Planning

Discussion:

Jim Kennedy, Weeds Glass and Gifts, spoke in regard to the Cannabis store application, zoning, community focus benefits, history of owners, security, Warming Center, Whispers of Hope

- 317 Market Avenue and 7500 Donaldson Drive are owned by Devan Brier, no intention of manufacturing of edibles will be done in the future

- Pamela Kennedy spoke in regard to the Warming Center

Nigel James spoke in regard to the distance from the property to James Donaldson Park, resident properties

Bernie Bartkowski - OPPOSED, spoke in regard to the distance and changing the bylaw to suit the person applying for the business application, look out for members of this City, too many Cannabis stores already

Sharon Toorenburgh, new resident to Grand Forks, OPPOSED, spoke in regard to James Donaldson Park and children playing there, other uses for the current building

Greg Snider - OPPOSED, spoke in regard to Jim Kennedy's opening remarks, worked as retired teacher and kids' cannabis use, time of the Public Feedback should have been held in the evening when more people are able to attend, talked to many people in Grand Forks regarding this issue

Pamela Kennedy spoke in regard to advertising more for meetings

4. Adjournment

The June 24, 2019, Public Feedback Session was adjourned at 1:45 pm.

5. Procedure on each Application Submission

(a) Brief description of the application by City Staff (Planning Department);

(b) The Chair will request that the Corporate Officer indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

- i. The microphone at the delegates table has been provided for any person(s) wishing to make representation at the Session.
 - ii. The Chair will recognize ONLY speakers at the delegation table.
 - iii. Those who wish to speak concerning the proposed bylaw should, at the appropriate time, commence your address to the Council and the meeting by clearly stating your name and address. A sign-in sheet is provided at the delegation table and speakers should print their name and address legibly to ensure accurate minutes are recorded.
 - iv. Speakers are encouraged to limit their remarks to 5 minutes; however, if they have additional information, they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions of staff by members of Council must be asked before the Public Feedback Session is closed and not during debate of the bylaw at the next Regular Meeting, unless for clarification.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Session on the bylaw in question be held open, the Chair shall state to the gallery that the Public Session on the Application is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, etc.) to assist in their presentation or questions, however videos, PowerPoint presentations, or other electronic means may not be used. Please ask staff for assistance prior to the Session if required.

Mayor Brian Taylor

Corporate Administrative Assistant –
Daphne Popoff

June 24, 2019

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

Dear Mr. Lafayette:

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

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

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

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

Additionally, considering a standalone smoke free bylaw to include tobacco, vapour, and cannabis smoke can help to protect residents in public places. Many communities are amending their bylaws to ensure cannabis is included. For more information please contact Tobacco Reduction Coordinator, Jacqueline Duncan, at 250-770-5540 ext. 31256 or Jacqueline.Duncan@interiorhealth.ca

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

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

Sincerely,



Kady Hunter
Healthy Communities – Population Health

Bus: (250) 505-7239
hbe@interiorhealth.ca
www.interiorhealth.ca

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

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: July 15, 2019

Subject: Consideration of in-kind support for property owners in DMAF land acquisition

Recommendation: **THAT Council endorses the Policy Objectives and Process for the buy out; and THAT Council directs staff to hold exploratory discussions with landowners on identified options and present findings to Council for decision.**

Background

Under the recently-announced Disaster Mitigation and Adaptation Fund Federal-Provincial partnership funding, the City learned the pre-flood appraised values would not be eligible costs. Staff is identifying options for in-kind support to enable landowners to have successful transitions.

The difference between pre-flood and post flood value for properties with homes ranges from \$11,000 to \$358,000, with an average loss of \$79,000 and median loss of \$68,400. Post-flood values themselves range from \$20,000 to \$438,000, with an average value of \$118,369 and median value of \$100,750. Total difference between pre and post-flood values is estimated at \$6.6 million.

The Disaster Financial Assistance payouts for that area were about \$2.2m. Insurance payments are not known although most of these properties are believed to have been uninsured as they received DFA funds.

The impact of the buyout at current market value on households will vary widely depending on their existing assets or debts and other non-tangible resources, including whether they received Disaster Financial Assistance or insurance. The bottom line is that half of the households would receive less than \$100,000 for their property with 24 households receiving less than \$60,000 if receiving only current market value. Receiving this amount of compensation would not enable property owners to replace their dwelling with something similar in the area and in many cases is less than what is owed on a mortgage.

Given that Council had advocated for pre-flood values in the funding but current market values are eligible costs under the grant, the question under consideration is the role and the degree of the City in supporting property owners in the buy-out area toward viable relocation within Grand Forks.

Policy Objectives and Process

Identification and implementation of in-kind support requires strategic and policy consideration by Council as the scope of decisions is outside of existing policy. These considerations are recommended to be discussed, amended as needed, and weighed by Council in selecting options for in-kind support.

Other policies and objectives may be drawn from the Official Community Plan, Strategic Plan, and the Recovery Strategic Objectives developed and endorsed last summer.

The following policy considerations are recommended for discussion:

- 1) Affordable and attainable housing: Council aims to support viable and attainable options for relocation of all homeowners in the buy out area within their respective means.
 - a. In-kind supports may be provided according to need and level of means.
 - b. As an example, households with less than \$100,000 in assets and less than \$3,000 per month for two incomes could be supported with the greatest level of in-kind support.
- 2) Equity and fairness: Council will not provide a financial lift to the overall asset value of property owners through in-kind assistance.
 - a. This ensures that property owners receiving in-kind assistance have no further direct financial support than a property owner that has found or is planning to find other options attainable to them (i.e. outside of the city).
- 3) Sound investment: planning, development and servicing investments provide a long-term benefit for the City or leverage additional development.
 - a. Lifecycle costs are able to be paid for over the life of development through taxes, lease income, servicing fees, and utility fees.
- 4) Minimize administrative complexity: options must be with the capacity of the City's Development and Engineering mitigation team, community partners or contracted management support.

The overall process for buy outs is proposed as follows:

- 1) Request for proposals / procurement for contracted purchase team (July-August)
- 2) Assessment of property owner needs (July-September, department with support from Case Management)
- 3) Confirmation of City in-kind commitments (September)
- 4) Updated current market value property appraisal (August-October)
- 5) Landowner discussion and agreement on purchase price and in-kind consideration (no earlier than September, timeline to be announced based on contracted purchase team and updated appraisals)

Realty transaction and possession by City between October 2019 and 2020-2021, depending on location of property and associated capital project phase.

Affordable and Attainable Housing Options

Three broad target groups have been identified with different housing outcomes based on a range of in-kind supports or policy solutions. The following are preliminary options potentially suitable to their needs and within the City's purview to provide.

- A) Households with assets following the flood and buy-out that are insufficient for attaining new real property
 - 1. Priority placement, reduced means test in Affordable Housing @ 19th St.
 - Enables property owners with limited assets (group A) to have affordable rental. Also provides interim option for group B property owners while waiting for other attainable ownership options to develop.
 - Policy decision request to BC Housing and administered by housing provider
 - No cost to City, low administrative cost to provider, and no new capacity needs
 - Further questions: Is there a target number of units to be reserved for this stream? Is there a timeline that the asset test would be waived (i.e. 5 years)?
 - 2. City incentives for rental unit development using revitalization tax exemption bylaw
 - Would waive tax increase on new improvements for rental purposes (accessory unit or purpose built) for up to ten years
 - Would be subject to a contract ensuring the unit remains a rental.
 - No incremental financial cost to the City, but low to medium administrative overhead for the City and housing partner
 - Revisions to the Revitalization Tax Exemption Program introduced October 2018
- B) Households that can attain a partial improvement asset (i.e. owned dwelling) but not land ownership
 - 1. Providing City land on a long-term lease to maintain affordability and allowing ownership of improvements (moved house, manufactured home, modular home).
 - Would support households to own dwellings that they can improve or sell over time without appreciation of land value.
 - Providing servicing and land development for new residential sites. Would likely require borrowing bylaw and referendum or alternative approval. Lease rate would need to pay back land development and servicing plus asset renewal and loan carrying costs. Site options and preliminary costing would be provided in future report.
 - If home is moveable, using cost of demolition above foundation to be applied to moving the home as well as logistics support
 - Providing zoning and permitting support for manufactured homes and tiny homes
 - Explore land trust and cooperative options for long-term tenure and management of City land dedicated for affordable housing
 - Medium to high incremental financial cost with long payback timeline and medium administrative and capacity costs.
- C) Households that can attain land and improvement assets but only with in-kind support

1. Provide City-owned lots for sale at market value with servicing costs recovered over time through local service area. Would support property owners able to move homes or purchase modular or manufactured home to attain dwelling at lower up-front cost.
 - Revenue could support servicing costs for larger projects under B1
 - Smaller lot size would be favoured to maintain affordability and asset management values.
 - Explore partial ownership of land by City (i.e. equity financing of a portion of property value to be recouped on future sale of property) to reduce up-front cost to purchasers
 - Low financial cost and low administrative costs, though equity financing may require partnership with Credit Union or other lending partner. Reduces City-owned residential land pool.
2. Explore partnership-based townhouse or condominium project on City land
 - Third party development and financing of a project on City-owned land would pass savings in land value on to owners with affordability contract in place with developer
 - Low financial cost but medium administrative effort seeking and securing partnerships
 - Opportunity for cooperative housing venture instead of conventional developer ownership and financing.

Next Steps

Following direction from Council based on this recommendation, staff would host a series of small group discussions with property owners in the buy out area and their case managers to understand how these in-kind supports may work for enabling a viable transition and relocation within Grand Forks. Feedback and further ideas generated will be presented back for Council consideration following these meetings.

Benefits or Impacts

Strategic Impact



Community Engagement

- Strategic solutions developed in dialogue with affected residents and property owners



Economic Growth

- Maintains or increases affordable and attainable housing for residents and workforce



Fiscal Responsibility

- Ensures developments and in-kind supports are within the long-term means of the City

Policy/Legislation

Local Government Act, Community Charter; Official Community Plan, Zoning Bylaw, and multiple others.

Recommendation

THAT Council endorses the Policy Objectives and Process for the buy out; and THAT Council directs staff to hold exploratory discussions with landowners on identified options and present findings to Council for decision.

Options

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

Request for Decision



To: Regular Meeting
From: Financial Services
Date: July 15, 2019
Subject: 2018-2022 Financial Plan Amendment
Recommendation: **THAT Council gives final reading to the 2018-2022 Financial Plan Amendment Bylaw No. 2045-A2**

Background

The five year financial plan for 2018-2022 was amended in September 2018 to reflect changes associated with additional capital project costs as well as emergency expenditures incurred as a result of the flood. At that time, staff revised the financial plan based on its best estimate of flood related expenses and revenue shortfalls, but the final financial impacts were unknown until the 2018 audit process was completed in May 2019.

Although the City did not exceed budgeted expenditures in aggregate for the year 2018, staff is recommending that the financial plan be amended a second time for greater consistency with the audited financial results. The majority of adjustments are required due to emergency response and insured property damage expenses which exceeded the original estimates, and which had offsetting additional revenues. There were also certain items purchased within operating budgets which exceeded the capitalization threshold, and which should be added to the list of capital expenditures in Schedule "C".

Section 165 (2) of the Community Charter allows for the amendment of the annual financial plan at any time "for certainty".

The proposed bylaw was given first three readings at the June 24, 2019 Regular Meeting of Council and is presented here for final reading.

Benefits or Impacts

General

Amending the Financial Plan ensures that the City's additional expenditures are properly authorized and in compliance with provisions of the *Community Charter*.

Strategic Impact



Fiscal Responsibility

- There are no financial implications associated with this amendment.

Policy/Legislation

Five Year Financial Plan Bylaw, 2018-2022, No. 2045
Section 165 (2) of the *Community Charter*

Attachments

Draft 2018-2022 Financial Plan Amendment Bylaw, No. 2045-A2

Recommendation

THAT Council gives final reading to the 2018-2022 Financial Plan Amendment Bylaw No. 2045-A2

Options

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

Report Approval Details

Document Title:	Financial Plan Amendment adopt.docx
Attachments:	- By2045-A2 5 Year Financial Plan Amendment 2018-2022.pdf
Final Approval Date:	Jun 26, 2019

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

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jun 26, 2019 - 3:51 PM

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2045-A2

A Bylaw to Amend the Five Year Financial Plan For the Years 2018 - 2022

Whereas pursuant to Section 165 of the *Community Charter*, "Five Year Financial Plan Bylaw, 2018-2022, No. 2045" was adopted on April 9, 2018, and

Whereas the financial plan may be amended by bylaw at any time;

Now therefore the Council of the Corporation of the City of Grand Forks, in open meeting assembled, enacts as follows:

1. This bylaw may be cited, for all purposes, as the "2018-2022 Financial Plan Amendment Bylaw, No. 2045-A2".
2. Five Year Financial Plan Bylaw, 2018-2022, No. 2045 is hereby amended for the year 2018 only, as set out in Schedules "A", "B" and "C" attached to and forming part of this bylaw.

Read a first, second and third time by the Municipal Council this 24th day of June 2019.

Finally adopted on this 15th day of July, 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of the "2018-2022 Financial Plan Amendment Bylaw No. 2045-A2 as adopted by the Municipal Council of the City of Grand Forks on this 15th day of July 2019.

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

**CORPORATION OF THE CITY OF GRAND FORKS
5 Year Financial Plan Amendment Bylaw 2045-A2
Schedule “A” Statement of Objectives and Policies**

In accordance with Section 165 (3.1) of the Community Charter, The City of Grand Forks is required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

1. The proportion of total revenue that comes from each of the funding sources described in Section 165(7) of the Community Charter;
2. The distribution of property taxes among the property classes, and
3. The use of permissive tax exemptions.

Funding Sources

Objective:

- For operations, to maintain annual increases to a level that approximates the annual increase in inflation unless a specific program or project is identified that requires tax revenue funding.
- For capital and fiscal, to review and address annually the long term needs for capital infrastructure.

Policies

- After an initial correction period, ensure that property tax increases remain as stable as possible over time and within 2 percent above inflation.
- Increase utility rates consistently over time, between 3 and 4 percent, to fund the asset management capital reserves.
- Evaluate and set user fees and charges fairly for the services received.
- Set taxes, fees and charges to achieve full cost recovery, where appropriate, for operating costs.
- Periodically review fees and charges to ensure that they account for inflation and changes in the level of service provided.
- Encourage the use of alternate revenue sources instead of property taxes.

Revenue Source	Amount	% of Total Revenue
Property Value Taxes	\$ 3,922,261	21.1%
Parcel Taxes	161,047	0.9%
Fees and Charges	8,214,471	44.1%
Other Sources	4,143,101	22.2%
Proceeds from Borrowing	643,739	3.5%
Reserve Funding	1,535,863	8.2%
TOTAL	\$ 18,620,482	100.0%

Distribution of Property Taxes

Objective:

- To ensure property taxes and rates are sufficient to meet the City’s short and long-term needs.
- To ensure equity among the property classes by reviewing the ratios of property class allocations annually.

Policies:

- Conduct periodic reviews of taxes paid by individual classes.
- Consider tax shifts or redistributions only where a full comprehensive analysis and impact is undertaken.
- Where a tax shift is required, consider a gradual phase-in to allow the properties in the class to adjust their budgets accordingly.
- In establishing property tax rates, take into consideration:
 - The amount of property taxes levied as compared to other municipalities.
 - The property class conversion ratio as compared to other municipalities.
 - The tax share borne by each property class.
 - The tax ratios of each property classification.

The 2018 distribution of property taxes rates among the different classes is as follows:

Property Class	Rate Multiple	% of Property Value Tax
01 Residential	1.00	54.95%
02 Utilities	8.17	1.38%
04 Major Industry	8.85	21.58%
05 Light Industry	2.93	1.45%
06 Business	2.39	20.60%
08 Recreation/Non Profit	0.80	0.03%
09 Farm	1.08	0.01%
TOTAL		100.00%

Permissive Tax Exemptions**Objective**

- Optimize the provision of charitable and not for profit services for the benefit of Grand Forks residents.
- Provide property tax exemptions as permitted under the Community Charter in a consistent and fair manner.
- Restrict the provision of exemption to those providing an extension to City services and minimize the impact on City revenues.

Policies

- Grand Forks residents must be primary beneficiaries of the organization's services and the services provided must be accessible to all members of the public.
- In guiding and approving permissive tax exemptions, Council will take into consideration:
 - Not-for-profit occupiers of City property for the duration of their occupancy.
 - Land and improvements surrounding a statutorily exempt building for public worship.

CORPORATION OF THE CITY OF GRAND FORKS
5 Year Financial Plan Amendment Bylaw No. 2045-A2
Schedule "B" Amended Five Year Financial Plan 2018-2022

	2018	2019	2020	2021	2022
	Budget	Budget	Budget	Budget	Budget
Revenues					
Property Taxes	\$ 3,805,740	\$ 3,918,660	\$ 4,036,220	\$ 4,157,307	\$ 4,282,026
Parcel and Frontage Taxes	161,047	161,226	161,226	5,826	5,826
Grants in Lieu of Taxes	16,626	17,661	18,191	18,737	19,299
Percentage of Revenue Tax	99,895	104,000	104,000	104,000	104,000
Sales of Services and User Fees	8,214,471	7,939,156	8,165,690	8,399,021	8,639,352
Grants	1,763,412	1,039,537	1,054,534	1,069,670	1,084,946
Other Revenues	2,379,689	412,300	412,300	412,300	412,300
Total Revenues	16,440,880	13,592,540	13,952,161	14,166,861	14,547,749
Expenses					
Purchases for resale	3,806,024	3,560,216	3,631,420	3,704,049	3,778,130
General Government	1,137,070	1,371,728	1,398,163	1,425,126	1,452,628
Protective Services	1,440,421	1,004,218	970,553	935,143	953,646
Transportation Services	1,308,015	1,225,341	1,249,848	1,274,845	1,300,341
Environmental & Health Services	245,383	240,868	245,685	250,599	255,611
Public Health Services	45,435	86,519	88,249	90,014	91,814
Planning and Development	327,647	406,768	404,173	411,726	419,430
Parks, Recreation and Cultural Services	2,448,566	1,298,771	1,317,520	1,309,645	1,329,152
Water Services	663,709	787,508	803,258	819,323	835,709
Electrical Services	521,200	688,167	701,930	715,969	730,288
Wastewater Services	702,991	714,477	728,767	743,342	758,209
Amortization	1,724,781	2,102,562	2,185,260	2,209,366	2,239,255
Debt Interest	134,259	188,987	163,262	161,015	160,926
Total Expenses	14,505,501	13,676,130	13,888,088	14,050,162	14,305,139
Surplus (Deficit) for the year	\$ 1,935,379	\$ (83,590)	\$ 64,073	\$ 116,699	\$ 242,610
Adjusted for non-cash items					
Amortization	1,724,781	2,102,562	2,185,260	2,209,366	2,239,255
Total Cash from Operations	\$ 3,660,160	\$ 2,018,972	\$ 2,249,333	\$ 2,326,065	\$ 2,481,865
Adjusted for Cash Items					
Proceeds from Borrowing	643,739	-	-	-	-
Capital Expenditures	(2,965,986)	(2,344,000)	(2,259,000)	(2,639,000)	(2,429,000)
Proceeds on Disposal of Assets	239,374	-	-	-	-
Gain on Disposal of Assets	(59,315)	-	-	-	-
Debt Principal Repayments	(357,405)	(373,961)	(328,837)	(213,837)	(181,656)
Transfer from Reserves	1,535,863	2,344,000	2,259,000	2,639,000	2,429,000
Transfer to Reserves	(2,754,488)	(1,600,000)	(1,900,000)	(2,100,000)	(2,300,000)
Transfer from/(to) Operating Surplus	58,058	(45,011)	(20,496)	(12,228)	(209)
	\$ (3,660,160)	\$ (2,018,972)	\$ (2,249,333)	\$ (2,326,065)	\$ (2,481,865)
Financial Plan Balance	\$ -	\$ -	\$ -	\$ -	\$ -

CORPORATION OF THE CITY OF GRAND FORKS
5 Year Financial Plan Amendment Bylaw No. 2045-A2
Schedule "C" - Amended Five Year Financial Plan 2018-2022

CAPITAL EXPENDITURES - 2018			FUNDED FROM								
Description	Fund	Amount	RESERVES				Climate		Slag	OTHER	
			Capital	Equipment	Land Sales	Gas Tax	Action				
2017 Carry Forward Projects											
Silver Kettle Sidewalk	General	154,687	154,687								
Public Works Fuel Tanks	General	11,073	11,073								
Public Works Upgrades	General	19,486	19,486								
Public Works - 22nd Street	General	573,349							573,349		
Wayfaring Signs	General	11,250								11,250	
Airport AWOS Upgrade	General	33,921	8,480								25,441
Expo Sign changes	General	11,996								11,996	
Flood Plain Mapping & Risk Assessment	General	27,340	11,634								15,706
5 tonne Dump Truck	Fleet	220,062		220,062							
Holder Replacement	Fleet	6,948		6,948							
Electrical Voltage Conversion	Electrical	545,615	545,615								
CCTV Sewer Camera	Sewer	45,457		45,457		3,546					7,091
Wastewater Treatment Plant UV	Sewer	10,637				36,844					
Headworks Grinder	Sewer	36,844									
Wastewater Treatment Plant Upgrades	Sewer	645,507	109,736								535,771
Sewer Phasing Plan	Sewer	78,500	13,345								65,155
5th Street Watermain Replacement	Water	15,551				15,551					
West Side Fire Protection	Water	65,538							70,390		(4,852)
Subtotal 2017 Carry Forward Projects		2,513,761	874,056	272,467	40,390	15,551	-	23,246	643,739	649,164	(4,852)
2018 New Projects											
Data Collection Equipment	General	5,339	5,339								
Ball Diamond Rebuild to baseball specs	General	9,789	9,789								
LED Street Lighting	General	10,300				10,300					
Public Works Upgrades	General	38,591	38,591								
Replace Crosswalks in City Core	General	47,472				47,472					
Central Ave Sidewalk Replacement	General	28,447	28,447								
Bridge Approach Paving	General	18,789				18,789					
SolarNow Solar Panel Installation	General	32,500					18,768				13,732
IT & Office Equipment	General	13,899									53,072
Flood Plain Risk Management & Protection	General	53,072									
Fleet replacement	Fleet	19,314	19,314								61,369
Annual Emergency Repair Fund	Various	112,806	51,437								
Shared Property (strata, trailers) Water Meters	Water	21,869				21,869					
Water service upgrade - City Park, 7th St., etc...	Water	4,097	4,097								
Airport Water Main Looping	Water	14,542	14,542								
Sewer Main Relining	Sewer	1,215	1,215								
Lift Station Pumps	Sewer	17,344	17,344								
Granby River Force Main Crossing	Sewer	2,840	2,840								
Subtotal 2018 New Projects		452,225	192,955	-	-	98,430	18,768	-	-	66,804	75,268
TOTAL CAPITAL EXPENDITURES		2,965,986	1,067,011	272,467	40,390	113,981	18,768	23,246	643,739	715,968	70,416

Request for Decision



To: Regular Meeting
From: Financial Services
Date: July 15, 2019
Subject: Reserve Fund Establishment Bylaw No. 2060
Recommendation: **THAT Council gives final reading to Reserve Fund Establishment Bylaw No. 2060, 2019**

Background

The City currently has nine separate reserve fund bylaws, seven of which staff is proposing be consolidated into a single bylaw for administrative efficiency and easy reference.

This new bylaw maintains the same restrictions on fund expenditures as were in the original individual bylaws, and generally incorporates the same language verbatim, or with minor changes. In some cases, the wording has been changed for greater consistency with the associated legislation.

Two material changes have been made, as follows:

- the Land Sales Reserve will now allow for the funding of land acquired for strategic purposes in addition to land which is required as part of a capital works project. Section 188 of the *Community Charter* states that money received from the sale of land and improvements must be placed in a reserve and used for "acquiring land, improvements and other assets of a capital nature", and does not limit this to land necessary for capital works.
- a new fund, the "Transportation Infrastructure Reserve Fund", will be created in order to allow cash in lieu of parking contributions to be used for infrastructure which supports alternative forms of transportation such as walking and cycling.

The seven original bylaws and their associated amendments will be rescinded once this new bylaw is adopted.

The existing development cost charge reserve funds bylaws are under review for potential revision and therefore have been excluded from this process of consolidation.

This proposed bylaw was given first three readings at the June 24, 2019 Regular Meeting of Council and is presented here for final reading.

Benefits or Impacts

General

The proposed bylaw consolidates reserve funds in alignment with management's objective to modernize bylaws and improve administrative efficiency.

Strategic Impact



Fiscal Responsibility

The change to the Land Sales Reserve Fund will allow for the strategic purchase of land and not exclusively land which is required as part of a capital project.

This new bylaw maintains the same restrictions on expenditure of funds as were in the original individual bylaws. Fund transfers also have the same stipulations, other than one new provision which allows transfers between the four capital reserve funds.

Policy/Legislation

Community Charter Section 188

Local Government Act Section 525

Administrative Agreement on the Federal Gas Tax Fund in British Columbia

Attachments

Draft Reserve Fund Establishment Bylaw No. 2060, 2019

Excerpt of Sections 188 and 189 from the *Community Charter*

Land Sales Reserve Fund Bylaw 2029, 2016

Cash-in-Lieu of Parking Reserve Fund Bylaw No. 1450, 1995 and Amendment to the

Cash-in-Lieu of Parking Reserve Fund Bylaw No. 1759, 2004

Community Works Reserve Fund Establishment Bylaw 2020, 2015

Slag Sales Reserve Fund Bylaw 2027, 2016

Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303

and Bylaw No. 1762 Amendment to the Machinery and Equipment Purchase and

Replacement Reserve Fund Bylaw No. 1303

Climate Action Reserve Fund Establishment Bylaw 1989, 2013

Capital Reserve Funds Establishment Bylaw 2028, 2016

Capital Reserve Fund Bylaw No. 1854 and amendment 1854-A1

Recommendation

THAT Council gives final reading to Reserve Fund Establishment Bylaw No. 2060, 2019

Options

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

Report Approval Details

Document Title:	Rexerve Fund Bylaw 2060 adopt.docx
Attachments:	<ul style="list-style-type: none">- By2060 - Reserve Establishment 2019.pdf- Community Charter Sections 188-189.pdf- By2029 - to establish a reserve fund for money obtained from the sale of land or improvements.pdf- By1450 - Cash in Lieu of Parking Reserve.pdf- By1759 - Amendment to the Cash In Lieu of Parking Reserve Fund Bylaw.pdf- By2020 - Community Works Reserve Fund Establishment.pdf- By2027 - to establish a reserve fund for money obtained from Slag Sale Revenues.pdf- By1303 - Machinery and Equipment Reserve Establishment.pdf- By1762 - Amendment to the Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw.pdf- By1989-Carbon Neutral Reserve Fund.pdf- By2028 - to establish Capital Reserve Funds.pdf- By1854 Capital Reserve Fund Bylaw.pdf- By1854-A1 Capital Reserve Fund Bylaw Amendment 2016.pdf
Final Approval Date:	Jun 27, 2019

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

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jun 27, 2019 - 2:37 PM

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2060

A BYLAW TO ESTABLISH RESERVE FUNDS FOR THE PURPOSE OF SETTING ASIDE FUNDS FOR OPERATING AND CAPITAL PURPOSES

The Council for the Corporation of the City of Grand Forks, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as the “Reserve Fund Establishment Bylaw No. 2060, 2019”.

Reserve Fund Establishment

2. The following reserve funds are established or continued for the purposes specified in the table below:

Name of Reserve Fund	Purpose of Reserve Fund
Land Sales Reserve Fund	To pay any debt remaining in relation to the sold property and/or for the acquisition of land, improvements and other assets of a capital nature consistent with the City's strategic objectives.
Cash-in-Lieu of Parking Reserve Fund	To provide new and existing off-street parking spaces.
Transportation Infrastructure Reserve Fund	To provide transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation
Community Works Reserve Fund	To account for funds received and used pursuant to the Community Works Gas Tax Agreement, and to fund projects in compliance with acceptable uses as defined in the Agreement.
Slag Sale Reserve Fund	For expenditures for or in respect of capital projects and any land, machinery, or equipment necessary therefore, including the extension or renewal of existing capital works.
Machinery and Equipment Purchase and Replacement Reserve Fund	To fund the acquisition or replacement of machinery and equipment.

CORPORATION OF THE CITY OF GRAND FORKS
RESERVE FUND ESTABLISHMENT BYLAW NO. 2060, 2019

Climate Action Reserve Fund	To fund climate action and mitigation projects that promote greenhouse gas reduction, energy conservation, and carbon neutrality, or for the purchase of carbon offsets or other greenhouse gas balancing measures.
General Capital Reserve Fund	To fund General Fund capital projects as identified in the Asset Management Investment Plan and annual budget.
Electrical Capital Reserve Fund	To fund Electrical Fund capital projects as identified in the Asset Management Investment Plan and annual budget.
Water Capital Reserve Fund	To fund Water Fund capital projects as identified in the Asset Management Investment Plan and annual budget.
Waste Water Capital Reserve Fund	To fund Waste Water Fund capital projects as identified in the Asset Management Investment Plan and annual budget.

Source of Funds

- 3.1 Except for tax sale proceeds, money received from the sale of land and improvements must be placed to the credit of the Land Sales Reserve Fund.
- 3.2 Money received from cash contributions in lieu of providing off street parking spaces in specified areas must be placed to the credit of the Cash-in-Lieu of Parking Reserve Fund or the Transportation Infrastructure Reserve Fund.
- 3.3 Monies received pursuant to the Federal Community Works Gas Tax Agreement must be placed to the credit of the Community Works Reserve Fund.
- 3.4 Slag sale revenue, net of slag expenses, must be placed to the credit of the Slag Sale Reserve Fund.
- 3.5 Amounts received from funding sources related to climate change and emissions reduction programs, including Climate Action Revenue Incentive Program rebates, may be paid into the Climate Action Reserve Fund.
- 3.6 Funds allocated from the annual operating budget or surplus, or from general revenues, may be placed to the credit of any reserve fund established in Section 2.

Investment of Funds

4. Monies set aside in reserve funds, together with interest earned, shall be accounted for separately and until required to be used, may be invested in the manner provided by the *Community Charter*.

Transfer of Funds

5. Council may, by bylaw, transfer amounts between reserve funds as follows:
 - a) Excess amounts held to the credit of the Land Sales Reserve Fund may be transferred to the General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or Waste Water Capital Reserve Fund, but the funds transferred must be used for the acquisition of capital assets.
 - b) Monies held to the credit of the Slag Sales Reserve Fund may be transferred to the General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or Waste Water Capital Reserve Fund.
 - c) Monies held to the credit of the General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or Waste Water Capital Reserve Fund may be transferred between these reserves.

Expenditure of Funds

- 6.1 Money in a reserve fund, together with interest earned on the fund balance, must only be used for the purpose for which the fund was established.
- 6.2 Monies placed to the credit of a reserve fund established by this bylaw may be expended by resolution of Council, or as authorized by a bylaw adopted by Council.
- 6.3 All monies shall be expended in accordance with applicable legislation including, but not limited to, the *Local Government Act* and *Community Charter*.

Repeals

7. The following bylaws and any amendments thereto are hereby repealed in their entirety:
 - a) Land Sales Reserve Fund Bylaw 2029, 2016
 - b) Cash-in-Lieu of Parking Reserve Fund Bylaw No. 1450, 1995 and Amendment to the Cash-in-Lieu of Parking Reserve Fund Bylaw No. 1759, 2004
 - c) Community Works Reserve Fund Establishment Bylaw 2020, 2015
 - d) Slag Sales Reserve Fund Bylaw 2027, 2016
 - e) Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303 and Bylaw No. 1762 Amendment to the Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303
 - f) Climate Action Reserve Fund Establishment Bylaw 1989, 2013
 - g) Capital Reserve Funds Establishment Bylaw 2028, 2016

CORPORATION OF THE CITY OF GRAND FORKS
RESERVE FUND ESTABLISHMENT BYLAW NO. 2060, 2019

Severability

8. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of the bylaw.

Read a first, second and third time this 24th day of June, 2019.

Finally adopted this 15th day of July, 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

C E R T I F I C A T E

I hereby certify the foregoing to be a true and correct copy of the "Reserve Fund Establishment Bylaw No. 2060, 2019" as adopted by the Municipal Council of the City of Grand Forks on this 15th day of July, 2019.

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

Establishment of reserve funds

- 188** (1) A council may, by bylaw, establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund.
- (2) If a municipality receives money in respect of any one of the following, the council must establish a reserve fund for the applicable purpose:
- (a) money received from the imposition of a development cost charge, which must be placed to the credit of a reserve fund in accordance with section 566 [*use of development cost charges*] of the [Local Government Act](#);
 - (b) money received
 - (i) from the sale of park land,
 - (ii) under section 27 (2) (b) [*disposal of park land*], or
 - (iii) under section 510 (14) [*provision of park land on subdivision*] of the [Local Government Act](#),
 which must be placed to the credit of a reserve fund for the purpose of acquiring park lands;
 - (c) money received under section 41 (1) (d) [*disposal of highway property that provides access to water*], which must be placed to the credit of a reserve fund in accordance with that section;
 - (d) money received under section 525 (2) [*parking space requirements*] of the [Local Government Act](#), which must be placed to the credit of a reserve fund for the purpose of providing
 - (i) off-street parking spaces, or
 - (ii) transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation;
 - (e) except for tax sale proceeds, money received from the sale of land and improvements, which must be placed to the credit of a reserve fund for the purposes of paying any debt remaining in relation to the property and of acquiring land, improvements and other assets of a capital nature.

Use of money in reserve funds

- 189** (1) Subject to this section, money in a reserve fund, and interest earned on it, must be used only for the purpose for which the fund was established.
- (2) If the amount to the credit of a reserve fund is greater than required for the purpose for which the fund was established, the council may, by bylaw, transfer all or part of the amount to another reserve fund.
- (3) If the current municipal revenue is not sufficient for the amount required to pay compensation in respect of property expropriated or injured or to carry out works referred to in section 32 (3) [*entry on land to mitigate damage*], the council may, by bylaw, use money from a reserve fund to the extent required.

- (4) As a restriction on subsection (2), a transfer from a reserve fund established for a capital purpose may only be made to another reserve fund established for a capital purpose.
- (4.1) Despite any other enactment, if
- (a) money in a reserve fund established for a capital purpose, including a reserve fund under section 566 of the *Local Government Act* established for a capital purpose, is not currently required for that purpose, and
 - (b) the municipality has another reserve fund established for a capital purpose, the municipality may use money in the first reserve fund for the purposes of the second reserve fund.
- (4.2) If money from one reserve fund is used under subsection (4.1) for the purposes of another reserve fund, the municipality must repay to the first reserve fund, no later than the time when the money is needed for the purposes of that reserve fund,
- (a) the amount used, and
 - (b) an amount equivalent to the interest that would have been earned on the amount used had it remained in the first reserve fund.
- (5) As a restriction on subsections (2) and (3), a council may not transfer amounts or use money from a fund required under section 188 (2) (a) *[development cost charge reserve fund]* or (b) *[park land acquisition reserve fund]* unless the bylaw is approved by the minister.

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2029

A Bylaw to Establish a Reserve Fund for Money Obtained From the Sale of Land or Improvements

=====

WHEREAS it is provided by Section 188 of the Community Charter that Council may establish a reserve fund for a specified purpose;

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

1. This Bylaw may be cited as, "**Land Sales Reserve Fund Bylaw 2029, 2016**"
2. That all monies received from the sale of land and improvements and interest earned on the fund balance shall be placed to the credit of the "Land Sales Reserve Fund".
3. Any funds to be expended shall be for expenditures for or in respect of capital projects and any land, machinery, or equipment necessary therefore, including the extension or renewal of existing capital works.
3. Monies held to the credit of the Land Sales Reserve Fund may be transferred to the Capital Reserve, General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or the Waste Water Capital Reserve Fund, but the funds transferred must continue to be used solely for capital projects.
4. The money set aside in this Reserve Fund shall be recorded separately and may be invested in the manner provided by the Community Charter until its use is required.

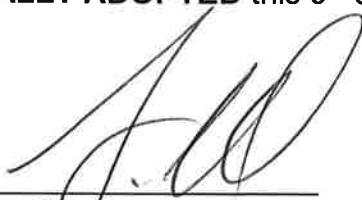
INTRODUCED this 11th day of April, 2016.

Read a **FIRST** time this 19th of April, 2016.

Read a **SECOND** time this 19th day of April, 2016.

Read a **THIRD** time this 19th day of April, 2016.

FINALLY ADOPTED this 9th day of May 2016.



Mayor Frank Konrad

Corporate Officer Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2029, cited as the "Land Sales Reserve Fund Bylaw 2029, 2016".

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1450

A bylaw to establish a reserve fund from the monies received in lieu of providing off street parking facilities.

WHEREAS in accordance with Section 378 of the *Municipal Act*, Council may establish a reserve fund for particular capital projects and land, machinery or equipment necessary for them and extension or renewal of existing capital works;

AND WHEREAS pursuant to Section 378 of the *Municipal Act*, Council may withdraw these monies under certain provisions and conditions;

AND WHEREAS Council is desirous of establishing a cash-in-lieu of parking reserve fund under the conditions and provisions of Section 378 of the *Municipal Act*;

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

1. That a reserve fund to be know as **"The Cash-In-Lieu of Parking Reserve Fund"** be established.
2. That all monies received from the cash contributions in lieu of providing off street parking facilities in specified areas shall be placed in this reserve fund.
3. That Council may, by bylaw, adopted by an affirmative vote of at least 2/3rd of all members of Council, provide for the expenditure of any monies in the reserve fund, including interest earned.
4. Any funds to be removed by bylaw shall be for:
 - a) the provision of new and existing off-street parking spaces and in respect of capital projects for this purpose;
 - b) the acquisition of land or the purchase of machinery and equipment necessary to construct and maintain these off-street parking facilities.

5. Any interest earned by this fund shall be added to the fund and become part of the fund.
6. This bylaw may be cited as **"The Cash-in-Lieu of Parking Reserve Fund Bylaw No. 1450, 1995"**.

Read a **FIRST** time this 15th day of May, 1995.

Read a **SECOND** time this 15th day of May, 1995.

Read a **THIRD** time this 5th day of June, 1995.

FINALLY ADOPTED this 8th day of August, 1995.

Mayor Yasushi Sugimoto

City Clerk – J. Lynne Burch

CERTIFICATE

I hereby certify the foregoing to be a true copy of Bylaw No. 1450, as passed by the Municipal Council of the City of Grand Forks on the 8th day of August, 1995.

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1759

A BYLAW TO AMEND “THE CASH-IN-LIEU OF PARKING RESERVE FUND” BYLAW

WHEREAS, Council may, by bylaw, amend the provisions of the Cash-In-Lieu of Parking Reserve Fund Bylaw;

AND WHEREAS, Council has determined that it is in the best interest of the Municipality to amend the Cash-In-Lieu of Parking Reserve Fund Bylaw to comply with the provisions of the Community Charter;

NOW THEREFORE, Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. That Section 3 of Bylaw No. 1450, cited as “The Cash-In-Lieu of Parking Reserve Fund” be deleted in its entirety.
2. That Section 4 of Bylaw No. 1450, cited as “The Cash-In-Lieu of Parking Reserve Fund”, be deleted in its entirety and replaced with a new Section 4 as outlined below:
 - “4. Any funds to be expended, including interest earned, must be approved by resolution of Council, and shall be for:
 - a) the provision of new and existing off-street parking spaces and in respect of capital projects for this purpose;
 - b) the acquisition of land or the purchase of machinery and equipment necessary to construct and maintain these off-street parking facilities;”
3. That this bylaw may be cited, for all purposes, as the “**Amendment to the Cash-In-Lieu of Parking Reserve Fund**”, Bylaw No. 1759, 2004”.

Read a **FIRST** time this 6th day of December, 2004.

Read a **SECOND** time this 6th day of December, 2004.

Read a **THIRD** time this 6th day of December, 2004.

FINALLY ADOPTED this 13th day of December, 2004.

Mayor Jake Raven

City Clerk – Lynne Burch

C E R T I F I C A T E

I hereby certify that the foregoing is a true copy of Bylaw No. 1759,
as passed by the Municipal Council of the City of Grand Forks
on the 13th day of December, 2004.

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2020

A Bylaw to Establish a Reserve Fund for Community Works Funds

=====

WHEREAS it is provided by Section 188 of the Community Charter that Council may establish a reserve fund for a specified purpose;

AND WHEREAS the Corporation of the City of Grand Forks is a signatory to the 2014-2024 Community Works Fund Agreement;

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

1. This Bylaw may be cited as, **“Community Works Reserve Fund Establishment Bylaw 2020, 2015”**
2. Net proceeds received from the Union of British Columbia Municipalities under the Community Works Fund Agreement and interest earned on the fund balance shall be placed to the credit of the “Community Works Reserve Fund”.
3. Monies in the “Community Works Reserve Fund” will be solely used for the purposes allowed under the Community Works Fund Agreement.
4. The money set aside in this Reserve Fund shall be recorded separately and may be invested in the manner provided by the Community Charter until its use is required.


INTRODUCED this 17th day of August, 2015.

Read a **FIRST** time this 14th of September, 2015.

Read a **SECOND** time this 14th day of September, 2015.

Read a **THIRD** time this 14th day of September, 2015.

FINALLY ADOPTED this 13th day of October, 2015.



Mayor Frank Konrad

Corporate Officer Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2020, cited as the "Community Works Reserve Fund Establishment Bylaw".

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2027

A Bylaw to Establish a Reserve Fund for Money Obtained From Slag Sale Revenues

=====

WHEREAS it is provided by Section 188 of the Community Charter that Council may establish a reserve fund for a specified purpose;

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

1. This Bylaw may be cited as, “**Slag Sale Reserve Fund Bylaw 2027, 2016**”
2. That all monies received from the sale of slag, less slag expenses, and interest earned on the fund balance shall be placed to the credit of the “Slag Sale Reserve Fund”.
3. Any funds to be expended shall be for expenditures for or in respect of capital projects and any land, machinery, or equipment necessary therefore, including the extension or renewal of existing capital works.
3. Monies held to the credit of the Slag Sale Reserve Fund may be transferred to the Capital Reserve, General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or the Waste Water Capital Reserve Fund, but the funds transferred must continue to be used solely for capital projects.
4. The money set aside in this Reserve Fund shall be recorded separately and may be invested in the manner provided by the Community Charter until its use is required.

INTRODUCED this 11th day of April, 2016.

Read a **FIRST** time this 19th day of April, 2016.

Read a **SECOND** time this 19th day of April, 2016.

Read a **THIRD** time this 19th day of April, 2016.

FINALLY ADOPTED this 9th day of May, 2016.



Mayor Frank Konrad

Corporate Officer Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2027,
cited as the "Slag Sales Reserve Fund Bylaw".

Clerk of the Municipal Council of the
City of Grand Forks

The CORPORATION of the CITY
of GRAND FORKS

BYLAW No. 1303

A BYLAW TO ESTABLISH A RESERVE FUND FOR THE PURCHASE
AND REPLACEMENT OF MACHINERY AND EQUIPMENT TO MAIN-
TAIN MUNICIPAL PROPERTY AND TO PROTECT PERSONS AND
PROPERTY

WHEREAS pursuant to Section 378 of the Municipal Act a Council may, by Bylaw, establish a reserve fund for the purchase and replacement of machinery and equipment;

AND WHEREAS it is deemed desirable and expedient to establish a RESERVE FUND for the purchase and replacement of machinery and equipment to maintain municipal property and to protect persons and property;

NOW THEREFORE, the COUNCIL of the CORPORATION of the CITY of GRAND FORKS, in open meeting assembled, ENACTS as follows:

1. There shall be and is hereby established a Reserve Fund under the provisions of Section 378 of the Municipal Act for the purchase and replacement of machinery and equipment to maintain municipal property and to protect persons and equipment.
2. Money from current revenue or, as available, from General Revenue Surplus, or as otherwise provided in the Municipal Act may be paid into said fund from time to time as authourized by Resolution of Council Adopted by at least two-thirds (2/3rds) majority of Council.
3. Appropriations from this Reserve Fund may be authourized by Resolution of Council for the express purpose of purchasing or replacing machinery and equipment from time to time as determined by a two-thirds (2/3rds) majority of Council.
4. This Bylaw may be cited, for all purposes, as the Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303.

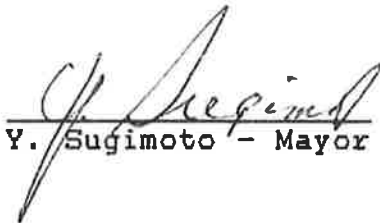
Introduced this 5th day of February, 1990.


Read a FIRST time this 5th day of February, 1990.

Read a SECOND time this 5th day of February, 1990.

Read a THIRD time this 5th day of February, 1990.

RECONSIDERED, PASSED and FINALLY ADOPTED this 19th day of February, 1990.


Y. Sugimoto - Mayor


W. M. Slater - City Clerk

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of Bylaw No. 1303 as passed by the Municipal Council of the City of Grand Forks on the 19th day of February, 1990.

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1762

A BYLAW TO AMEND “MACHINERY AND EQUIPMENT PURCHASE AND REPLACEMENT RESERVE FUND BYLAW NO. 1303”

WHEREAS Council may, by bylaw, amend the provisions of the Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303;

AND WHEREAS Council has determined that it is in the best interest of the Municipality to amend the Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw to comply with the provisions of the Community Charter;

NOW THEREFORE Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. That Clause 2 of Bylaw No. 1303, cited as “Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303” be deleted in it’s entirety and replaced with a new Clause 2 as outlined below:

“2. Money from current revenue or, as available from General Revenue Surplus, or as otherwise provided, may be paid into the Machinery and Equipment Purchase and Replacement Reserve Fund, as authorized by Resolution of Council.”
2. That Clause 3 of Bylaw No. 1303, cited as “Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303” be deleted in it’s entirety, and replaced with a new Clause 3 as outlined below:

“3. Appropriations from this Reserve Fund may be authorized by Resolution of Council for the express purpose of purchasing or replacing machinery and equipment from time to time.”
2. That this bylaw may be cited, for all purposes, as the “**Amendment to the Machinery and Equipment Purchase and Replacement Reserve Fund Bylaw No. 1303**”.

Read a **FIRST** time this 6th day of December, 2004.

Read a **SECOND** time this 6th day of December, 2004.

Read a **THIRD** time this 6th day of December, 2004.

FINALLY ADOPTED this 13th day of December, 2004.

Mayor Jake Raven

City Clerk – Lynne Burch

C E R T I F I C A T E

I hereby certify that the foregoing is a true copy of Bylaw No. 1762,
as passed by the Municipal Council of the City of Grand Forks
on the 13th day of December, 2004.

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1989

A Bylaw to Establish a Reserve Fund for Carbon Neutral Initiatives

=====

WHEREAS it is provided by Section 188 of the Community Charter that Council may establish a reserve fund for a specified purpose;

AND WHEREAS the Corporation of the City of Grand Forks is a signatory to the BC Climate Action Charter which includes the commitment to develop strategies and take actions to achieve carbon neutral operations;

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

1. This bylaw may be cited as the “**Climate Action Reserve Fund Establishment Bylaw 1989, 2013.**”
2. Subject to the provisions of the Community Charter and the BC Climate Action Charter, a dollar amount equivalent to the prevailing market value of the City’s annual corporate emissions may be set aside in the annual financial plan and paid into this Reserve Fund.
3. Amounts received from funding sources related to climate change and emissions reduction programs such as Climate Action Revenue Incentive Program (CARIP) funding, may be paid into this Reserve Fund.
4. The money set aside in this Reserve Fund shall be recorded separately and may be invested in the manner provided by the Community Charter until its use is required.
5. Any interest earned by this fund shall be added to the fund and become part of the fund.
6. Monies in this Reserve Fund and any interest thereon shall be used for the purpose of:
 - a) Investing in greenhouse gas emission reduction initiatives that contribute to carbon neutral municipal operations; or
 - b) For the purchase of carbon offsets or other similar measures that may be devised in the future to manage greenhouse gas emissions.

Read a **FIRST** time this 19th day of August, 2013.

Read a **SECOND** time this 19th day of August, 2013.

Read a **THIRD** time this 19th day of August, 2013.

FINALLY ADOPTED this 9th day of September, 2013.

Mayor Brian Taylor

Corporate Officer – Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1989,
cited as the “Climate Action Reserve Fund Establishment Bylaw”.

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2028

A Bylaw to Establish Capital Reserve Funds

=====

WHEREAS it is provided by Section 188 of the Community Charter that Council may establish reserve funds for specified purposes;

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

1. This Bylaw may be cited as, “**Capital Reserve Funds Establishment Bylaw 2028, 2016**”
2. The Reserve Funds listed in Column 1 of Schedule A are established for the purposes specified in Column 2 of Schedule A.

Transfer of Funds

3. Monies held to the credit of the General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or the Waste Water Capital Reserve Fund may be transferred to other Capital Reserves, but the funds transferred must continue to be used solely for capital projects.

Expenditure of Reserve Funds

6. The monies placed to the credit of a reserve fund established by this Bylaw may be expended as expressly authorized by a financial plan bylaw adopted by Council.

INTRODUCED this 11th day of April, 2016.

Read a **FIRST** time this 19th of April, 2016.

Read a **SECOND** time this 19th day of April, 2016.

Read a **THIRD** time this 19th day of April, 2016.

FINALLY ADOPTED this 9th day of May, 2016.



Mayor Frank Konrad

Corporate Officer Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2028, cited as the "Capital Reserve Fund Establishment Bylaw 2028, 2016".

Clerk of the Municipal Council of the
City of Grand Forks

CITY OF GRAND FORKS

**BYLAW 2028, 2016
SCHEDULE A**

Column 1 – Reserve Fund	Column 2 – Reserve Fund Purpose
General Capital Reserve Fund	For funding General Fund capital projects as identified in the Asset Management Investment Plan
Water Capital Reserve Fund	For funding Water Fund capital projects as identified in the Asset Management Investment Plan
Electrical Capital Reserve Fund	For funding Electrical Fund capital projects as identified in the Asset Management Investment Plan
Waste Water Capital Reserve Fund	For funding Waste Water Fund capital projects as identified in the Asset Management Investment Plan

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1854

A BYLAW TO ESTABLISH A RESERVE FUND FOR THE PURPOSE OF CAPITAL PROJECT FUNDING

=====

WHEREAS the Section 188(1) of the Community Charter allows Council, by bylaw, to establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund; and

WHEREAS capital projects identified in the Five Year Financial Plans of the City may require more than one operating year to finance and complete;

THEREFORE Council for the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the “**Capital Reserve Fund Bylaw**”.
2. There shall be and is hereby established a Capital Reserve Fund for the purpose of setting aside funding to be used to complete capital projects after the end of the current fiscal year.

Read for a **FIRST** time this 3rd day of March, 2008.

Read for a **SECOND** time this 3rd day of March, 2008.

Read for a **THIRD** time this 3rd day of March, 2008.

FINALLY ADOPTED this 17th day of March, 2008.

Mayor Neil Krog

City Clerk – Lynne Burch

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No.1854,
cited as the "Capital Reserve Fund Bylaw 1854, 2008",
as passed by the Municipal Council of the Corporation of the City of Grand Forks
on the 17th day of March 2008.

Clerk of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1854-A1

A Bylaw to Amend the Capital Reserve Fund Bylaw No. 1854

WHEREAS Section 188 of the Community Charter authorizes Council to establish reserve funds for specified purposes, and;

WHEREAS Section 189 of the Community Charter authorizes Council, by bylaw, to transfer all or part of the amount to another reserve fund;

NOW THEREFORE, Council for the Corporation of the City of Grand Forks in open meeting assembled **ENACTS**, as follows:

1. This bylaw may be cited, for all purposes, as the “**Capital Reserve Fund Amendment Bylaw No. 1854-A1, 2016**”.
2. That Section 2 be deleted in its entirety and replaced with “There shall be and is hereby established a Capital Reserve Fund for the purpose of setting aside funding to be used for or in respect of capital projects and any land, machinery, or equipment necessary therefore, including the extension or renewal of existing capital works”.
3. That Section 4 be added with the following:

“Monies held to the credit of the Capital Reserve Fund may be transferred to the General Capital Reserve Fund, Electrical Capital Reserve Fund, Water Capital Reserve Fund, or the Waste Water Capital Reserve Fund, but the funds transferred must be used solely for capital projects.”

INTRODUCED this 11th day of April, 2016.

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

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

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

FINALLY ADOPTED this ____ day of _____.

Mayor Frank Konrad

Corporate Officer Diane Heinrich

CERTIFIED CORRECT

I hereby certify the foregoing to be a true copy of Bylaw No. 1854-A1 as adopted by the
Municipal Council of the City of Grand Forks on the ____ day of _____.

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

Request for Decision



To: Regular Meeting
From: **Development, Engineering and Planning**
Date: July 15, 2019
Subject: Final Reading – Bylaw No. 2039-A4 Rezoning from R1 Residential (Single and Two Family) to R4 Rural Residential to accommodate agricultural uses on the 7600 Block of 8th Street (File: ZA1902)
Recommendation: **THAT Council give final reading to Bylaw No. 2039-A4**

Background

On June 24th, 2019, Council gave third reading to Bylaw No. 2039-A4 (attached) after a public hearing and public notification process. This proposal involves a rezoning from R1 to R4 to accommodate agriculture land uses and accessory buildings. No concerns or comments were received from the public respecting the proposal.

One of the conditions of approval was that a restrictive covenant be placed on the property to address environmental and urban interface issues. The draft covenant is attached, and the proponent has agreed to the terms.

As the property is located within 800 metres of Highway No. 3, the bylaw amendment was considered and approved by the Ministry of Transportation and Infrastructure.

In view of the above, it is appropriate for Council to give fourth and final reading to rezoning Bylaw No. 2039-A4.

A summary of the proposal and site information is attached for Council's reference.

Benefits or Impacts

Strategic Impact



Community Engagement

- The public was advised of the rezoning application in writing and through advertisements in the Gazette. A public hearing was held to hear any comments or concerns respecting the proposal. No comments were received.



Community Livability

- Retaining this site as agricultural will serve as a “green” buffer area between the urban areas to the south and Observation Mountain (and associated trail network). A covenant will ensure that groundwater and the wetland is protected and will mitigate any potential impacts of farming activities on the adjacent urban area.



Economic Growth

- The rezoning will preclude the potential for subdivision into regular single family lots in the future (about 3 acres would be considered to be developable). The use of land potentially for food production will assist the region in moving toward food security and agricultural sustainability.

Policy/Legislation

The Local Government Act, the Official Community Plan, the Zoning Bylaw and the BC Code of Practice for Agricultural Environmental Management.

Attachments

Bylaw No. 2039-A4

Draft Restrictive Covenant

Background and Proposal Information

Recommendation

THAT Council give final reading to Bylaw No. 2039-A4

Options

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

Bylaw No. 2039-A4

**A Bylaw to Amend the City of Grand Forks
Zoning Bylaw No. 2039, 2019.**

=====

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

1. This bylaw may be cited for all purposes as “**Zoning Bylaw Amendment No. 2039-A4, 2019**”.
2. Zoning Bylaw No. 2039 is amended as follows:
 - a. The property described as “Lot B, Plan EPP24245, District Lot 381, Land District 54; PID: 028-956-036” and as shown attached hereto as Appendix “A” is hereby zoned R4 (Rural Residential).
 - b. Schedule “A” to Zoning Bylaw No. 2039, Land Use Zoning Map, is hereby amended accordingly.

Read a **FIRST** time this 10th day of June, 2019.

Read a **SECOND** time this 10th day of June, 2019.

Read a **THIRD** time this 24th day of June, 2019.

Approved by the Ministry of Transportation and Infrastructure

Pursuant to Section 52 of the Transportation Act this 26th day of June, 2019

[original signed by the Approving Officer, Ministry of Transportation and Infrastructure]

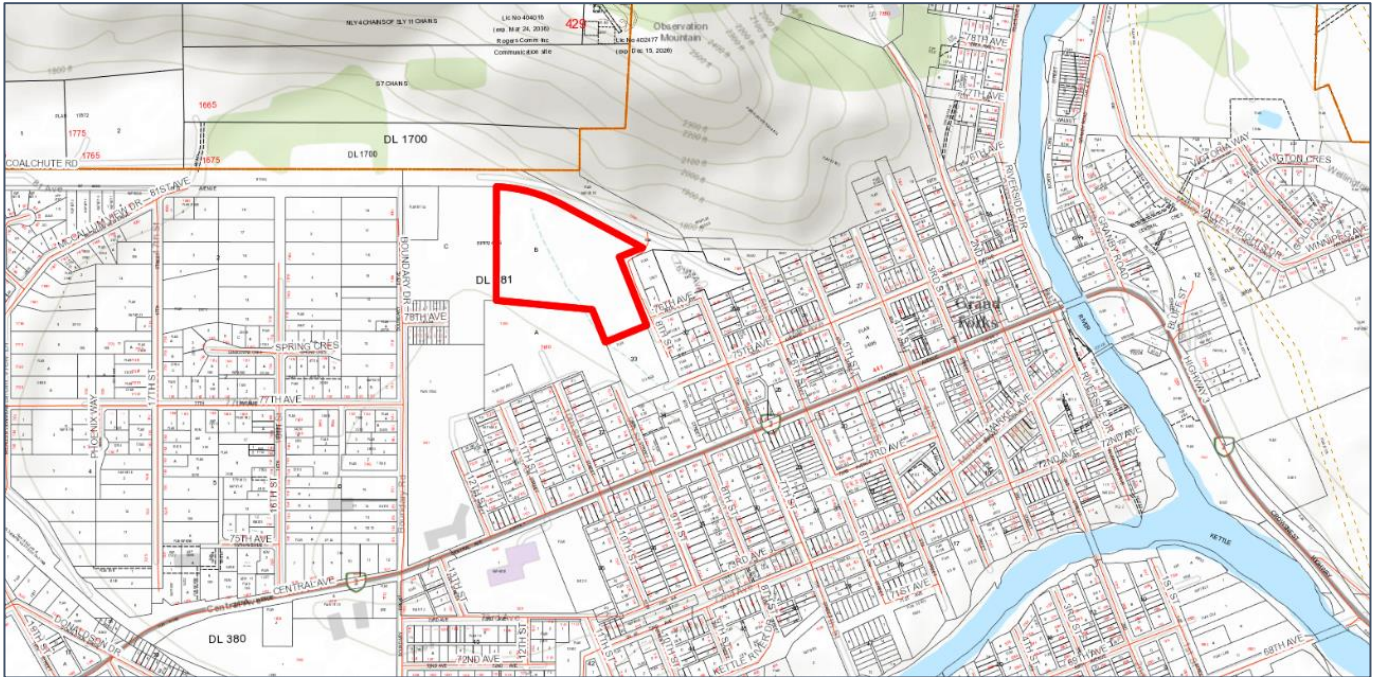
Approving Officer, Ministry of Transportation

FINALLY ADOPTED this 15th day of July, 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

Appendix “A” to Bylaw No. 2039-A4



DRAFT
RESTRICTIVE COVENANT

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS COVENANT dated for reference the day of , 2019.

BETWEEN:

JOHN AND NORMA WHEELER
PO Box 2042
Grand Forks, BC
V0H 1H0

(hereinafter called the "**Covenantors**")

AND

CITY OF GRAND FORKS
PO Box 220
7217 4th Street, Grand Forks, BC
V0H 1H0

(hereinafter called the "**Covenantee**")

WHEREAS:

- A. Section 219 of the Land Title Act provides that a covenant in respect to the use of land or the use of a building to be erected on land, or that land is to be built on in accordance with or not to be built on except in accordance with a covenant that may be registered as a charge against the title to the land.
- B. The Covenantors are the registered owners of the "Land" in the City of Grand Forks more particularly described as:

Lot B, Plan EPP24245, District Lot 381, Land District 54; PID: 028956-036
- C. The Covenantee is the City of Grand Forks, a local government in the Province of British Columbia.

- D. An unnamed watercourse is situated upon and runs through a portion of the said lands as shown as a blue dashed line generally in Schedule "A" (hereinafter called the "watercourse").
- E. The lands are located upon an important aquifer upon which certain land activities could potentially negatively impact this aquifer.
- F. The lands are located adjacent to established urban areas including a high school and residential.
- G. The Covenantor has agreed to restrictions on the use of a portion of the said lands adjacent to the watercourse, upon the lands in general and adjacent to the established urban area.

NOW THEREFORE in consideration of the sum of ONE (\$1.00) DOLLAR, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Covenantors COVENANT AND AGREE as follows:

1. In this Agreement:
 - (a) "Land" means 4.65 hectares or 11.5 acres located on the 7600 Block of 8th Street in the City of Grand Forks, BC, as shown outlined in a heavy red line attached as Schedule "A" hereto.
 - (b) "Uses" means those principal and accessory uses that are permitted to be undertaken on the Land in accordance with the provisions of the Zoning Bylaw of the Covenantee, as amended or replaced from time to time, that applies to the Land.
 - (c) "Works" includes all buildings and structures on, or to be erected, constructed, developed or sited on the Land including, but not limited to, a house and any other facilities that are designed to aid in undertaking the Uses on the Land, including but not limited to, agricultural activities.
2. Unless specifically defined in this Covenant, words and phrases herein shall have the same meaning as provided in the current Zoning Bylaw of the Covenantee that applies to the Land.
3. The Covenantors covenant and agree with the Covenantee that it shall only develop and use the Land in accordance with the provisions of the Zoning Bylaw of the Covenantee, as amended or replaced from time to time, that applies to the Land.

Good Neighbour

4. In recognition that the Land is located adjacent to urban residential to the east, west and south, the Covenantors shall undertake to:
 - (a) store materials in a manner that is tidy and orderly and where possible, prevents them from being openly visible from the residences in the vicinity;
and,
 - (b) refrain from pesticide use/spraying adjacent to residences.

Setback from Watercourse

5. Any use, buildings, structures or works shall be set back from the natural high water mark of the watercourse by at least 15 metres.

Environmental Management

6. In recognition that the Land is located upon an important, sensitive aquifer, the Covenantors shall undertake to conduct and operate the Uses and Works on the Land in accordance with *The Code of Practice for Agricultural Environmental Management under the BC Environmental Management Act*.
7. The Covenantors may request by way of written submission to the Covenantee, that provisions included in this covenant be altered or waived by the Covenantee. In this regard, the Covenantee may require that the Covenantors provide whatever information the Covenantee requests that in the opinion of the Covenantee, would assist the Covenantee in making a decision regarding the request by the Covenantors. Without limiting the generality of the foregoing, this information may include reports, plans and specifications prepared by a qualified professional(s). The Covenantee is under no obligation to approve any such request by the Covenantors. In no case shall the Covenantors undertake any activity which is contrary to the provisions of this Covenant unless first approved in writing by the Covenantee.

Covenantors' Responsibilities

8. It shall be the responsibility of the Covenantors to ensure that any person entering onto the Land with the permission or knowledge of the Covenantors does not contravene any provision of this Covenant and a breach of the Covenant by any such person shall be considered for all purposes as a breach of the covenant by the Covenantors.

Default and Remedies

9. In the event the Covenantors breach, or permit or allow any provision of this Covenant to be breached, the Covenantee shall at its option, in addition to any other remedies it may have, do either (a) or (b) as follows:
 - (a) give notice in writing to the Covenantors to:
 - (i) cease and desist breaching the Covenant or permitting or allowing any provision of this Covenant to be breached; or
 - (ii) perform any positive obligations of the Covenant,either immediately or within a time period specified in the notice; and
 - (b) give notice in writing directing the Covenantors to restore or remedy the breach in accordance with the terms and directions set out in the notice and to carry out any restoration measures specified in the notice either immediately or within a time period specified in the notice.
10. If the Covenantors fail to comply with the direction contained in a notice as per sections 8.(a) or 8.(b) herein, the Covenantee may without further notice enter upon the Land and carry out the required work, including the Works, at the expense of the Covenantors. The Covenantors shall pay on demand all costs incurred by the Covenantee for labour, materials, administration and overhead in carrying out work under this provision. Should the Covenantors fail pay such invoice forthwith, the Covenantee is at liberty to add all such costs to the Land as taxes in arrears.
11. Any waiver by the Covenantee of any term, condition, covenant, or other provision of this Covenant or any waiver by the Covenantee of any breach, violation, or non-performance of any term, condition, covenant, or other provision of this Covenant does not constitute and will not be construed as a waiver of any further or other term, condition, covenant, or other provision of this Covenant or any further or other breach, violation, or non performance of any term, condition, covenant, or other provision of this Covenant.

Specific Performance

12. The Covenantors agree that because of the public interest in ensuring that all of the matters described in this covenant are complied with, the public interest strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British

Columbia at the instance of the Covenantee, in the event of an actual or threatened breach of this Agreement.

General Provisions

13. If any section of this Covenant, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will be severed from this Covenant, and the remainder of this Covenant will not be affected and will be enforceable to the fullest extent permitted by law.
14. The terms, conditions and other provisions of this Covenant will extend to, be binding upon, and enure to the benefit of the parties to this Covenant and their respective successors and assigns.
15. In addition to this Covenant being a contract, this Covenant runs with the Parent Parcel and will be registered as a charge against the title to the Land under Section 219 of the Land Title Act.
16. Nothing contained or implied in this Covenant shall impair, limit, prejudice, or affect the Covenantee's rights and powers in the exercise of its functions pursuant to any public or private statutes or any other enactment including the Covenantee's bylaws, orders, policies, and regulations and all such powers and rights may be fully and effectively exercised in relation to the Land as if this Covenant had not been executed and delivered by the Covenantors.
17. The Covenantors will do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Covenant.
18. This Covenant will not be modified or discharged except in accordance with the provisions of Section 219 of the Land Title Act.
19. The Covenant shall be construed in accordance with the laws of British Columbia.
20. THIS AGREEMENT and everything herein contained shall be binding upon the Covenantors and its successors and assigns and shall enure to the benefit of the Covenantee.

Indemnity

21. The Covenantors covenant and agree to release, save harmless and indemnify the Covenantee, its elected and appointed officials, officers, invitees, licensees, employees, servants and agents from and against all liability, actions, causes of

action, expenses, damages, costs (including legal costs on a solicitor/client basis), claims, debts, losses (including injurious affection) or demands whatsoever by the Covenantors or any other person which have arisen or may arise out of, or are in any way due directly or indirectly to the granting or existence of this Covenant including but not limited to:

- (a) any breach of any covenant or agreement on the part of the Covenantors contained in this Covenant or any steps taken by the Covenantee to enforce this Agreement; and
- (b) any injury to persons, including bodily injury and death or damage to or a loss of property on or about the Land.

IN WITNESS HEREOF the parties hereto acknowledge that this Covenant has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

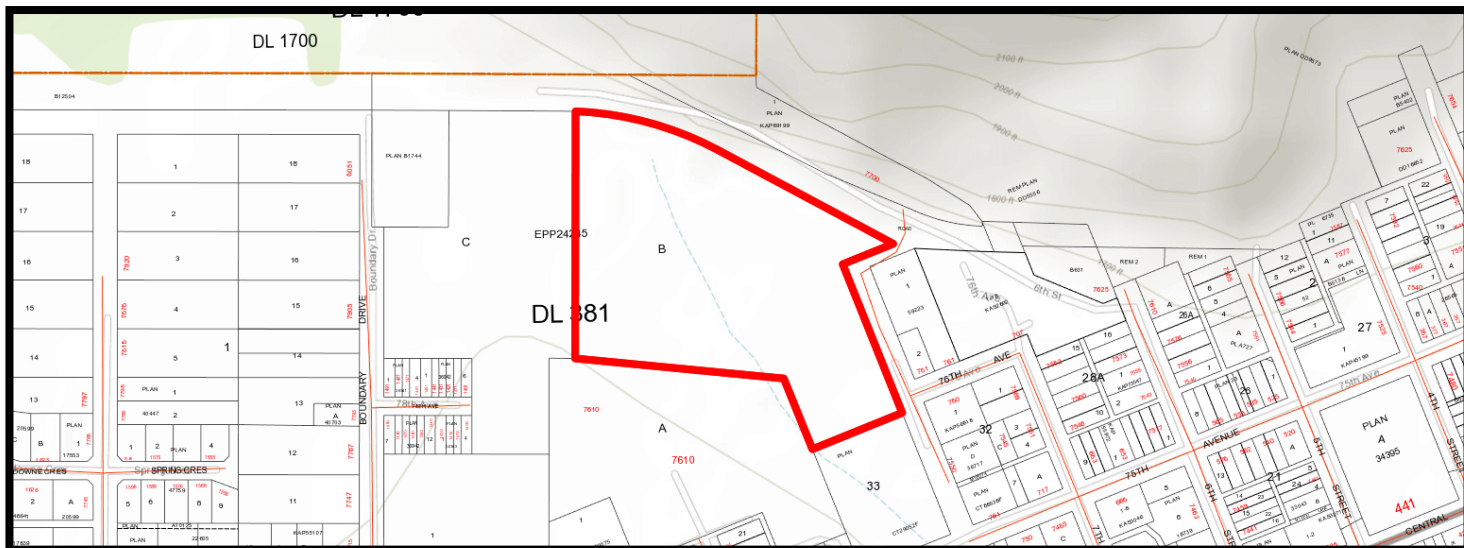
IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and year first written.

THE COMMON SEAL OF THE CORPORATION
OF THE CITY OF GRAND FORKS was
Hereunto affixed in the presence of its
authorized signatory(ies):

)
)
)
)
_____)
authorized signatory)
)
)
)
_____)
authorized signatory)

John and Norma Wheeler)
by its authorized signatories)
)
)
_____)
authorized signatory)
)
_____)
authorized signatory)

Schedule "A"



Background and Proposal Information

Overview

The City received a zoning bylaw amendment application to rezone 4.65 hectares (11.5 acres) from R1 (Residential – Single & Two Family) to R4 (Rural Residential) to accommodate agricultural buildings and activities and to more accurately reflect the current land use. The applicant wishes to eventually build a barn/shop on the property (which is not allowed under the current R1 zoning).

The site is located at the most northerly extent of 8th Street and has been used as a cultivated hay field for many years. See detailed applicant and site information below.

Environmental Considerations

Wetland/Drainage Area

Most of the site is classified in the Grand Forks Sensitive Ecosystem Inventory (“SEI”) as a “cultivated field, not sensitive”. However, a wetland area (drainage ditch and associated riparian area) traverses the property from north to south and is part of the City’s natural drainage infrastructure.

In keeping with the City’s desire to protect and/or acquire the major components of our interconnected natural drainage and wetland areas, it is proposed that a conservation covenant under Section 219 of the Local Government Act be registered on the property to ensure that the wetland area is protected and formally incorporated into the City’s protected area network.

Groundwater Protection

The Grand Forks aquifer is considered to be one of the most important aquifers in British Columbia and is the primary source of drinking water for the region. Certain agricultural practices such as fertilizer and pesticide use have the potential to compromise the quality of the groundwater through run-off and seepage (i.e., as is evidenced by water tests in various wells in the City).

While the owners of this property have a record of sound farming practice, and intend to engage in environmentally friendly agricultural activities, it is prudent that groundwater protection measures be specified in a covenant so that future owners/operators are aware of the requirements.

Urban Interface

This property is located adjacent to established residential areas and the high school. To minimize any land use conflicts between farming and residential, provisions for a minimal buffer area and limits on the keeping of farm animals will be addressed in the covenant.

Planning Rationale

Given the environmental and servicing constraints on this site, it is unlikely that single family residential development will occur under the existing R1 zoning in the medium term.

A rezoning to R4 will legitimize the agricultural activities that have been present on the site for many years and will allow the new owners of the site to eventually construct agricultural building(s) to enhance the agricultural use of the site.

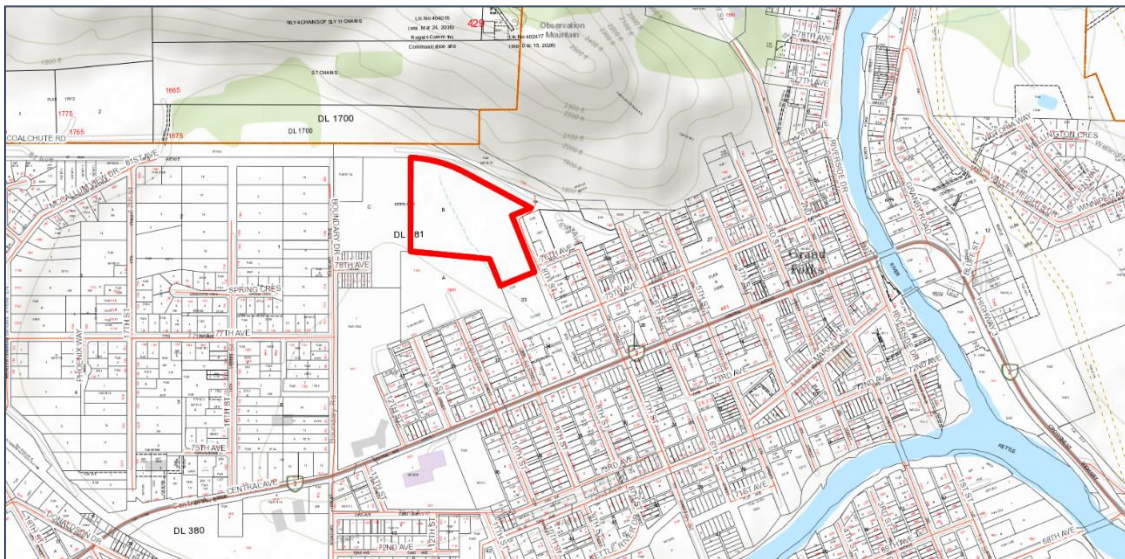
Prior to final reading of the zoning bylaw amendment, a conservation covenant will be finalized to protect the existing drainage course on the property, which will contribute to the City's goal of creating a protected area network of drainage/wetlands throughout the City. The covenant will also address groundwater protection and pesticide/fertilizer use and spraying near the urban interface.

Applicant and Site Information

Civic Address: 7600 Block of 8th Street.

Legal Description: Lot B, Plan EPP24245, District Lot 381, Land District 54; PID: 028-956-036.

Applicant/Owner: John and Norma Wheeler, PO Box 2042, Grand Forks, BC V0H 1H0.



Proposal: To rezone the subject property (4.65 hectares or 11.5 acres) from R1 (Residential – Single & Two Family) to R4 (Rural Residential) to accommodate agricultural activities and to more accurately reflect the current land use. The applicant

wishes to eventually build a barn/shop on the property (which is not allowed under the current R1 zoning).

Existing Land Use: Wetland, cultivated field. A drainage area/wetland traverses the property.

Adjacent Land Uses: North – established trails and natural area, City-owned public works building and Observation Mountain zoned R4; South – house/outbuildings/small farm zoned R1; East – residential zoned R1 and R3A (Clifton Estates); West – vacant wetlands/hay fields/natural areas zoned R1.

Access: Directly off of 8th Street (note: this access road is also used by Public Works to get to a storage building and snow storage immediately north east of this site).

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

Proposed Zoning: R4 (Rural Residential) Zone.

OCP Land Use Designation: Environmental Resource Area (ER).

Development Permit Area: Most of the lot is within the Environmentally Sensitive Development Permit Area ("DPA") and a portion of the site may also be in the flood plain. However, as no development is proposed at this time, a development permit is not required.

Other Policies: Although the site is located in the Environmentally Sensitive "DPA", most of it is classified in the Sensitive Ecosystem Inventory ("SEI") as a "cultivated field, not sensitive". A wetland area (drainage ditch and associated riparian area) traverses the property from north to south and is part of the City's natural drainage infrastructure.

Servicing: There are no water or sewer services and no development is proposed at this time.



Report Approval Details

Document Title:	2019-07-15 ZA1902 Final Reading Bylaw 2039-A4 Wheeler.docx
Attachments:	
Final Approval Date:	Jul 4, 2019

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

Dolores Sheets - Jul 4, 2019 - 4:56 PM

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jul 4, 2019 - 6:22 PM

Request for Decision



To: Regular Meeting
From: **Development, Engineering and Planning**
Date: July 15, 2019
Subject: Bylaw No. 2039-A7 Proposed Rezoning from R1 (Single and Two Family Residential) to R2 (Small Lot Residential) 2680 75th Avenue (FILE: ZA1907)
Recommendation: **THAT Council give third reading to Zoning Bylaw Amendment No. 2039-A7.**

Background

On June 24th, 2019, Council gave first and second reading to Bylaw No. 2039-A7 (Appendix "1") which would rezone the property at 2680 75th Avenue from R1 (Single and Two Family Residential) to R2 (Small Lot Residential). Council further approved (in principle) the request for a variance to relax the minimum rear yard setback requirement for one of the proposed new lots. On July 15th, 2019 (6pm) a public hearing will be held to hear any comments or concerns from the public.

Notice of the public hearing was advertised in the Grand Forks Gazette on July 3rd and 10th, 2019 and notices were sent to eleven neighbouring property owners within 30 metres of the site, advising them of both the public hearing and the proposed development variance permit. To date, no comments have been received as a result of the notifications.

After due consideration of any comments received at the public hearing, it is in order for Council to give third reading to the bylaw.

Proposal

The rezoning bylaw and variance will enable the property to be subdivided into three lots to accommodate two duplexes and a single family home as per the attached preliminary plan of subdivision (Appendix "2").

The property is 1,620 square metres (0.4 acre) in size. It is noted that under the existing R1 zoning, the property can be subdivided into two lots (minimum of 697 square metres (0.17 acre)). The rezoning to R2 will permit a subdivision into three lots (minimum of 485 square metres (0.12 acre)). Duplexes, single family homes, secondary suites and garden suites are permitted in both the R1 and the R2 zones. The City's Official Community Plan ("OCP") encourages residential densification, infill development and a variety of housing forms in established, serviced residential areas in the City. This proposal fulfils this policy direction in the OCP (see analysis below).

To accommodate a single family home on one of the lots, a development variance permit has been applied for to reduce the rear yard setback from the required 6.0 metres to 2.72 metres (see site layout in Appendix "2"). The side yards on this proposed lot

exceed the required minimum setbacks thereby providing adequate yard space and separation from the adjacent future dwellings. Given that all of the residential dwellings will be new construction on newly created lots, the variance will have no impact on adjacent existing properties.

Policy Framework

After an intensive year long OCP/zoning review process, in March 2018, City Council approved a series of OCP policies and zoning bylaw amendments respecting how to accommodate new and additional housing in the City. These new policies were used to evaluate the proposed rezoning as follows:

- 1) *Encourage a wide range of housing styles.*
This proposal encompasses single family dwellings and duplexes, all with full basements (potential for secondary suites).
- 2) *Encourage and support the development of affordable housing for low-income families, individuals, seniors and those with disabilities.*
The new modular homes are considered to be “market affordable” because they will be duplexes on smaller lots.
- 3) *Encourage higher density residential development and increase variety in housing forms within developed areas of Grand Forks.*
This is considered to be a developed area and rezoning to R2 will allow for 3 rather than 2 new lots to be created.
- 4) *Encourage new residential development to respect the scale and character of surrounding residential neighbourhoods.*
The proposed homes are one story high on traditional foundations and regular driveway accesses. This building form blends with the neighbouring homes.
- 5) *Manage the growth of Grand forks within municipal boundaries in a manner which utilizes existing serviced lands and lands that can be serviced within the capacity of existing infrastructure.*
This development will use existing services which have adequate capacity.
- 6) *Enable increased residential density across all residential land uses through incremental development of small dwellings, suites, micro-apartments and tiny houses.*
This rezoning will allow for single family dwellings, duplexes, suites and garden suites.
- 7) *Encourage infill development and redevelopment to minimize the need for services to be expanded.*
The additional residential lots will use existing services.

Next Steps

If given third reading, the rezoning bylaw would be forwarded to the Ministry of Transportation and Infrastructure (MOTI) for approval/signature because the property is within 800 metres of Highway No. 3. The bylaw and the development variance permit would subsequently be considered by Council for final approval on August 12th, 2019, after which subdivision approval would be considered.

Conclusion

This zoning bylaw amendment will create the opportunity for subdivision to accommodate at least five new homes which fulfils the OCP mandate to foster infill development and residential densification, and more efficiently utilize existing City services. The property is well located adjacent to a school and close to shopping and recreation. As the site is a corner lot with lane access, adequate on-site parking and convenient access can be accommodated thereby reducing traffic impacts on the neighbourhood.

After consideration of any comments received as a result of the public notification and public hearing, it is in order to give third reading to the zoning bylaw amendment.

Benefits or Impacts

General

The proposal fulfils the policy directions in the OCP with respect to infill housing and infrastructure and will add new housing options to Grand Forks limited housing stock.

Strategic Impact



Community Engagement

- The rezoning proposal, development variance application and public hearing were advertised twice in the local paper and landowners within 30 metres of the proposal were notified. The community has the opportunity to make their views known to Council at the public hearing on July 15th, 2019.



Community Livability

- The rezoning will create much needed, affordable market housing in close proximity to schools, shopping and recreation.



Economic Growth

- This addition to the housing stock in Grand Forks will give residents/workers more affordable options for home ownership.



Fiscal Responsibility

- The rezoning will provide for more efficient and better utilization of existing services and infrastructure in the City.

Policy/Legislation

The Local Government Act, the Official Community Plan, the Zoning Bylaw and the Subdivision, Development and Servicing Bylaw.

Attachments

Appendix "1": Bylaw No. 2039-A7

Appendix "2": Preliminary Plan of Subdivision

Appendix "3": Applicant and Property Information

Recommendation

THAT Council give third reading to Zoning Bylaw Amendment No. 2039-A7.

Options

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

Appendix “1”

**THE CORPORATION OF THE CITY OF GRAND FORKS
Bylaw No. 2039-A7**

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

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

1. This bylaw may be cited for all purposes as “**Zoning Bylaw Amendment No. 2039-A7, 2019**”.
2. Zoning Bylaw No. 2039 is amended as follows:
 - a. The property described as “Lot 1, Plan EPP32167, District Lot 520, Similkameen Division of Yale District” and as shown attached hereto as Appendix “A” is hereby zoned R2 (Small Lot Residential 2).
 - b. Schedule “A” to Zoning Bylaw No. 2039, Land Use Zoning Map, is hereby amended accordingly.

Read a **FIRST** time this 24th day of June, 2019.

Read a **SECOND** time this 24th day of June, 2019.

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

Approved by the Ministry of Transportation and Infrastructure
Pursuant to Section 52 of the Transportation Act this _____ day of _____, 2019.

Approving Officer, Ministry of Transportation and Infrastructure

FINALLY ADOPTED this _____ day of _____, 2019.

Mayor Brian Taylor

Corporate Officer Daniel Drexler

Appendix "A" to Bylaw No. 2039-A7



Appendix "2": Preliminary Plan of Subdivision

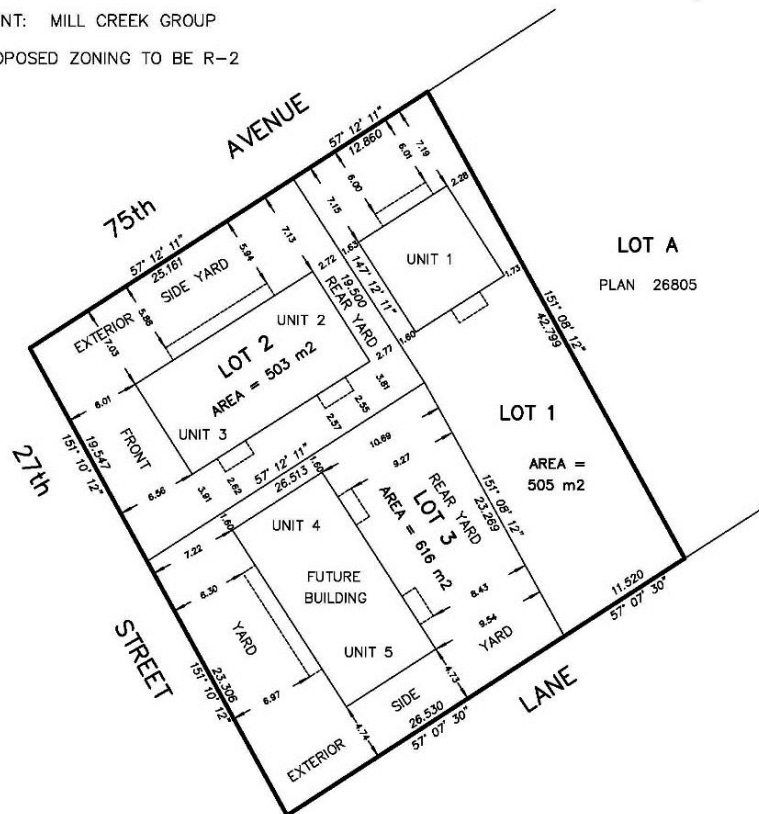
PROPOSED SUBDIVISION PLAN OF
LOT 1, DL 520, SDYD, PLAN EPP32167

PID: 029-148-405
CHARGES: NONE

SCALE 1:300
0 6 12 18 24
ALL DISTANCES SHOWN ARE IN METRES.

VERSION 3
PROPOSED DUPLEX ON THIRD LOT
DATE: APRIL 26/19

CLIENT: MILL CREEK GROUP
PROPOSED ZONING TO BE R-2



NOTES:

FOUNDATIONS FOR UNITS 1, 2, AND 3 HAVE BEEN CONSTRUCTED AND DIMENSIONS SHOWN TO PROPOSED PROPERTY LINES ARE AS CURRENTLY EXIST.

PROPOSED FUTURE BUILDING CONTAINING UNITS 4 & 5 IS A DUPLICATION OF UNITS 2 & 3

EXISTING BUILDING CONTAINING UNITS 2 & 3 (LOT 2) DOES NOT HAVE THE REQUIRED MINIMUM REAR YARD SETBACK DIMENSION, AND A VARIANCE MUST BE APPLIED FOR.

LOT DIMENSIONS ARE DERIVED
FROM LAND TITLE OFFICE RECORDS
PLAN EPP32167

PENDERGRAFT PROFESSIONAL
LAND SURVEYING INC.
BOX 640
OSOYOOS, B.C. ©
VOH 1V0
PHONE: (250) 495-7127
email: brod@pendergrafterveysing.ca
OUR FILE NO. 1122293 PROJ.DWG
DC FILE NO. 1162612

Appendix “3”: Background (Applicant and Property) Information

Civic Address: 2680 75th Avenue

Legal Description: Lot 1, District Lot 520, Similkameen Division, Yale District, Plan EPP32167; Parcel Identifier 029-148-405.

Lot Area: 0.167 hectares (17,437 square feet).

Applicant/Owner: Lakota Holdings Inc.



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

Proposed Zoning: R2 (Residential – Small Lot) Zone.

OCP Land Use Designation: Low Density Residential

Development Permit Area: n/a

Proposal: To rezone the subject property from R1 (Residential – Single & Two Family) to R2 (Residential – Small Lot) zone to accommodate two duplexes and a single family home on three new lots.

Existing Land Use: Vacant with 2 homes currently under construction (permitted within the R1 zone).

Adjacent Land Uses: North – Hutton schoolyard; South – residential zoned R1; East – residential zoned R1; West – vacant land zoned R1. The site is located half a block from Highway No. 3 (zoned HC – Highway Commercial).

Access: Corner lot with access from 75th Avenue and 27th Street. The property also has lane access from the south.

Servicing: There are existing water, sewer and electrical services adjacent. A Works and Services Agreement will be required at the time of subdivision.



Report Approval Details

Document Title:	2019-07-15 Bylaw 2039-A7 ZA1907 2680 75th Ave 3rd Reading.docx
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This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jul 4, 2019 - 5:01 PM

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jul 4, 2019 - 6:08 PM