



# The Corporation of the City of Grand Forks

## Regular Meeting

### AGENDA

Meeting #: R-2019-20  
Date: Monday, November 25, 2019, 7:00 pm  
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

1. CALL TO ORDER

2. ADOPTION OF AGENDA

- a. Adopt agenda  
November 25, 2019, Regular Meeting agenda

Recommendation

THAT Council adopts the November 25, 2019, Regular Meeting agenda as presented.

3. MINUTES

- a. Adopt minutes - Special to go In-Camera  
November 12, 2019, Special to go In-Camera Meeting minutes

4 - 5

Recommendation

THAT Council adopts the November 12, 2019, Special to go In-Camera Meeting minutes as presented.

- b. Adopt minutes - Public Feedback Meeting  
November 12, 2019, Public Feedback Meeting minutes

6 - 9

Recommendation

THAT Council adopts the November 12, 2019, Public Feedback Meeting minutes as presented.

- c. Adopt minutes - Regular  
November 12, 2019, Regular Meeting minutes

10 - 18

Recommendation

THAT Council adopts the November 12, 2019, Regular Meeting minutes as presented.

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

- a. Reports of Council  
*Councillors*

19 - 19

**Recommendation**

**THAT all reports of Council at the November 25, 2019, Regular Meeting be received.**

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

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

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

**Recommendation**

**THAT 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. Reconsideration of Development Variance Permit for 7500 Donaldson Drive 21 - 102  
*Corporate Services*

**Recommendation**

**THAT Council brings Resolution R246/19/07/15, the Development Variance Permit application for 7500 Donaldson Drive, back for consideration.**

- b. Temporary Use Permit Application - 6380 -12th Street 103 - 112  
*Development, Engineering, and Planning*

**Recommendation**

**THAT Council directs staff to proceed with the statutory requirements for the public notice respecting a Temporary Use Permit Application for Personal Seasonal Recreational Use at 6380 - 12th Street.**

- c. Application to Rezone R1 to R2 - 1711 - 77th Avenue 113 - 122  
*Development, Engineering, and Planning*

**Recommendation**

**THAT Council gives first and second readings to Zoning Bylaw Amendment No. 2039-A10 at the November 25, 2019, Regular Meeting; and THAT Council directs staff to move forward with the legislative requirements for the rezoning.**

**9. REQUESTS ARISING FROM CORRESPONDENCE**

**10. INFORMATION ITEMS**

**11. BYLAWS**

- a. Zoning/OCP Update  
*Development, Engineering, and Planning*

This is a placeholder for a report which will arrive as a Late Item for this agenda.

12. LATE ITEMS
13. ITEMS RELEASED FROM IN-CAMERA
14. QUESTIONS FROM THE PUBLIC AND THE MEDIA
15. ADJOURNMENT



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

**Meeting #:** SP-2019-24  
**Date:** Tuesday, November 12, 2019, 10:30 am  
**Location:** 7217 - 4th Street, City Hall Council Chambers

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

**Absent:** Councillor Chris Moslin

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

**GALLERY**

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**1. CALL TO ORDER**

Mayor Taylor called the November 12, 2019, Special To Go In-Camera Meeting to order at 10:38 am.



**2. IN-CAMERA RESOLUTION**

- a. Adopt Resolution as per Section 90

MOVED / SECONDED

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

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

**Section 90 (2)**

**(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;**

**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 November 12, 2019, Special to go In-Camera Meeting was adjourned at 10:38 am.

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Mayor Brian Taylor

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Dep. Corporate Officer – Kevin McKinnon



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

**PF-2019-4**

**Tuesday, November 12, 2019, 6:00 pm**

**7217 - 4th Street, City Hall Council Chambers**

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

Absent: Councillor Chris Moslin  
Councillor Rod Zielinski

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

**GALLERY**

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**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 October 30, 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 November 12, 2019, Public Feedback Session to order at 6:00 pm. Councillor Thompson read the preamble.

## **2. Notification of Meeting**

### **3. Individual Application Submissions**

- a. Development Variance Permit 1903 - 135B Market Avenue Cannabis Retail

Development, Engineering & Planning

The operator of the proposed retailer spoke regarding the walking distance between the youth-centered facility and the retail location being approximately 125m, vs 95m "as-the-crow-flies", which led to the variance request. He described the company's other location in Warfield and talked about the province's requirements for training and security checks for licensing employees.

There were no further representations from the gallery or via written submission. The Mayor called 3 times for further speakers, after which the meeting was concluded.

### **4. Adjournment**

The November 12, 2019, Public Feedback Session was adjourned at 6:13 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, slideshows, etc.) to assist in their presentation or questions. Please ask staff for assistance prior to the Session if required.

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Mayor Brian Taylor

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Dep. Corporate Officer – Kevin McKinnon



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

**Meeting #:** R-2019-19  
**Date:** Tuesday, November 12, 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 Christine Thompson  
Councillor Rod Zielinski

**Absent:** Councillor Chris Moslin

**Staff:** Daniel Drexler - Corporate Officer  
Kevin McKinnon - Deputy Corporate Officer  
Dolores Sheets - Manager of Development & Engineering Services  
David Reid - Manager of Operations  
Ron Mattiussi - Acting Chief Administrative Officer

**GALLERY**

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**1. CALL TO ORDER**

Mayor Taylor called the November 12, 2019, Regular Meeting to order at 7:00pm. He started the meeting by introducing Justin Dinsdale as the new Capital Projects Manager.

**2. ADOPTION OF AGENDA**

- a. Adopt agenda

*November 12, 2019, Regular Meeting agenda*

Council added a late item for discussion of a four-way stop at the intersection of Market Avenue and 2nd Street, as referred from the Committee-of-the-Whole meeting earlier in the day.

**Resolution #: R354/19/11/12 MOVED/SECONDED**

**THAT Council adopts the November 12, 2019, Regular Meeting agenda as amended.**

**Carried**

**3. MINUTES**

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

*October 21, 2019, Special to go In-Camera Meeting minutes*

**Resolution #: R355/19/11/12 MOVED/SECONDED**

**THAT Council adopts the October 21, 2019, Special to go In-Camera Meeting minutes as presented.**

**Carried**

- b. Adopt minutes - Regular

*October 21, 2019, Regular Meeting minutes*

Staff noted a minor change to the minutes from the draft version circulated with the agenda package. The draft version of the minutes did not record the opposing vote to Resolution R351/19/10/21; the official version presented for signing was amended to include the vote against the motion.

**Resolution #: R356/19/11/12 MOVED/SECONDED**

**THAT Council adopts the October 21, 2019, Regular Meeting minutes as presented.**

**Carried**

**4. REGISTERED PETITIONS AND DELEGATIONS****a. Sharon Peron - Perley Elementary School**

Request for waiver of water charges to nonprofit Perley Elementary School Re-Wilding Project

Ms. Peron presented the water consumption bill which was sent to the School District for usage at the Re-Wilding project site at Perley Elementary School, and requested that Council waive the fees both retroactively and ongoing.

Council discussed the options of waiving the base fee or both the base fee and consumption. The consumption charge on the first bill was \$0.90.

**Resolution #: R357/19/11/12 MOVED/SECONDED**

**THAT Council direct staff to waive the water fees for the Perley Rewilding Project.**

Opposed (1): Zielinski

**Carried**

**5. UNFINISHED BUSINESS****6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL****a. Reports of Council**

*Councillors*

Councillor Korolek read her submitted report.

Councillor Thompson also read her submitted report, along with an addendum regarding the tour of the Nurses' residence building at Boundary Hospital. A letter from the Grand Forks Social Services Advisory Group (GFSSAG) received earlier in the day was read as part of her report.

She presented a resolution **THAT the City enquire to IHA whether or not the former nurses' residence is available for lease to be used as a cold weather shelter.**



Discussion of the motion included:

- Council's previous resolution regarding 'shared responsibility';
- That the City's role would be to facilitate discussion between Interior Health, BC Housing, and the GFSSAG.
- That Council as a whole had not resolved to seek a location for the shelter, and had not been involved with site selection for other groups which have approached the City for locations for other types of facility;
- The process within which some members of Council were participating;
- Whether such involvement undermined the work of the GFSSAG.

The motion was withdrawn.

A new resolution R358/19/11/12 was proposed.

Discussion continued over the fact that no service provider is currently involved. The resolution was defeated.

THAT Council receive the letter from Darren Pratt for information. CARRIED-U

Councillor Zielinski delivered a verbal report:

- He extended thanks to those who represented the City and other organizations at Remembrance Day;
- He expressed a desire to have a conversation regarding "youth-centered facility" under the Cannabis Zoning Bylaw.

Councillor Stoodley delivered a verbal report:

- He has been meeting as a member of the Young Professionals group, a subcommittee of Discover GF. The group is looking into ways for first/second year university credits to be earned in Grand Forks.
- He attended leadership workshop hosted by Community Futures

The Interim CAO advised that regarding the Cannabis discussion, the best option would be to schedule a workshop.

He also spoke to the request for definitions to be updated in the zoning bylaw. Staff will attempt to deliver as a late item for the November 25 meeting a report responding to the request from a planning perspective.

He noted the wording in the Official Community Plan, section 12.3.7, regarding "[w]ork[ing] cooperatively with other publicly funded agencies, other levels of governments and non-profit corporations in offering support services and improving housing for the poor, disadvantaged and low income earners."

**Resolution #: R358/19/11/12 MOVED/SECONDED**

**THAT Council send an acknowledgement to the GFSSAG that their letter had been received for information and that Council fully supports the GFSSAG committee communicating directly with the Interior Health Authority.**

Opposed (3): Taylor, Thompson, and Zielinski

**Defeated**

**Resolution #: R359/19/11/12 MOVED/SECONDED**

**THAT Council receive the letter from Darren Pratt for information.**

**Carried**

**Resolution #: R360/19/11/12 MOVED/SECONDED**

**THAT all reports of Council at the November 12, 2019, Regular Meeting be received.**

**Carried**

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

**a. Verbal Report - RDKB Representative**

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

Read the RDKB agendas here:

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

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

Councillor Korolek attended the BCDC meeting on behalf of the Mayor.

Transit was discussed. The service is currently being operated by Interior Health, who is looking to divest themselves of the service. The RDKB suggests a service review which will lead to an RFP to find a new provider. The review would seek community feedback on the level of service provided.

The Trails Master Plan is going ahead.

**Resolution #: R361/19/11/12 MOVED/SECONDED**

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

**Carried**

**8. RECOMMENDATIONS FROM STAFF FOR DECISIONS**

- a. Development Variance Permit No. 1903 - Proposed Non-Medical Cannabis Retail Store Licence at 135B Market Avenue

*Development, Engineering & Planning*

Councillor Zielinski recused himself from discussion on the matter.

**Resolution #: R362/19/11/12 MOVED/SECONDED**

**THAT Council APPROVE the issuance of a Development Variance Permit to reduce the setback distance, from 100m to 92.3m, between the proposed location of a Non-Medical Cannabis Retail Store at 135B Market Avenue, legally described as Lot 1, Plan KAP23, District Lot 108, Similkameen Division Yale District, and the parcel boundary of the youth-centred facility at 7375 2nd Street.**

**Carried**

- b. Strategic Plan 2019-2022

*Corporate Services*

Discussion on the Strategic Plan, as presented, noted that through the budget process, some projects may be deferred due to cost of implementation.

**Resolution #: R363/19/11/12 MOVED/SECONDED**

**THAT Council adopts the City of Grand Forks Strategic Plan 2019 as presented.**

**Carried**

- c. Appointments of Acting Mayor for Council Year 2019-2020

*Corporate Services*

**Resolution #: R364/19/11/12 MOVED/SECONDED**

**THAT Council designates members of Council to serve on a rotating basis as Acting Mayor during the Council Year 2019-2020 as follows: Councillor E-Stoodley – November & December 2019, Councillor Korolek – January & February, 2020 Councillor Krog – March & April 2020, Councillor Moslin – May & June 2020, Councillor Thompson – July & August 2020, Councillor Zielinski – September & October 2020.**

**Carried**

- d. 2020 Regular and COTW Meeting Schedule

*Corporate Services*

**Resolution #: R365/19/11/12 MOVED/SECONDED**

**THAT Council adopts the Meeting Dates as presented, provides notice to the public of the 2020 Regular Council Meeting schedule and the schedule for Committee of the Whole meetings; AND FURTHER directs staff to publish the notice in the Grand Forks Gazette in accordance with the Community Charter.**

**Carried**

**9. REQUESTS ARISING FROM CORRESPONDENCE**

**10. INFORMATION ITEMS**

**11. BYLAWS**

**12. LATE ITEMS****a. Four-way Stop at Market and 2nd***Downtown Business Association*

Discussion around the request for a four-way stop at the intersection of 2nd Street and Market Avenue included:

- that Staff was going to look into whether other intersections could be done at the same time;
- that other options are on the table besides the one recommended by the traffic engineer, who was looking strictly at the safety perspective;
- that near-misses were not considered as part of the recommendation.

Council resolved unanimously to permit a member of the Downtown Business Association (DBA) to represent the issue with Council.

Amber Esovolov from the DBA spoke regarding the benefits of a four-way stop at the intersection in addition to traffic calming, which include pedestrian safety, slowing down traffic approaching market district, and reduce 'near misses'.

A resolution was proposed to install four-way stops on 2nd Street at both Market and 72nd Avenues. The Interim CAO recommended splitting the motion into separate resolutions.

The Manager of Operations noted that the Engineering report was focused solely on safety concerns.

**Resolution #: R366/19/10/21 MOVED/SECONDED**

**THAT the DBA be permitted to speak regarding the proposal.**

**Carried**

**Resolution #: R367/19/10/21 MOVED/SECONDED**

**THAT Council direct Staff to install a four-way stop at the intersection of Market Avenue and 2nd Street, to be funded from Operations to a maximum of \$10,000, to be installed by the end of May, 2020.**

**Carried**

**Resolution #: R368/19/10/21 MOVED/SECONDED**

**THAT Council direct Staff to report on the implications of installation of a four-way at 72nd and 2nd to be reported as part of the 2020 budget process.**

**Carried**

**13. ITEMS RELEASED FROM IN-CAMERA**

**14. QUESTIONS FROM THE PUBLIC AND THE MEDIA**

Les Johnson (GFTV) offered commentary on the flow of the meeting.

Jensen Edwards (Grand Forks Gazette) asked for clarification that BC Housing made it clear that no funding would be made available for projects without Council's support for the specific project. Councillor Krog noted that his concern was with the process, not the project.

**15. ADJOURNMENT**

The November 12, 2019, Regular Meeting was adjourned at 8:50 pm.

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Mayor Brian Taylor

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Dep. Corporate Officer – Kevin McKinnon

# Request for Decision



To: Regular Meeting  
From: **Procedure Bylaw / Corporate Services**  
Date: November 25, 2019  
Subject: Reports, Questions and Inquiries from the Members of Council  
Recommendation: **THAT all reports by members of Council be received.**

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## 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.

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## 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

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## 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.

# Request for Decision



To: Regular Meeting  
From: **Procedure Bylaw / Corporate Services**  
Date: November 25, 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.**

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## 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.

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## 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

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## 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: November 25, 2019  
Subject: Reconsideration of R246/19/07/15  
Recommendation: **THAT Council bring Resolution R246/19/07/15, the Development Variance Permit application for 7500 Donaldson Drive, back for consideration.**

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## Background

On July 15, 2019, Council passed Resolution R246/19/07/15 to deny a Development Variance Permit which would have reduced the required setback distance for a Retail Cannabis establishment from a Community Use Zone from 100m to 36m.

At the request of the Mayor, Staff has brought this Request for Decision to Council to reconsider the application. Per the Council Procedure Bylaw, reconsideration requires the unanimous consent of Council.

The relevant Minutes from the July 15, 2019 meeting, as adopted, read:

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

Discussion around the proposed variance included:

- Existing definition of Community Use zone,
- The setback distance as currently defined,
- Desire to apply zoning bylaws as currently enacted,
- The debate which led to the 100m setback when the original zoning overlay was passed,
- Concern that the 100m setback is overly restrictive.

**Resolution #: R246/19/07/15 MOVED/SECONDED**

**THAT Council 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.**

Opposed (3): Taylor, Krog, and Moslin

**Carried**

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Should Council determine to reconsider the application, the options would be to:

- Approve the original Development Variance Permit;
- Re-affirm their denial of the Development Variance Permit;
- Refer the Development Variance Permit back to staff to initiate the process.

If the application is brought back for reconsideration, Staff recommend referral of the DVP back through the public process.

## Benefits or Impacts

### Strategic Impact



#### Community Engagement

- Public feedback on a Development Variance Permit is required by legislation and permits residents to voice their support or opposition to a development.

### Policy/Legislation

City of Grand Forks Council Procedure Bylaw No. 1946, 2013, section 15.1.

## Attachments

Original RFD regarding the Development Variance Permit application, July 15, 2019.

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## Recommendation

**THAT Council bring Resolution R246/19/07/15, the Development Variance Permit application for 7500 Donaldson Drive, back for consideration.**

## Options

1. THAT Council reconsider the original Development Variance Permit application.
2. THAT Council not reconsider the original Development Variance Permit application.

# 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.**

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## 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 10<sup>th</sup>, 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 <b>100m</b> of the nearest parcel boundary of a lot in a <b>Community Use Zone</b> ,	Reduce the distance to <b>36m</b>

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 1924-75<sup>th</sup> 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 24<sup>th</sup> 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:

<b>Table 2 Timeframe</b>	
<b>ACTIVITY</b>	<b>TIMING</b>
<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 &amp; 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 &amp; June 19, 2019</i>

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

<b>Appendix 1</b>	Page 1-67:	June 10, 2019 Report to Council
<b>Appendix 2</b>	Page 1-2:	Ads in June 12 & 19 issues of the Grand Forks Gazette
<b>Appendix 3</b>	Page 1-4	Public Feedback Session Minutes
<b>Appendix 4</b>	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"><li>- 2019-06-12-DVP1901-Appendix_1-7500_Donaldson-Cannabis_Retail01.pdf</li><li>- 2019-07-15-DVP1901-Appendix_2_Gazette_Ads.pdf</li><li>- 2019-07-15-DVP1901-Appendix_3-Minutes-Public_Feedback_Session_190624.pdf</li><li>- 2019-07-15-Appendix_4-IHA-Letter.pdf</li></ul>
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.**

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## 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 1924-75<sup>th</sup> 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
<b><i>Committee of the Whole – Public Introduction of Application</i></b>	<b><i>June 10, 2019</i></b>
<b><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></b>	<b><i>June 10, 2019</i></b>
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"> <li>- Staff report on written feedback received</li> <li>- Council decision on DVP Application</li> <li>- Council decision and direction to staff to send a letter of <b>RECOMMENDATION</b> or <b>REJECTION</b> of the Non-Medical Cannabis Retail Store Licence application to the LCRB</li> </ul>	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**









# 17500 Donaldson

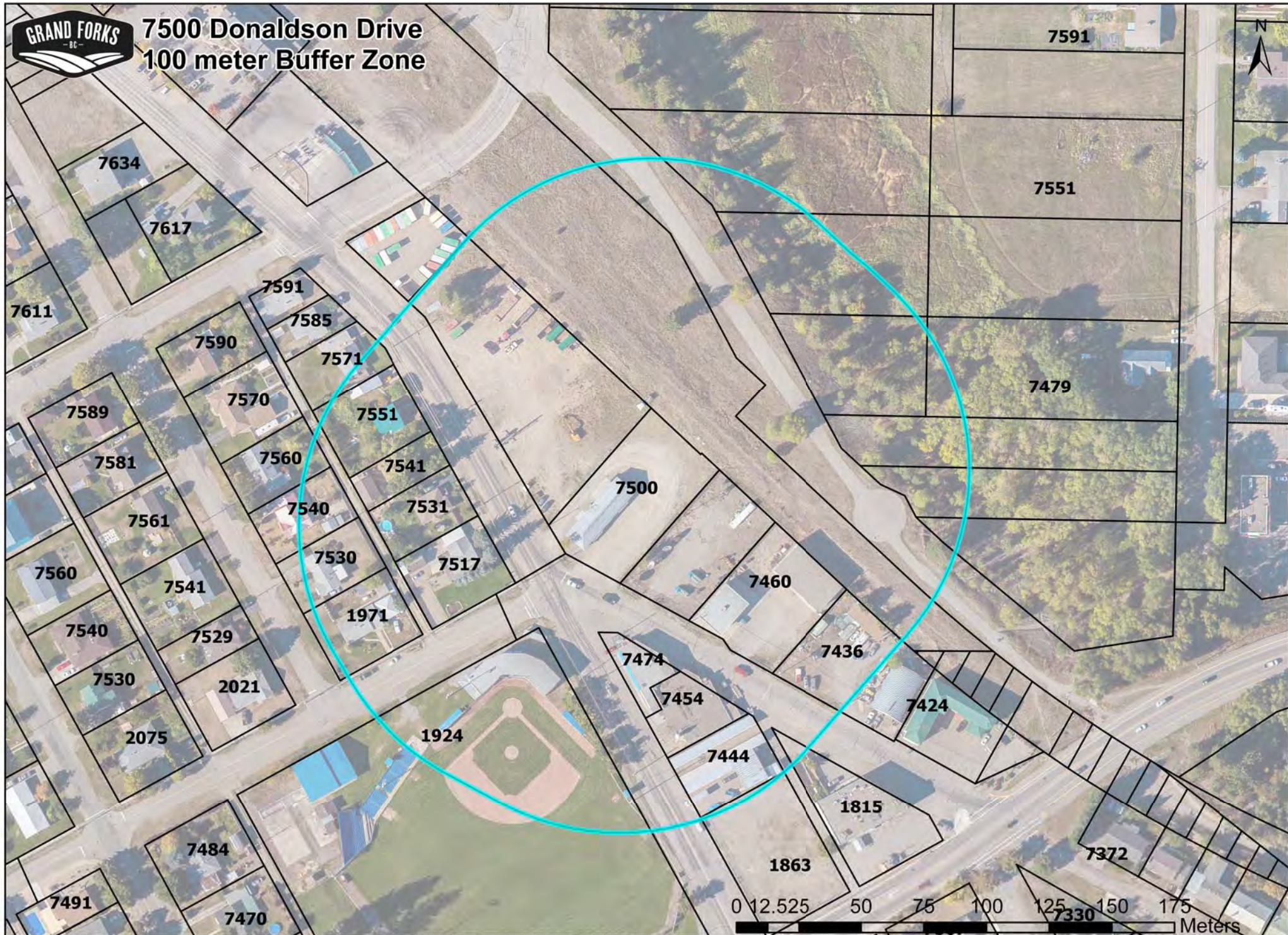
CU	R1
HC	R2
I1	R3
NC	R5







# 7500 Donaldson Drive 100 meter Buffer Zone



May 31, 2019  
Map Produced By: Planning

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



# THE CORPORATION OF THE CITY OF GRAND FORKS

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



## DEVELOPMENT VARIANCE PERMIT APPLICATION

### LOCAL GOVERNMENT ACT, SECTION 498

APPLICATION FEE      \$350.00

Receipt No. \_\_\_\_\_

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

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

1350 William St. Vancouver, BC V5L 2P5

Telephone:      Home: 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 – 4<sup>th</sup> 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 <sup>1</sup>
Rossland	Not permitted within 150m of the property line of a site containing a school or a youth centre <sup>2</sup>
Sooke	Not permitted within 300m of the nearest property line of a site containing a school <sup>3, 4</sup>
Trail	Not permitted within 100m of any school, recreation centre, youth centre or daycare centre <sup>5</sup>
Vancouver	Not permitted within 300m of the nearest property line of a site containing a School – Elementary or Secondary, Community Centre, or Neighbourhood House <sup>6</sup>

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

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

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

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

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

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

<sup>6</sup> <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 4<sup>th</sup> 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 75<sup>th</sup> Avenue and 19<sup>th</sup> 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 – 4<sup>th</sup> 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](http://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 )

  
 \_\_\_\_\_  
 ) Alice Huynh )

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

February 13, 2018



This is Exhibit "A" referred to in the  
affidavit of..... Alice Huynh.....  
sworn before me at..... Vancouver, BC.....  
this..... 9<sup>th</sup>..... 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**

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**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

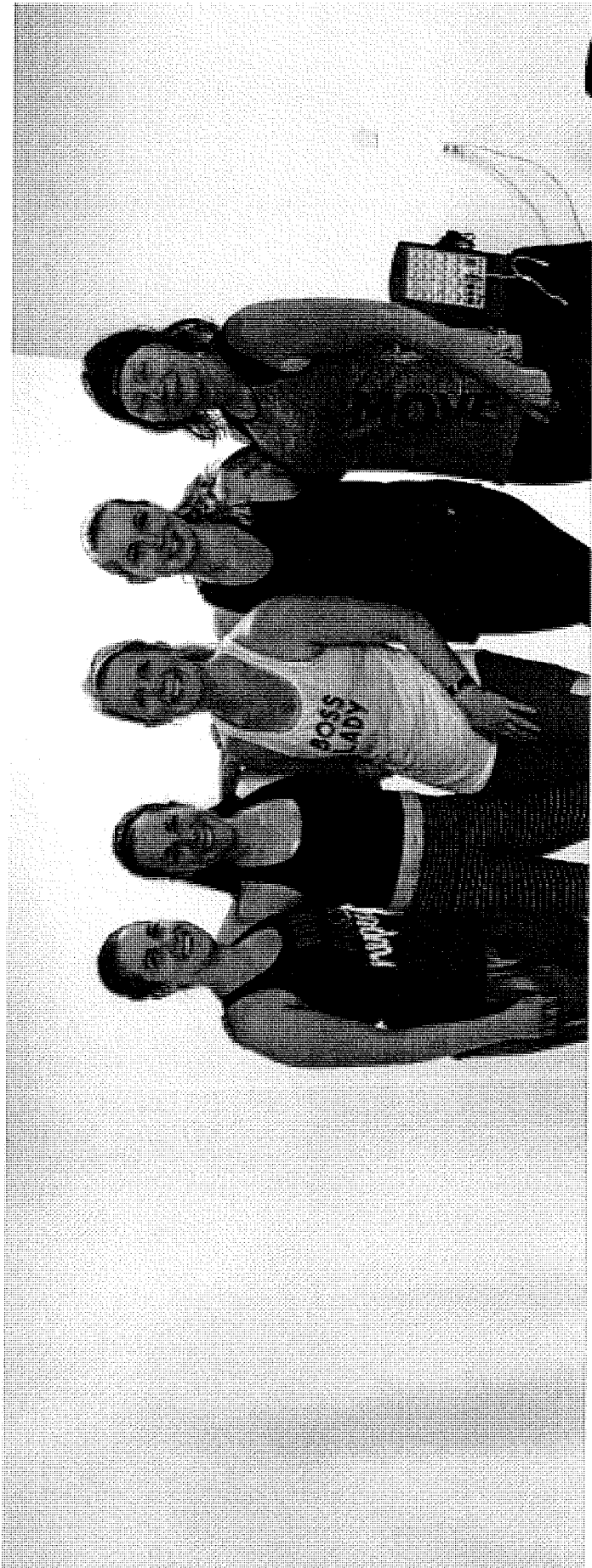
Call to confirm when open and times of weekly playgroup and other parent / child activities.

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 <sup>th</sup> , 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 <sup>th</sup> , 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 <sup>th</sup> , 2019
Public Hearing held by City Council.	February 11, 2019
Third and final reading of the zoning bylaw amendment.	February 11, 2019 (subject to results of Public Hearing)
Implementation.	February, 2019

## Benefits or Impacts

### General

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

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

### Strategic Impact



#### Community Engagement

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



#### Community Livability

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



#### Economic Growth

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



#### Fiscal Responsibility

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

### Policy/Legislation

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

### Attachments

Zoning Bylaw Amendment No. 2039-A3, 2019

**Recommendation**

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

**Options**

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



THE CORPORATION OF THE CITY OF GRAND FORKS

Bylaw No. 2039-A3

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

=====

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

1. This bylaw may be cited for all purposes as “**Zoning Bylaw Amendment Bylaw No. 2039-A3, 2019**”.

2. **Amend Bylaw No. 2039 as follows:**

2.1. **DELETE** subsection 58.3 and replace with:

58.3 Unless otherwise permitted in this bylaw, no building or structure may be within 100m of the nearest parcel boundary of a lot in a Community Use Zone or a youth-centred facility.

2.2. **DELETE** subsection 58.4 and renumber accordingly.

2.3. **DELETE** subsection 26.6 and replace with:

26.6 For non-residential uses, at least 2% of the required offstreet parking areas shall be designated as accessible for persons with disabilities, with a minimum of one space per site. Each offstreet accessible parking spaces for persons with disabilities shall not be smaller than 2.8 metres wide with an additional 1.2 metres on both sides of the space to allow for wheelchair access.

2.4. **DELETE** section 2 (Definitions), subsection 2.1, dwelling unit classification (a) and replace with:

(a) Single-family dwelling, detached, generally designed for and occupied by one family.

2.5. **DELETE** subsection 36.4 and 39.5 and replace subsection 36.4 and 39.5 with:

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

- (a) One single-family dwelling, plus one secondary suite and one garden suite; or
- (b) One two-family dwelling, plus one garden suite;

2.6. **DELETE** subsection 40.7 and replace with:

40.7 The following types of dwelling units are allowed:  
(a) multi-family dwellings;

(b) apartment buildings.

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

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

Read a **FIRST** time this \_\_\_\_ day of \_\_\_\_\_, 2019.

Read a **SECOND** time this \_\_\_\_ day of \_\_\_\_\_, 2019.

**PUBLIC HEARING HELD** this \_\_\_\_ day of \_\_\_\_\_, 2019.

Read a **THIRD** time this \_\_\_\_ day of \_\_\_\_\_, 2019.

---

**FINALLY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

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

**CERTIFICATE**

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

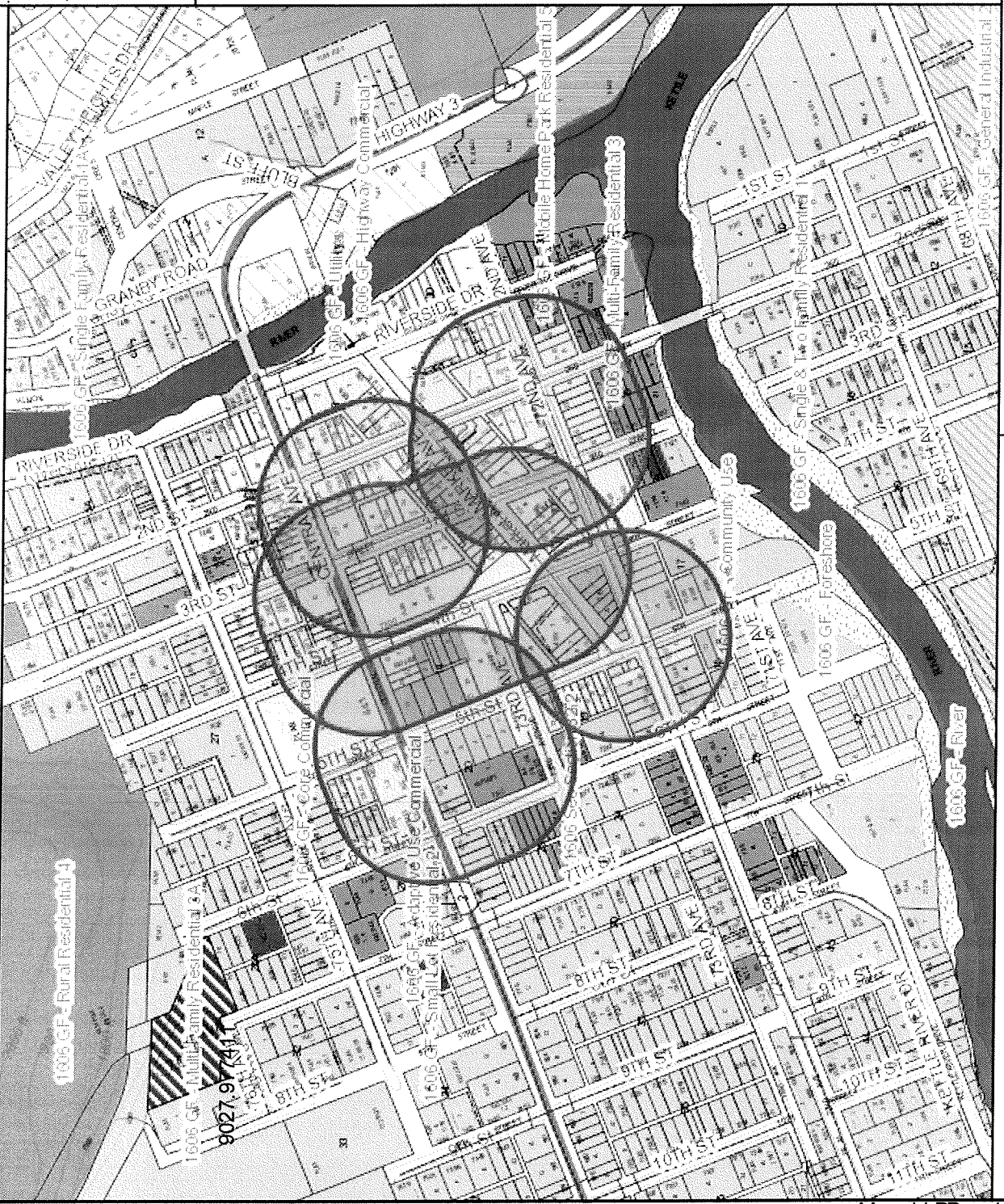
\_\_\_\_\_  
Corporate Officer of the Corporation of the  
City of Grand Forks

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

A Commissioner for taking Affidavits for British Columbia  
*Grand Folks*

# RDKB Internet Mapping

Regional District of Kootenay Boundary  
 Interactive Mapping System



## Legend

- Admin
- Cadastral Lines
  - CAD\_DISTRICT\_LOT
  - CAD\_GAS
  - CAD\_HIGHWAY
  - CAD\_HYDRO
  - CAD\_INTER\_BDY
  - CAD\_LOTLINE
  - CAD\_LOTLINE\_LICENSE
  - CAD\_LOTLINE\_WATER
  - CAD\_RAILWAY
  - CAD\_RAILWAY\_ABAN
  - CAD\_ROAD
  - CAD\_TELEPHONE
  - CAD\_TOWNSHIP
- Miscellaneous Cadastral Lines
  - CADM\_AIRSTRIP
  - CADM\_ARROW
  - CADM\_BRIDGE
  - CADM\_DEWDNEY\_TRAIL
  - CADM\_EASEMENT
  - CADM\_HOOK
  - CADM\_LEASE\_LICENSE

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



## Notes:

Printed on 04-May-2019

Datum: WGS 84 Projection: Web Mercator

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



James Donaldson Park



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

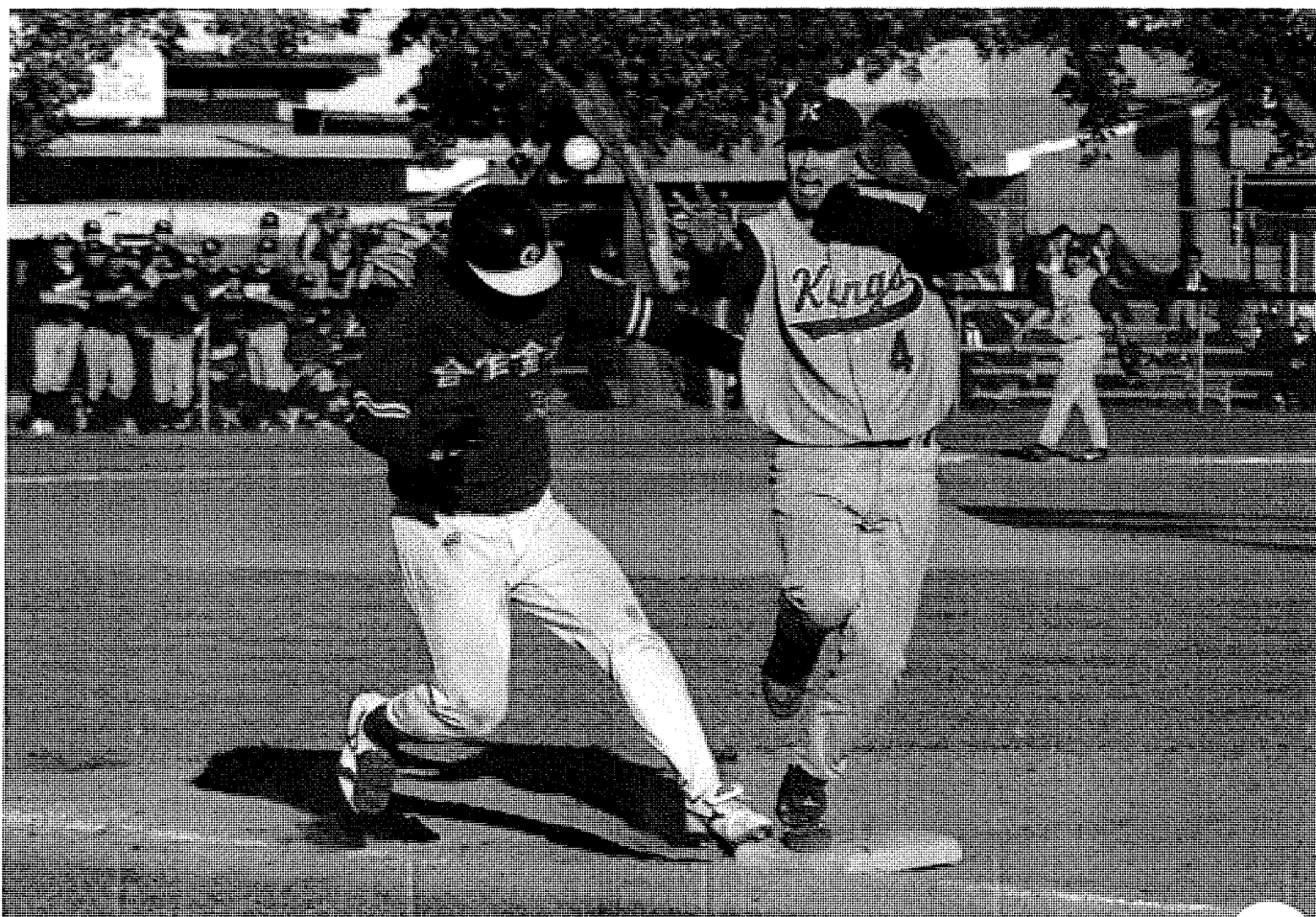
Imagery ©2019 DigitalGlobe, Map data ©2019 Google



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

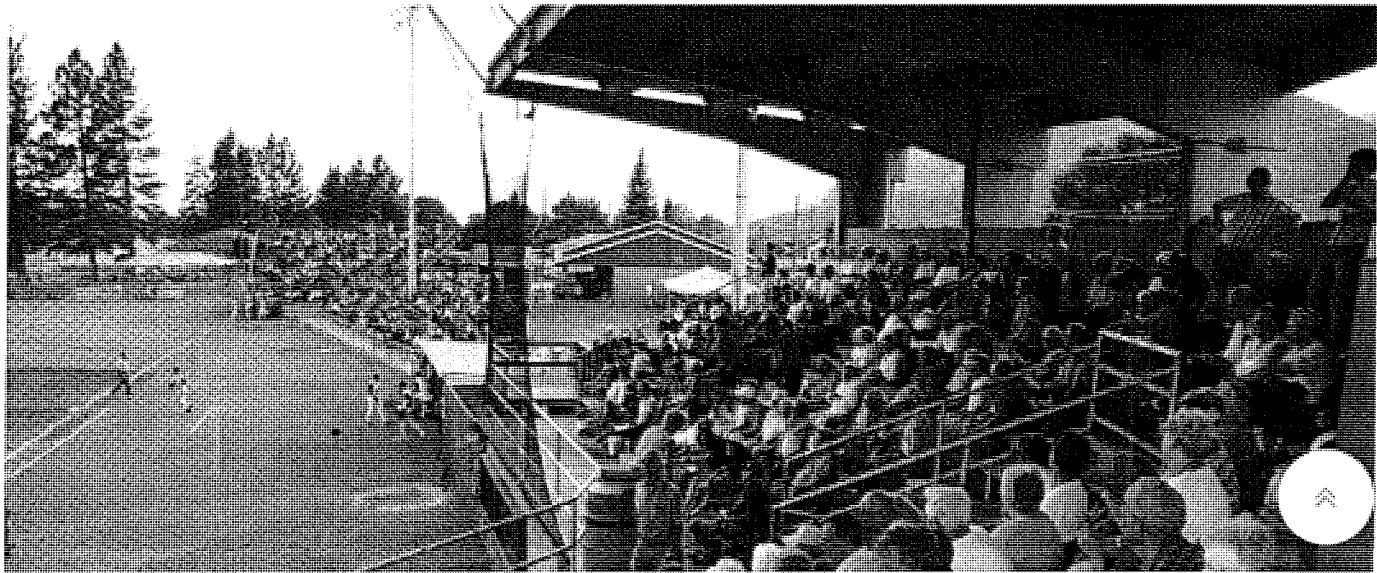
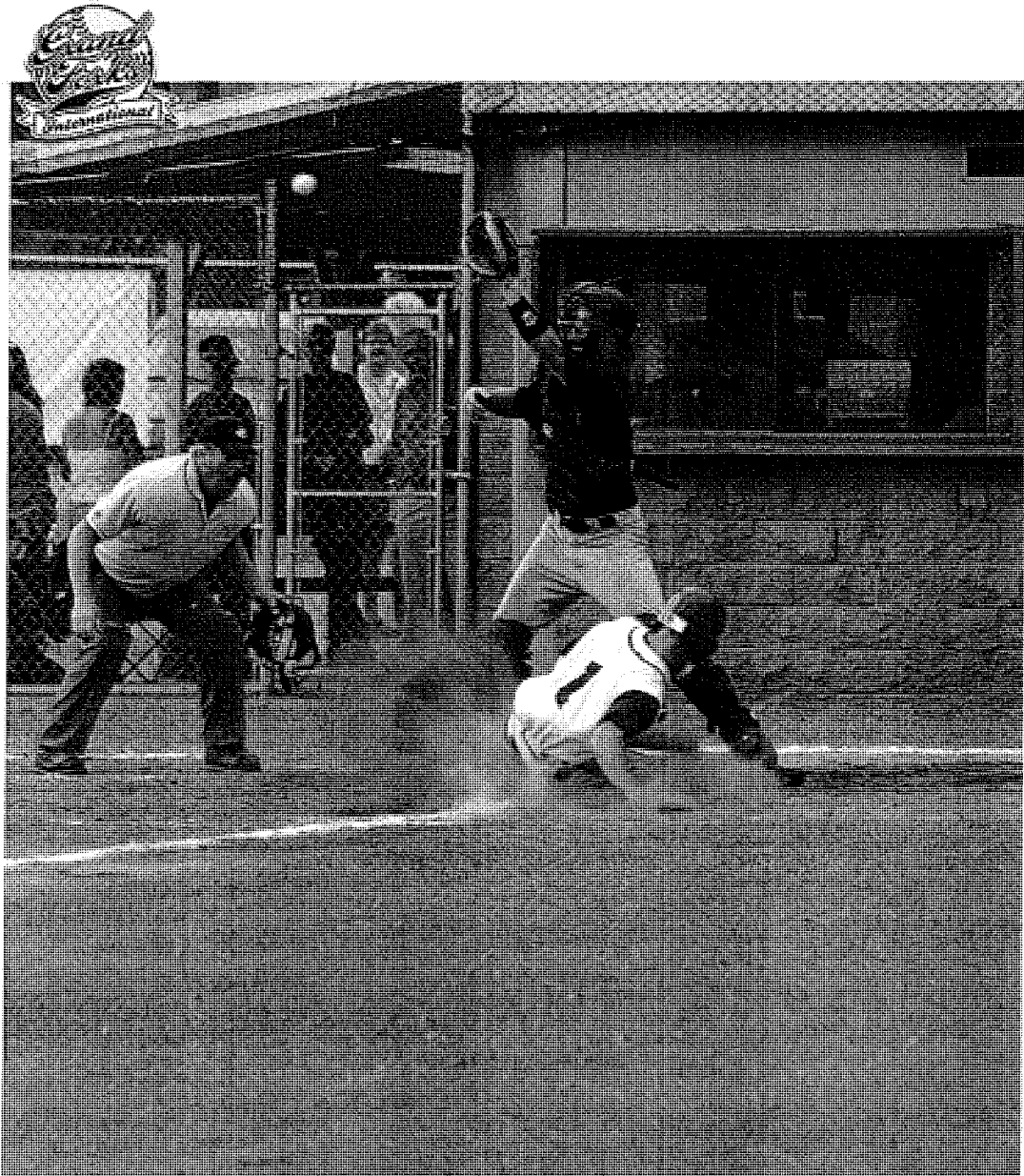
A Commissioner for taking Affidavits  
 for British Columbia

## Photos

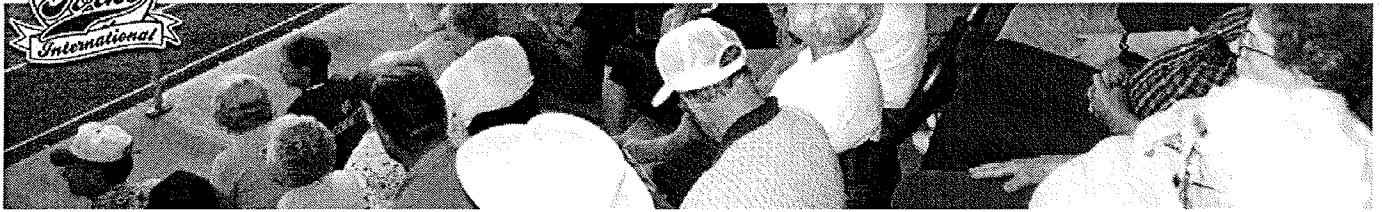












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Grand Forks  
Gazette

## Recent Posts

Tournament Passes on Sale Now

GFI 37th – Teams Announced





GFI 2018 for the NW Honkers



## GFI on Facebook



Grand Forks International (...  
1,040 likes

Like Page

Share

Timeline

Events

Be the first of your friends to like this





# THE CUBANS ARE COMING!

**and we need billets!**

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

We are in need of billets who could provide:

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

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

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





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[GFI HALL OF FAME](#)

[VOLUNTEERS](#)

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## Past Teams

[2016 TEAM LINE UP](#)

[2015 TEAM LINE UP](#)

[2012 TEAM LINE UP](#)





WEBSITE BY CODE'S CAD

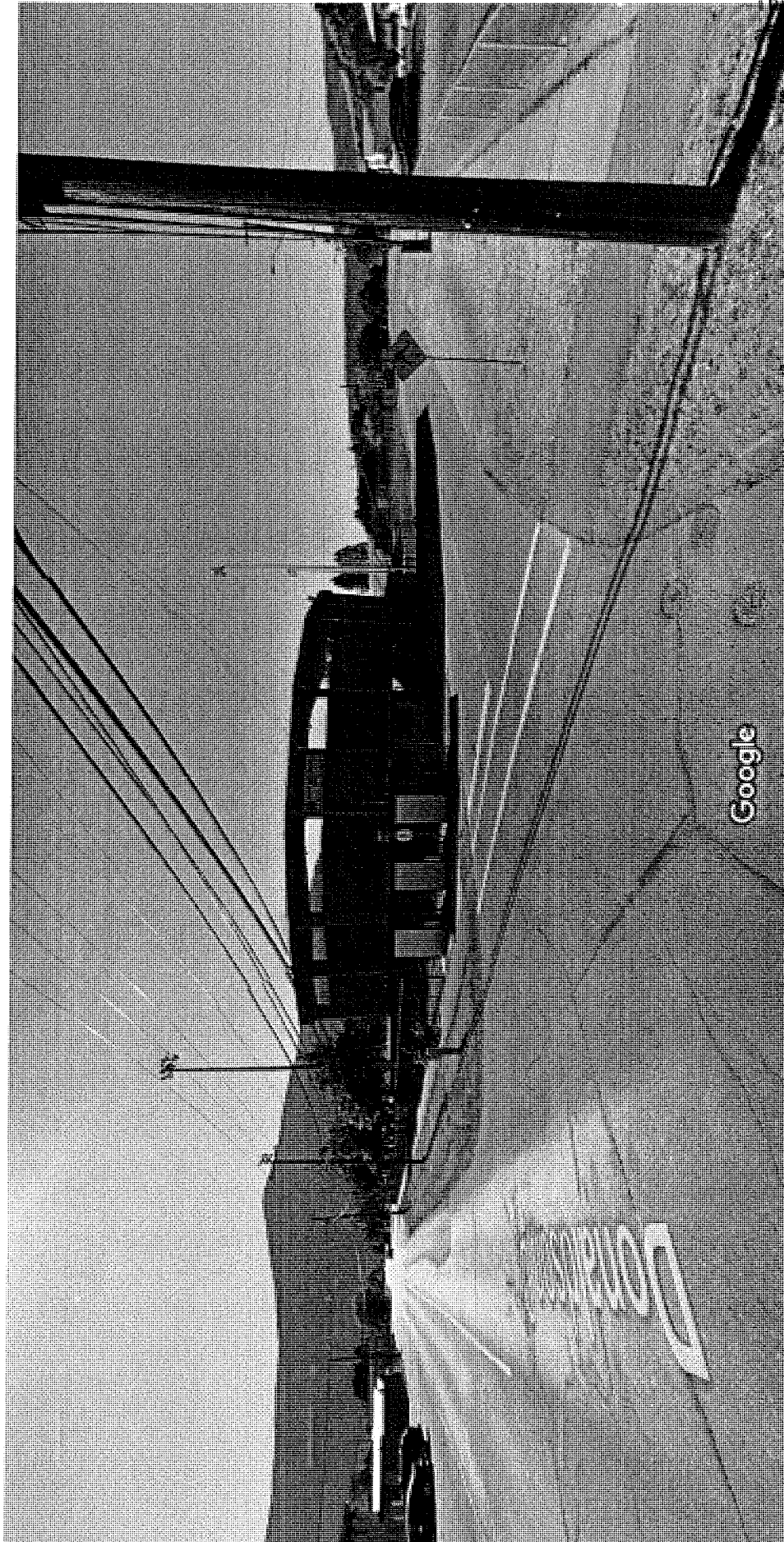


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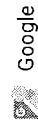




Google Maps 7515 Donaldson Dr



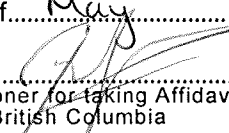
Grand Forks, British Columbia



Street View - Oct 2012

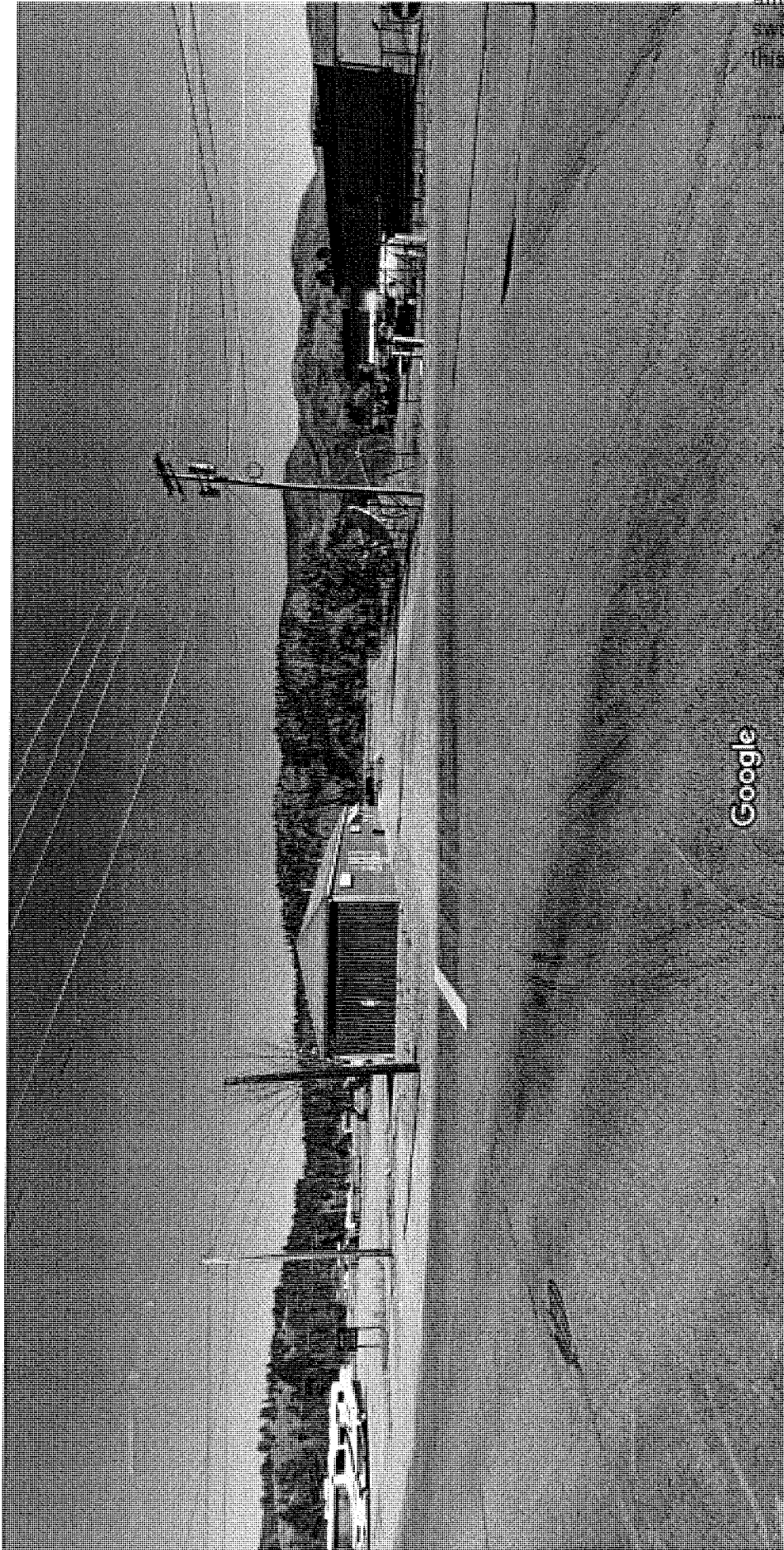


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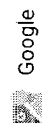
This is Exhibit "A" referred to in the  
Affidavit of Alice Huynh  
made before me at Vancouver, B.C.  
on the 5th day of May, 2019.  
  
Commissioner for taking Affidavits  
for British Columbia



19 St



Grand Forks, British Columbia



Street View - Oct 2012



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

Image capture: Oct 2012



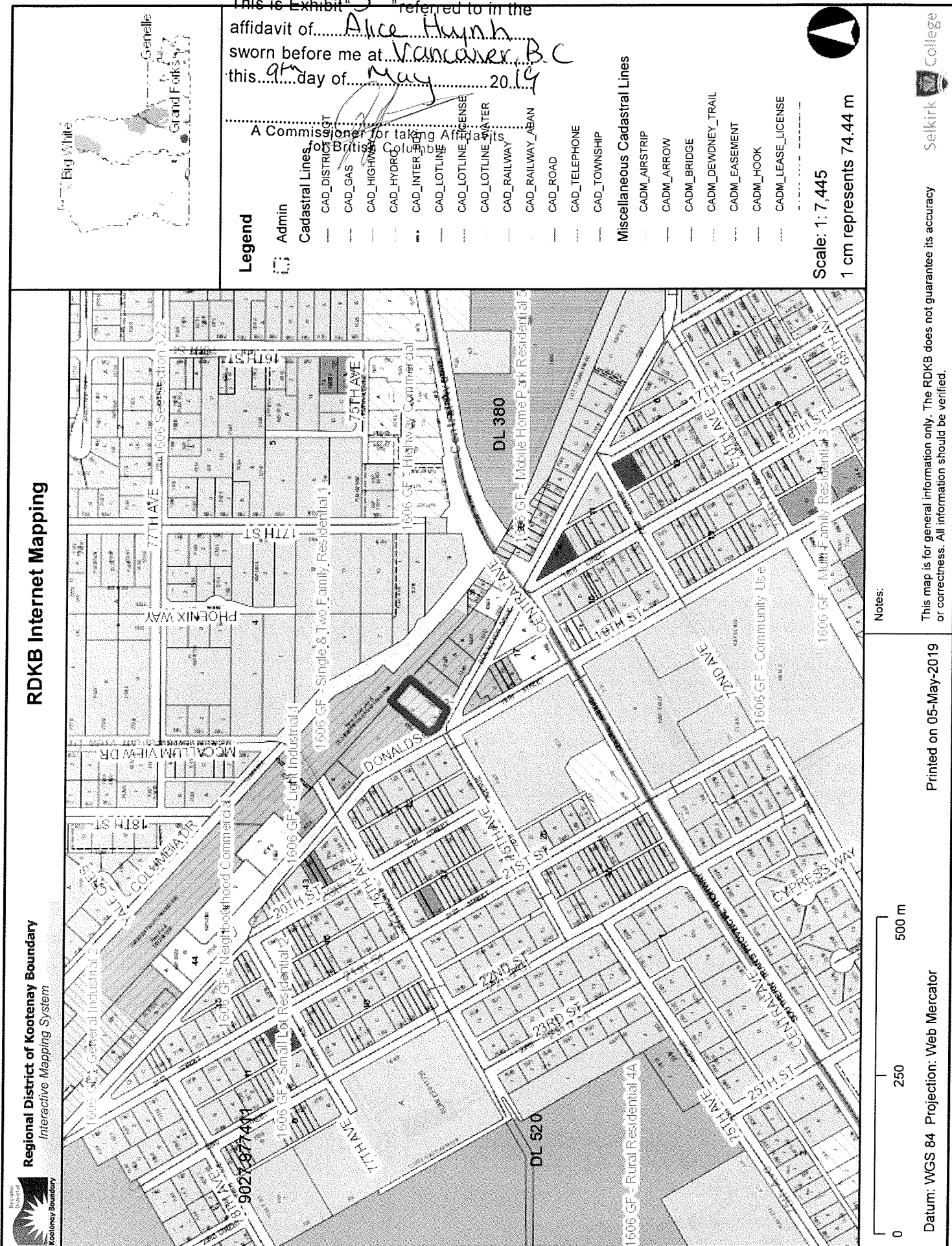


Imagery ©2019 DigitalGlobe, Map data ©2019 Google

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

Legend

- Admin
- Cadastral Lines
  - CAD\_DISTRICT
  - CAD\_GAS
  - CAD\_HIGHWAY
  - CAD\_HYDRO
  - CAD\_INTERLINE
  - CAD\_LOTLINE
  - CAD\_LOTLINE\_EASEMENT
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  - CAD\_RAILWAY
  - CAD\_RAILWAY\_ABAN
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  - CADM\_DEWDNEY\_TRAIL
  - CADM\_EASEMENT
  - CADM\_HOOK
  - CADM\_LEASE\_LICENSE

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

Notes:

Printed on 05-May-2019

Datum: WGS 84 Projection: Web Mercator

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





41  
This is Exhibit "K" referred to in the  
affidavit of..... Alice Huynh.....  
sworn before me at Vancouver, BC  
this 24th 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 15<sup>th</sup>  
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 15<sup>th</sup>**  
10:00 a.m. - 2:00 p.m. each day

## Merchandise for Sale

### Garage Sales

**Grand Forks Garage Sale**  
5635 Hughes Road  
Saturday, June 15<sup>th</sup>  
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 15<sup>th</sup>  
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.

## DISCOVER BORDER COUNTRY REALTY

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. Spacious 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 LOT! 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



**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 and 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.  
250-402-3985

YOUR COMMUNITY. YOUR CLASSIFIEDS  
BC Classifieds.com  
1-866-865-4460

## Legal Notices

## Merchandise for Sale

## Misc. for Sale

**Steel Shipping Containers**  
All sizes, new & used  
We own what we sell.  
**Kootenay Containers**  
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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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## Real Estate

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

SMALL ADS GET BIG RESULTS!  
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1-866-865-4460

## Legal Notices

## Real Estate

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

## Rentals

## Apt/Condo for Rent

W. Trail 2 Bdrms enclosed garage, freshly painted 850 plus utilities 250-551-1106  
Conveniently call the classified department to place your ad...

**IN YOUR PAJAMAS**  
1.866.865.4460  
BC Classifieds.com

## 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.

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## Legal Notices

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## LAND ACT:

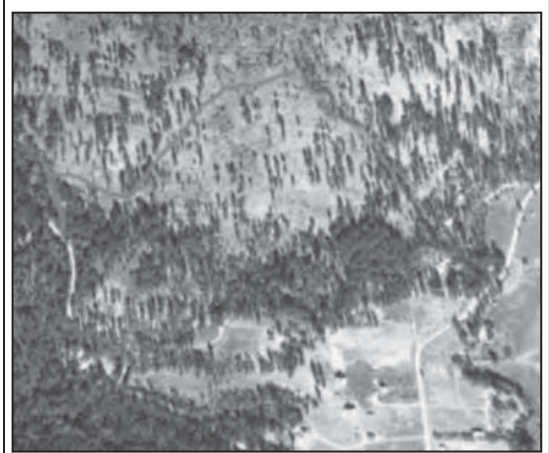
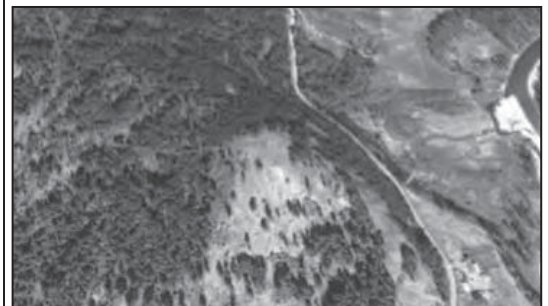
## Notice of Intention to Apply for a Disposition of Crown Land

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.



**Your Community Your Classifieds**

**Find Your Dream Home**

**in the classifieds!**



**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**

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**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](mailto: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](mailto: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](mailto:hbe@interiorhealth.ca)  
[www.interiorhealth.ca](http://www.interiorhealth.ca)

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

# Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: November 25, 2019

Subject: Temporary Use Permit Application – Personal Seasonal Recreational Use at 6380 12th Street (File: TUP1902)

Recommendation: **THAT Council direct staff to proceed with the statutory requirements for the public notice respecting a Temporary Use Permit Application for Personal Seasonal Recreational Use at 6380 12th Street.**

---

## Background

The City has received a temporary use permit application from the owner of 6380 12<sup>th</sup> Street to build a structure, complete with a platform constructed above the flood construction level, to house a park model recreation vehicle for personal, seasonal, recreational use and no commercial use. The temporary use permit would be valid for a period of 3 years if approved. The temporary use permit is renewable, upon application by the permit holder, for an additional period of three (3) years.

### Temporary Use Permit Application details:

1. The property is within the floodplain as designated by Bylaw 1402. The area where this parcel is located, including the roadway, were flooded in the 2018 flood event.
2. The property is 4.266 acres (1.71 hectares) in size
3. The property is zoned R-4 (Rural Residential). It appears that the closest principal use currently is farm operations in part because the property lies in the floodplain.
4. The structure would be built at least 30 meters from the natural boundary of the Kettle River as required by Bylaw 1402.
5. The recreational space will not be used as a permanent residence.
6. The structure will be equipped with wastewater holding tanks to be maintained and pumped on a regular basis to ensure that no spillage or overflow of water occurs from the holding tanks to the land.
7. Any landfill required to support the floor system or pad shall not extend within any setback from a watercourse or body of water specified by the floodplain bylaw.

Further application and site information is attached as Appendix A.

If Council approves this application to move forward the following would occur:

1. The permit application would be advertised in the Gazette
2. Neighbours within 30m of the property boundary would be notified of the application.
3. A draft permit would be prepared and would be made available for the public to inspect.

4. Public comments and feedback received by staff on this Temporary Use Permit would be forwarded for Council's consideration at the next regular council meeting.

## Benefits or Impacts

### General

As a temporary use the property can be redeveloped at anytime for its intended use as R-4 (Rural Residential).

### Strategic Impact



#### Community Engagement

- An ad will be placed in the Gazette and a notice will be sent to neighbours within 30m of the property boundary and comments will be encouraged regarding this temporary use permit.



#### Community Livability

- The intended use is generally compatible with surrounding properties.



#### Economic Growth

- The temporary use permit will allow the owner to use this property that is in the floodplain. The property will be used for personal, seasonal, recreational use and such use would likely be outside of the flood windows.



#### Fiscal Responsibility

- No City financial or staff resources will be required for this temporary use.

### Policy/Legislation

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

## Attachments

Appendix 'A' - Applicant and Site Information

---

## Recommendation

**THAT Council direct staff to proceed with the statutory requirements for the public notice respecting a Temporary Use Permit Application for Personal Seasonal Recreational Use at 6380 12th Street.**

## Options

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

# THE CORPORATION OF THE CITY OF GRAND FORKS

7217-4<sup>th</sup> STREET, BOX 220, GRAND FORKS, B.C. V0H 1H0 TELEPHONE: 250-442-8266 FAX: 250-442-8000

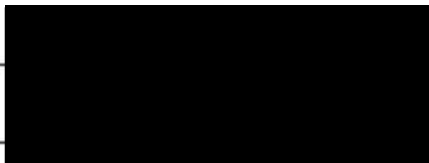


## TEMPORARY USE PERMIT APPLICATION

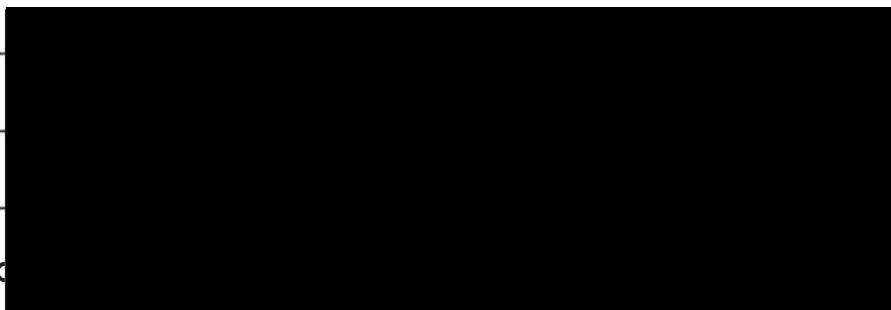
**APPLICATION FEE**      **\$750.00**

Receipt No. 224887

Registered Owner(s):



Mailing Address:



Telephone:

Ho

Legal Description:

\_\_\_\_\_  
\_\_\_\_\_  
PID 030-066-522

Street Address:

6380 12<sup>TH</sup> STR GRAND FORKS B.C

Page 1 of 2

# THE CORPORATION OF THE CITY OF GRAND FORKS

7217-4<sup>th</sup> STREET, BOX 220, GRAND FORKS, B.C. V0H 1H0 TELEPHONE: 250-442-8266 FAX: 250-442-8000



Description of proposed use and reason for application:

*For seasonal, recreational use only no commercial, for personal use only. ~~from~~*

Submit the following information with the application:

1. A legible site plan showing the following:

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

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

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



\_\_\_\_\_  
Date





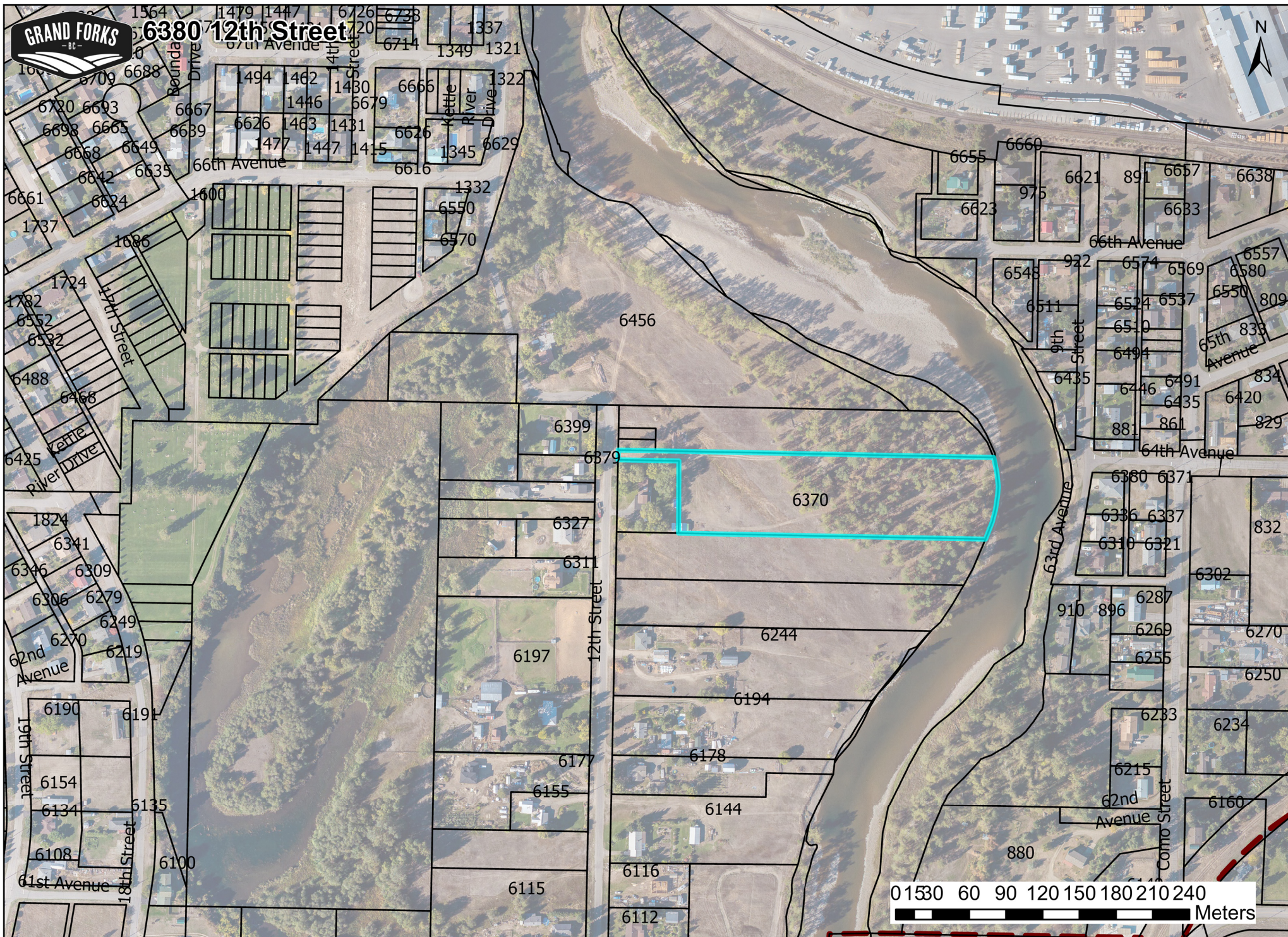




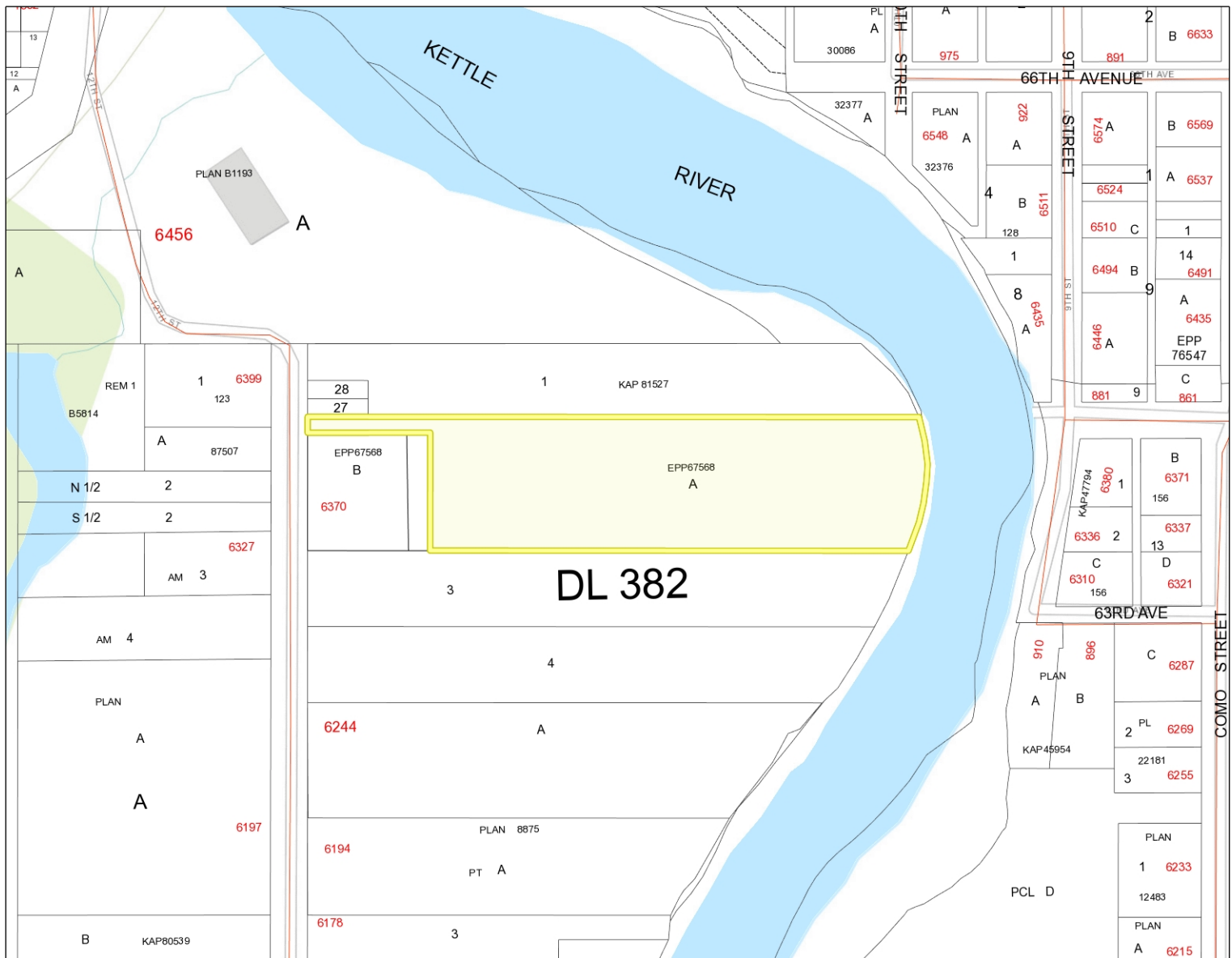












Scale 1: 2,257

## Legal Information

Plan: EPP67568	Section: 28	Jurs: 210	Lot Area: 4.226
Block: 123	Township: 27	Roll: 608045	Area Unit: acr
Lot: A	Land District: 54	PID: 030066522	Width (ft):
District Lot: 382	Electoral Area: City of Grand Forks		Depth (ft):
Street: 12TH ST			
Description: Lot A, Plan EPP67568, District Lot 382, Similkameen Div of Yale Land District			



# Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: November 25, 2019

Subject: Bylaw No. 2039-A10 Proposed Rezoning from R-1 (Single and Two Family Residential) to R-2 (Small Lot Residential) 1711 77th Avenue (File: ZA1910)

Recommendation: **THAT COUNCIL give first and second readings to Zoning Bylaw Amendment No. 2039-A10 at the November 25, 2019 Regular Council Meeting. THAT Council direct staff to move forward with the legislative requirements for the rezoning.**

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## Background

The City received an application from the property owner of 1711 77<sup>th</sup> Avenue to rezone the 0.135 Hectare (0.334 acre) parcel from R-1 (Single and Two Family Residential) to R-2 (Small Lot Residential).

The subject property is legally described as Lot 2, Plan KAP20641, District Lot 380, Similkameen Division of Yale Land District. The property is surrounded by residential zoned properties. Appendix A, attached, shows the location map, zoning application, and parcel report for the property.

Staff have been working toward implementing the policies set out in the Official Community Plan (OCP). Schedule B of the OCP shows the future development of property as Low Density Residential. The property is not subject to Development Permit Area (DPA) criteria.

The property is a corner lot. There are water and sewer mains on the two streets fronting the property. This would allow for better utilization of existing water and sewer infrastructure when the property is subdivided.

This zoning bylaw amendment will create the opportunity for subdivision to accommodate new homes which fulfils the OCP mandate to foster infill development, residential densification, and more efficiently utilize existing City services. The property is well located adjacent to a school and close to shopping and recreation.

## Proposal

The rezoning bylaw will enable the property to be subdivided into two lots generally as shown on the attached preliminary plan of subdivision (Appendix A).

Rezoning to R2 will permit a subdivision into two lots each with a minimum area of 485 square metres (0.12 acre) and would allow for the owner to retain the existing home on the property while creating another residential lot.

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).

## 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.*  
The rezoning allows for single and two-family dwellings and a garden suite on each of the two proposed lots.
- 2) *Encourage and support the development of affordable housing for low-income families, individuals, seniors and those with disabilities.*
- 3) *Encourage higher density residential development and increase variety in housing forms within developed areas of Grand Forks.*  
This is a developed area and rezoning to R2 will allow for an additional lot.
- 4) *Encourage new residential development to respect the scale and character of surrounding residential neighbourhoods.*  
Rezoning to R-2 allows for the same types of homes, although likely more compact, than the R-1 zoning allows.
- 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.

## Proposed Timing

If the rezoning application receives support from Council to move forward, the next steps and estimated time frame are as outlined below:

ACTIVITY	TIMING
<b>The rezoning bylaw goes before council for 1<sup>st</sup> and 2<sup>nd</sup> readings.</b>	<b>November 25<sup>th</sup>, 2019</b>
Bylaw and Public Hearing advertised twice and residents within 30m notified in writing of the application.	December 4 <sup>th</sup> & December 11 <sup>th</sup> , 2019
Public Hearing held by City Council.	December 16 <sup>th</sup> , 2019
Third reading of the rezoning bylaw	December 16 <sup>th</sup> , 2019
Works and Services Agreement finalized; Ministry of Transportation and Infrastructure Approval	January, 2019
Fourth (final) reading of the bylaw	January, 2019

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## 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 and public hearing will be advertised twice in the local paper and landowners within 30 metres of the proposal will be notified. The community will have an opportunity to make their views known to Council at the public hearing.



#### 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 A: Location map, zoning application, and parcel report for the property.

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**Recommendation**

**THAT COUNCIL give first and second readings to Zoning Bylaw Amendment No. 2039-A10 at the November 25, 2019 Regular Council Meeting. THAT Council direct staff to move forward with the legislative requirements for the rezoning.**

**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.



# 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



## REZONING APPLICATION

APPLICATION FEE \$1,000.00 File No. 09-4600-02- \_\_\_\_\_ Receipt No. \_\_\_\_\_

### Applicant Information

Registered Owner(s): \_\_\_\_\_

**Please note:** If the applicant is other than the registered owner(s), an Agent's Authorization form is required.

Owner's Mailing Address:

[Redacted Mailing Address]

### Property Information

Legal Description: Lot 2 PL 380 SDYD PLAN 20641

P.I.D.: 007-771-134

Civic Address of Property: 1711 77 ave Grand Forks, BC

### Rezoning Proposal

Current Zoning: R1 Current OCP Designation: \_\_\_\_\_ Proposed Zoning: R2

### Summary of Proposal:

Our proposal is to subdivide this lot into  
two individual lots zoned R-2

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**Submission Requirements:**

Please submit the following information with this application:

- 1) A legible site plan, drawn to scale, showing the following:
  - a) The boundaries and dimensions of the subject property;
  - b) The location, setbacks and dimensions of the proposed and existing buildings;
  - c) The location of off-street parking; and,
  - d) The location of roads, lanes, pedestrian access routes, screening, landscaping and fencing.
- 2) Certificate of Title.
- 3) Site Profile Form.

*Please note that upon City Council's approval of this development permit application, you must apply for and obtain a building permit before starting construction.*

**Applicant Acknowledgement**

I, the undersigned, make this application to the City of Grand Forks, have fulfilled the application requirements, and understand that this application is subject to the *Freedom of Information and Protection of Privacy Act of BC*

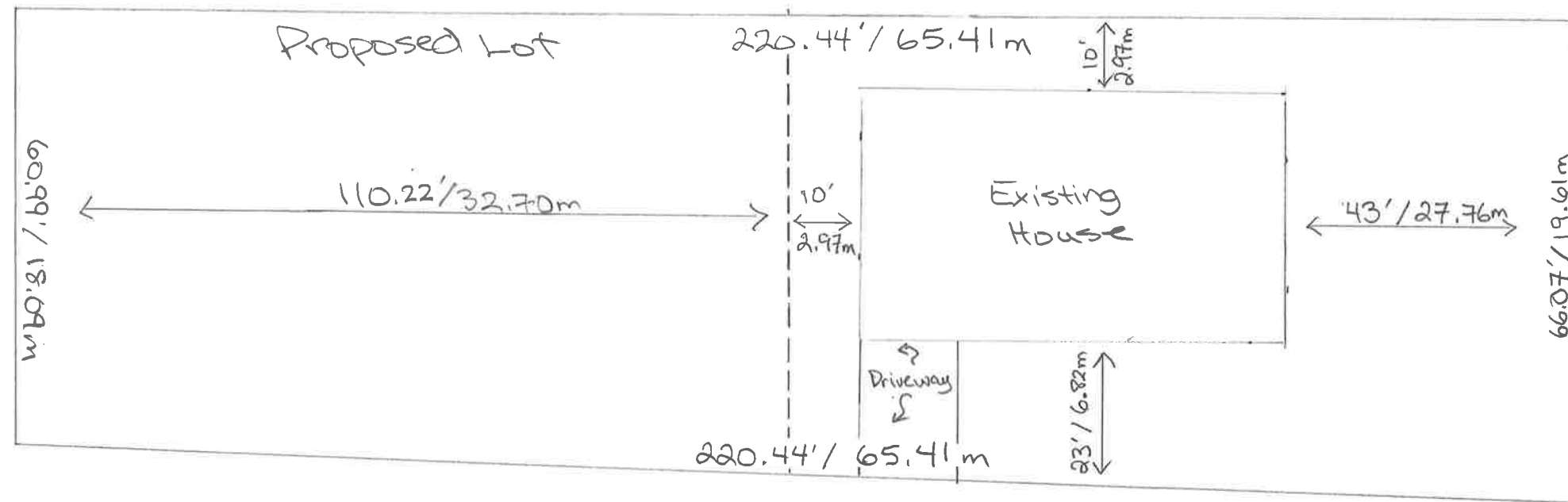


Oct 8/ 2019  
Date

Thank you for providing information about your proposal.  
If you have any questions, please contact City staff at (250) 442-8266 or [planning@grandforks.ca](mailto:planning@grandforks.ca).

Scale  
1:250  
1711 77 Avenue  
Grand Forks, BC

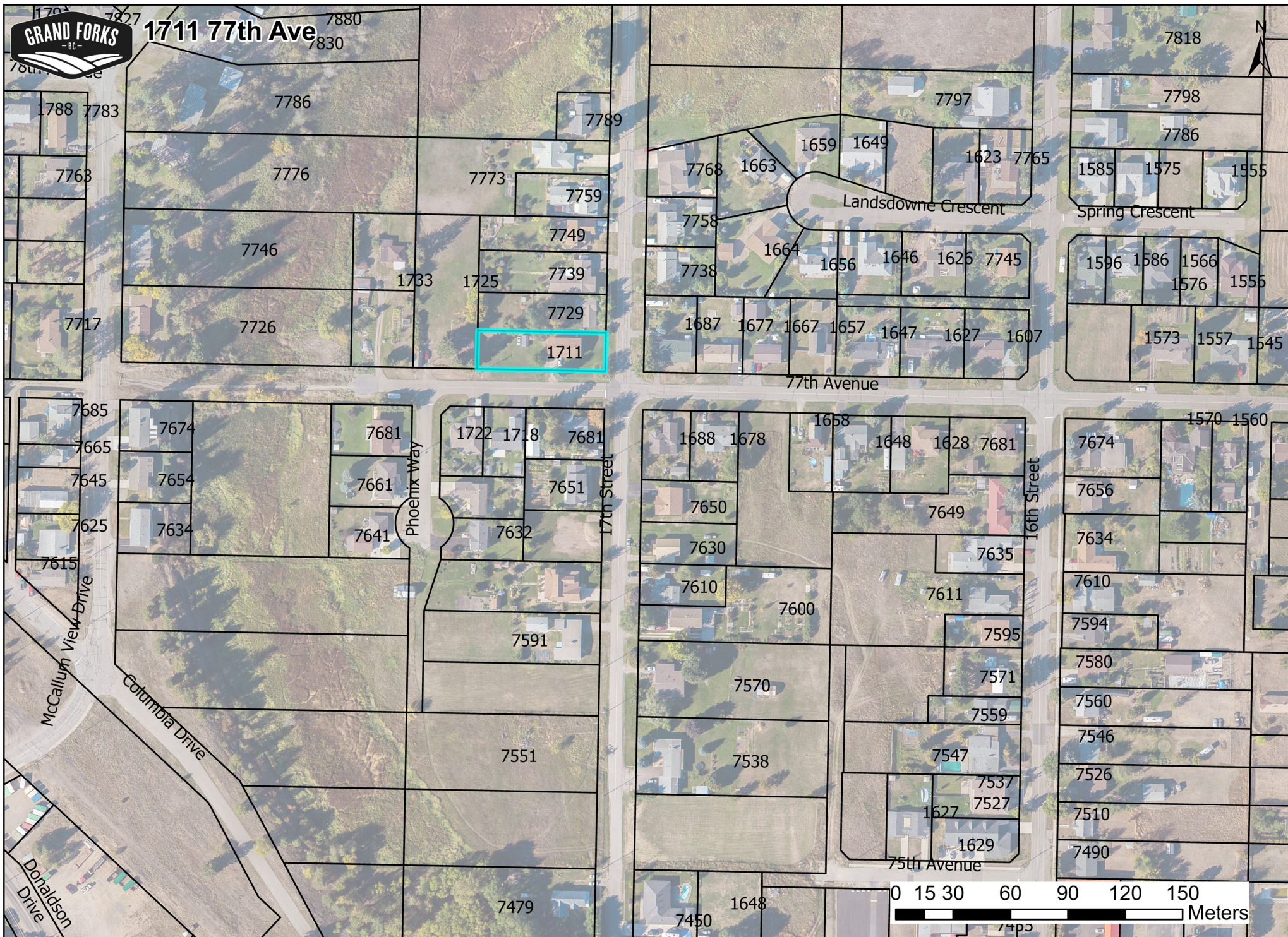
Lot size .334 acres.  
1351.65 m<sup>2</sup>  
R-2 zoning 675 m<sup>2</sup>



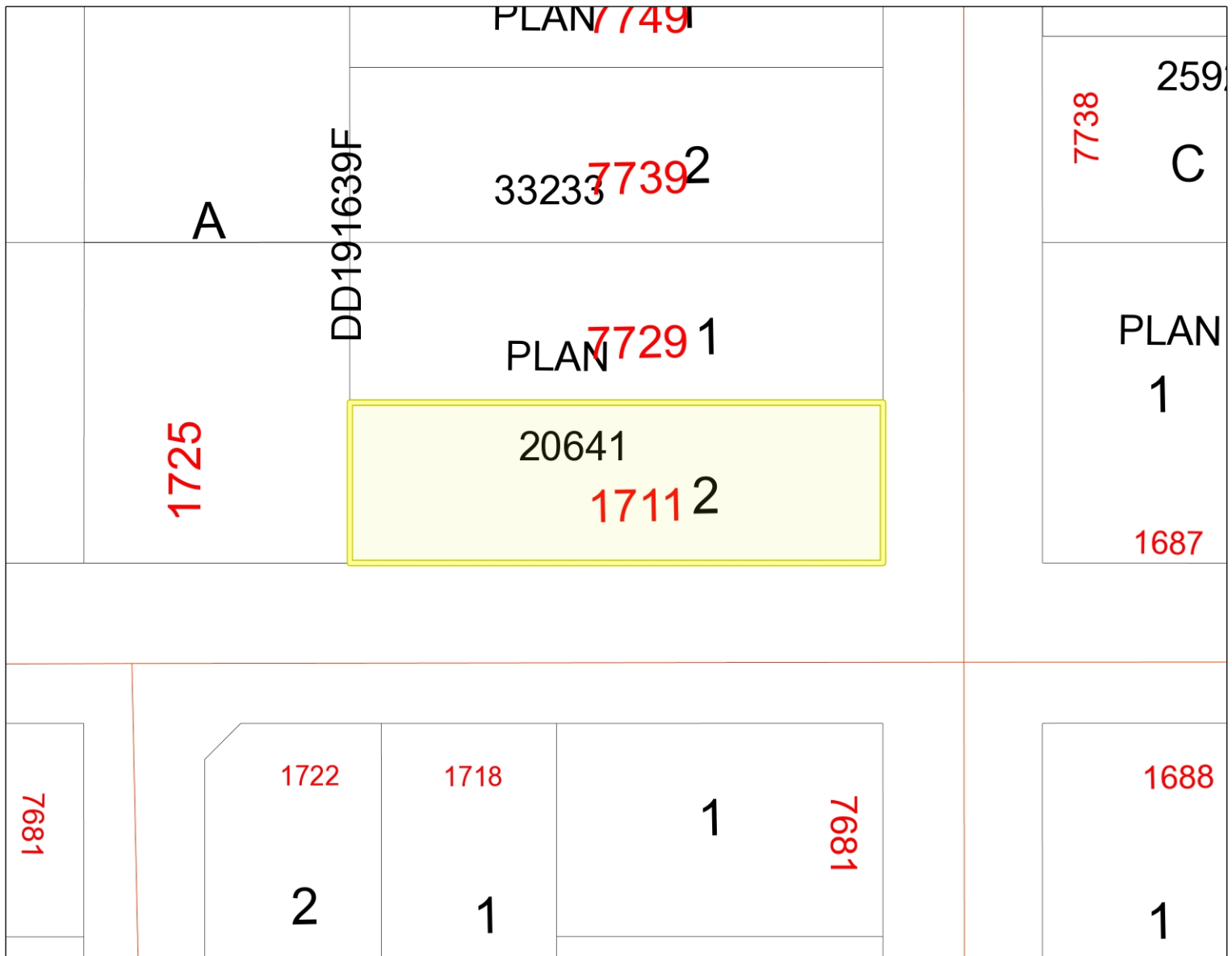
77 Avenue

Second Street









Scale 1: 564

## Legal Information

Plan: KAP20641	Section:	Jurs: 210	Lot Area: 0.334
Block:	Township:	Roll: 1230000	Area Unit: acr
Lot: 2	Land District: 54	PID: 007771134	Width (ft):
District Lot: 380	Electoral Area: City of Grand Forks		Depth (ft):
Street: 1711 77TH AVE			
Description: Lot 2, Plan KAP20641, District Lot 380, Similkameen Div of Yale Land District			



1711 77th Ave

## Legend

- HC
- I1
- R1
- R3

