THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA - COMMITTEE OF THE WHOLE MEETING

Tuesday, October 11, 2016, at 9:00 am
7217 - 4th Street, Council Chambers City Hall

ITEM	SUBJECT MATTER	RECOMMENDATION
1. **CALL TO ORDER**		
2. **COMMITTEE OF THE WHOLE AGENDA**		
a) Adopt agenda	October 11th, 2016, COTW	THAT the COTW adopts the agenda as presented.
b) Reminder	In-Camera Meeting directly following COTW Meeting	
3. **REGISTERED PETITIONS AND DELEGATIONS**		
a) The Boundary Museum Society Delegation - The Boundary Museum Society	Quarterly report presentation	THAT the COTW receives for information the verbal quarterly report from The Boundary Museum Society and refers the Fee for Service request to the 2017 budgeting process.
b) Boundary Country Regional Chamber of Commerce Delegation - Boundary Country Reg. Chamber of Commerce	Quarterly report presentation	THAT the COTW receives for information the verbal quarterly report from the Boundary Country Regional Chamber of Commerce and refers the Fee for Service request to the 2017 budgeting process.
c) Grand Forks Art Gallery Society Delegation - Grand Forks Art Gallery Society	Quarterly report presentation	THAT the COTW receives for information the quarterly report from the Grand Forks Art Gallery Society and refers the letter of request to the October 24th, 2016, Regular Meeting Summary of Information Items for decision.
4. **REGIONAL TOPICS FOR DISCUSSION - WITH AREA D**		
a) Roly Russell, Area D Director Roly Russell, Area D Director - Boundary Area Agricultural Plan & Food Security Project Update	Topics for discussion: Boundary Area Agricultural Plan and Food Security Project Update	THAT the COTW receives for information and discussion the presentation from Area D Director, Roly Russell, regarding the Boundary Area Agricultural Plan and Food Security Project Update.

5. **PRESENTATIONS FROM STAFF**

a)	Manager of Development & Engineering Services RFD - Mgr. of Dev. & Eng. - Shelestynski Floodplain Exemption 6116 - 12th St__	Floodplain exemption request for property located at 6116 - 12th Street, legally described as Lot 1, District Lot 382, Plan KAP90023	THAT the COTW recommends to Council to approve the Site Specific Exemption request to vary the Flood Construction level from 516.600 meters to 515.600 meters to install a hot water tank and heating source 0.6096 meters off the floor of the first level of the home, mounted on a metal stand, subject to the applicant registering a Section 219 covenant on title, saving the City harmless in case of flooding.
b)	Manager of Development & Engineering Services RFD - Mgr. of Dev. & Eng. - Subdivision Applic. Verkerk & Gilmore - 12th St.	Subdivision application for 6370 - 12th Street and 6380 - 12th Street	THAT the COTW recommends that Council approves the two subdivision applications for 6370 - 12th Street and 6380 - 12th Street at the October 11th, 2016, Regular Meeting.
c)	Manager of Development & Engineering Services Memo - Mgr. Dev. & Eng. - PetroMaxX Update	Memorandum update on progress in the PetroMaxX-Esso and Tim Hortons development	THAT the COTW receives for information the memorandum update on progress in the PetroMaxX-Esso and Tim Hortons development from the Manager of Development and Engineering Services.
d)	Manager of Development and Engineering Services Memo - Mgr. Dev. & Eng. - SCP Presentation	Memorandum update on the Sustainable Community Plan Presentation	THAT the COTW receives for information the memorandum update on the Sustainable Community Plan Presentation from the Manager of Development and Engineering Services.
e)	Manager of Development and Engineering Services Memo - Mgr. Dev. & Eng. - Energy Innovation Grant	Memorandum update on the Energy Innovation Grant	THAT the COTW receives for information the memorandum update on the Energy Innovation Grant from the Manager of Development and Engineering Services.
f)	Monthly Highlight Reports from Department Managers Building & Bylaw Services Corporate Services Fire Department Operations Chief Financial Officer Development & Engineering Services	Staff request for Council to receive the monthly activity reports from department managers	THAT the COTW receives the monthly activity reports from department managers.

6. **REPORTS AND DISCUSSION**

7. **PROPOSED BYLAWS FOR DISCUSSION**

a) Chief Financial Officer Bylaw 2034 - RFD - CFO - 2017 Revenue Anticipation Borrowing	Bylaw 2034 - 2017 Revenue Anticipation Borrowing Bylaw	THAT the COTW recommends that Council gives the first three readings to Bylaw No 2034 "2017 Revenue Anticipation Borrowing Bylaw" at the October 24th, 2016, Regular Meeting of Council.
b) Manager of Development & Engineering Services Bylaw 2035 - RFD - Mgr. of Dev. & Eng. - Johnson Flats Wetland Protected Natural Area Dedication	Johnson Flats Wetland Protected Natural Area Dedication	THAT the COTW receives the report and recommends that Council gives first and second readings of the proposed "Johnson Flats Wetland Nature Park Bylaw No. 2035, 2016", at the October 11th, 2016, Regular Meeting.

8. **INFORMATION ITEMS**

9. **CORRESPONDENCE ITEMS**

10. **LATE ITEMS**

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

12. **QUESTION PERIOD FROM THE PUBLIC**

13. **IN-CAMERA RESOLUTION**

a) Chief Administrative Officer	Immediately following the COTW Meeting, Council will hold an In-Camera Meeting	THAT the COTW recommends 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)(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity; Section 90 (1)(e) the acquisition, disposition or expropriation of land or

improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
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.

14. **ADJOURNMENT**

From: "Lee Derhousoff, President" <boundarymuse@shaw.ca> 20...

Subject: New Online Delegation Form submission from Lee Derhousoff, Pr...

To: **Info City of Grand Forks**

RECEIVED
SEP 27 2016
THE CORPORATION OF
THE CITY OF GRAND FORKS

Your Worship, Mayor Konrad, and Members of Council, I/We are here this evening on behalf of:

The Boundary Museum Society

To request that you consider:

Acceptance of our Quarterly Report as of September 30, 2016 at the COTW on Ocotber 11, 2016

The reasons that I/We are requesting this action are:

As specified in our Fee-For-Service Agreement with the City of Grand Forks to provide a Quarterly Report on the operations of the Museum.

I/We believe that in approving our request the community will benefit by:

N/A

I/We believe that by not approving our request the result will be:

N/A

In conclusion, I/we request that Council for the City of Grand Forks adopt a resolution stating:

"Acceptance of the Boundary Museum Society's Quarterly Report as of September 30, 2016"

at the regular meeting of City Council on October 11, 2016.

Name

Lee Derhousoff, President

Organization

Boundary Museum Society

Mailing Address

6145 Reservoir Road
same
Grand Forks, British Columbia V0H 1H5
Canada
Map It

Telephone Number

250-442-3737 or Lee at 250-442-2054

Email Address

FILE CODE
D2- The Boundary Museum Society

From: Kathy Wright <kathywright.bcrcc@gmail.com> 2016-09-22 3...

Subject: New Online Delegation Form submission from Kathy Wright

To: **Info City of Grand Forks**

RECEIVED
SEP 27 2016
THE CORPORATION OF
THE CITY OF GRAND FORKS

Your Worship, Mayor Konrad, and Members of Council, I/We are here this evening on behalf of:

Boundary Country Regional Chamber of Commerce

To request that you consider:

BCRCC present on October 11, 2016 COTW Council Meeting

The reasons that I/We are requesting this action are:

The reason BCRCC is requesting for this presentation to update Mayor & Council with our quarterly report.

I/We believe that in approving our request the community will benefit by:

N/A

I/We believe that by not approving our request the result will be:

N/A

In conclusion, I/we request that Council for the City of Grand Forks adopt a resolution stating:

N/A

Name

Kathy Wright

Organization

Boundary Country Regional Chamber of Commerce

Mailing Address

Box 379
Midway, British Columbia V0H 1M0
Canada
Map It

Telephone Number

250-442-7263

Email Address

kathywright.bcrcc@gmail.com

FILE CODE
Chamber of
D2- Commerce

RECEIVED
SEP - 7 2016
THE CORPORATION OF
THE CITY OF GRAND FORKS

Council Delegations

Background

Council for the City of Grand Forks welcomes public input and encourages individuals and groups to make their views known to Council at an open public meeting.

Council needs to know all sides of an issue, and the possible impacts of any action they make take, prior to making a decision that will affect the community. The following outline has been devised to assist you in preparing for your presentation, so that you will understand the kind of information that Council will require, and the expected time frame in which a decision will be forthcoming. Council may not make a decision at this meeting.

Presentation Outline

Presentations may be a maximum of 10 minutes.

Your Worship, Mayor Konrad, and Members of Council, I/We are here on behalf of

Grand Forks Art Gallery Society

to request that you consider Our 2017 Fee For Service Funding request

.

The reason(s) that I/We are requesting this action are:

To review our recently submitted (prior to September 20 deadline) 2017 Fee For Service request as presented, and answer any questions arising from the submission.

I/We believe that in approving our request the community will benefit by:

continuing to have the exposure and enjoyment of contemporary and heritage arts programming, without the burden of travel, and inclusive to all citizens in the community.
We anticipate expanding our education and outreach programming as well.
We additionally anticipate another year of busy Visitor's Information Centre activites in 2017 and are happy to continue to provide this service on behalf of the City of Grand Forks.

FILE CODE
G.F. Art Society
D2 - Gallery

Council Delegations (cont.)

I/We believe that by not approving our request the result will be:

The loss or compromise of a valuable long standing cultural asset for the City as well as the loss or compromise of a fully functional Visitor Centre.

In conclusion, I/we request that Council for the City of Grand Forks adopt a resolution stating: The 2017 Fee for Service Funding Agreement be approved as presented in the formal submission document presented in September.

Presenting on Behalf of GFAGS: Executive Director and Board Chair

Name: Terry Woodruff, Executive Director

Organization: Grand Forks Art Gallery Society

Mailing Address: Box 2140 Grand Forks V0H 1H0
(Including Postal Code)

Telephone Number: 250 442 2211

Email Address: director@g2gf.ca

The information provided on this form is collected under the authority of the Community Charter and is a matter of public record, which will form a part of the Agenda for a Regular Meeting of Council. The information collected will be used to process your request to be a delegation before Council. If you have questions about the collection, use and disclosure of this information contact the "Coordinator" City of Grand Forks.

N:Forms/Delegation Form

gallery 2
GRAND FORKS & DISTRICT ART & HERITAGE CENTRE

September 16, 2016

Mayor Konrad and Council
City of Grand Forks
7217-4th Street
Grand Forks, BC

Re: Annual Fee for Service request 2017

Dear Mayor Konrad and Councilors,

In accordance with the Funding Agreement with the City of Grand Forks, the Grand Forks Art Gallery Society hereby submits this request for annual funding.

The Grand Forks Art Gallery Society (GFAGS) is requesting a continuation of our funding at the same level as 2016, $142000.00 with the payment dates occurring on or before May 15th (50%) and on or before November 1st (50%).

We have applied for delegation to the Committee of the Whole meeting on October 11, 2016 to make our full presentation in person and allow for questions.

You may recall in our previous request, for 2016 funding, we faced some significant challenges to our budget. I am happy to report, with your assistance in payment cycles, we are back on track in spite of a budget shortfall in the fiscal year 2015/16 (April 1 to March 31). We recently presented our current year to date financial review for your information at the September 6th COTW meeting. You will recall we discussed the steps taken, and will continue to take, to ensure our gallery and visitor's centre remain an asset for the community.

We have had a very busy year with a full slate of exhibitions and will review them in our presentation on October 11, including the travelling Heritage Canada exhibition, from the Nikkei National Museum & Cultural Centre, held in our heritage gallery on the lower level. 'A Call For Justice' was an important event and we were proud to be able to bring this large exhibit into our community and have residents directly affected by this event present and honoured. This exhibition was an example of the work we do to bring art and culture to our somewhat isolated region, allowing our residents access and enjoyment to events they may not otherwise be able to attend. We were fortunate to receive a grant from Heritage Canada to cover the bulk of the costs.

Another way we are working on culture in the community is in collaboration of events. This year GFAGS applied for, and received, a grant from Heritage Canada to assist the Aboriginal Community in their BC Aboriginal Day celebrations which was well attended by our residents.

gallery 2
GRAND FORKS & DISTRICT ART & HERITAGE CENTRE

The Visitors Information Centre brings in large volumes of visitors from all over the world and our comment books evidence the key role the gallery staff play in manning the centre and providing a valued service for the City and surrounding areas. We enjoy the additional traffic through the galleries as a result, and the most common comment is about the caliber of our exhibitions. This is so very important considering the places these travelers are coming to us from- Paris, London, Montreal, Vancouver, Arizona, California, Germany, Switzerland, Japan, and Taiwan for example- and what they have access to, in the arts, on a regular basis.

We write grants and receive funding for our exhibitions and programming from the British Columbia Arts Council and also the BC Gaming Community Grant. We also run our own fundraising events and the gift shop for additional revenue but the core funding and support from the City of Grand Forks is our cornerstone.

With your assistance we are able to maintain our classification as a Canadian Art Museum (a gallery with a permanent collection and continuous contemporary exhibitions). We are well respected by our peers and through years of hard work have built up a network of contacts for continuing success in bringing in the works of talented artists and creators to Grand Forks. The operational support received from the City supports the majority of staffing levels (Curation is also supported through BCArts Council and BC Gaming) and day to day operations of the building. We will provide 3 fulltime and 2 part time positions in 2017, with the addition of government funded summer students, keeping jobs in the community. The curator position will be recombined with the director position, for one full time position, supported by a full time administrative assistant (30 hrs a week). The marketing, communications, and graphic design will continue to be a part time position approximately 24 hours a week. The Visitor's Centre will continue to be staffed by one fulltime and one part time gallery staff member who also carry the responsibility and workload of the art rental program and the facility rentals. We administer our own payroll and bookkeeping with occasional assistance of a contract bookkeeper and the services of Kemp Harvey Burch Kientz for yearend preparation. We provide an office for the Boundary Arts Council and have an additional request for office space from another nonprofit at a moderate fee.

We will provide the recently completed financial year end for GFAGS prior to the October 11 COTW meeting for your review, as well as the September year to date figures for this year and the budget for the 2016/17 fiscal year.

We, as the saying goes, work hard for our money and are proud of what we bring to the fabric of our community.

Thank you for your past support, we are looking forward to working with you in the future.

Best regards,

Terry Woodruff
Executive Director, on behalf of
Grand Forks Art Gallery Society

Gallery 2 PO Box 2140 524 Central Avenue Grand Forks, BC V0H 1H0 ph: 442-2211 www.gallery2grandforks.ca

STAFF REPORT

Date:	August 15, 2016	**File:**	
To:	Directors Rotvold, Smith and Konrad		
From:	Donna Dean, Manager of Planning and Development		
Re:	Boundary Area Agricultural Plan/Food Security Project Update		

Issue Introduction

The RDKB Boundary Directors (McGregor, Russell and Gee) are requesting financial contribution from the member municipalities of Midway, Greenwood and Grand Forks totalling $7,041.52 for Year 1 of the update to the Boundary Area Agricultural Plan/Food Security Project.

History/Background Factors

The Regional District of Kootenay Boundary's (RDKB) Boundary Economic Development Committee (BEDC) is undertaking an update of the Boundary Area Agricultural Plan (the Plan), which was completed in 2011. The revised Plan will include an update to the technical information in the Plan, as well as a focus on the social capital/food security section of the Plan (*see attached Boundary Area Agricultural Plan, 2011*). The Plan covers the entire Boundary Area including: Electoral Areas: 'C'/Christina Lake, 'D'/Rural Grand Forks, and 'E'/West Boundary; and the municipalities of Midway, Greenwood and Grand Forks.

The project, which has an overall budget of $120,300, is designed to take place over three years. Year 1, with a proposed budget of $60,300 will focus on a technical update of the Plan including public consultation regarding food security, while years 2 and 3 will focus primarily on the food security component of the Plan. The review will include a thorough and inclusive public consultation process. The main objective of Year 1 is to engage Boundary Area residents in a discussion regarding agriculture and food, and to create Version 2.0 of the Boundary Area Agricultural Plan (the Plan).

The anticipated impact on Boundary Area communities will be a shift towards self-reliance for food production that everyone in the community can access. Another impact will be a greater sense of community and security regarding food.

Anticipated outcomes of the project include but are not limited to:

- Over time, policy direction in local governments' planning bylaws will encourage and support food production on ALR lands;

- Creation of an awareness and appreciation in the Boundary communities regarding opportunities for local food production and availability of local foods;
- Identification of strategies that may be used in the Boundary Area to make the area more food secure; and
- Over time, the outreach and education regarding food will contribute towards a healthier population, and reduced pressures on health care services.

Budget

Funding for the project is being provided through the Investment Agriculture Foundation (IAF), the Interior Health Authority (IHA), and Gas Tax Funds with in-kind contributions from the BEDC, the RDKB, and multiple local food-related agencies.

To date the following funding sources for Year 1 have been secured with the exception of a contribution from the member municipalities:

Source	Amount	Secured
Investment Agriculture	$15,150	√
Interior Health Authority	$15,000	√
RDKB Gas Tax	$23,107	√
Municipal Contribution	$7,042	----
Total	**$60,300**	**$53,257**

Since the project budget for Year 1 is $60,300, there is a shortfall of $7,043. The Investment Agriculture and Interior Health Authority funding, which totals $30,150 require matching funds. The three Electoral Areas have agreed to contribute $23,107 based on the formula on the attached spreadsheet. The spreadsheet presents the portions from each Electoral Area and municipality based on a factor, which is a combination of population (2011 census) and portion of the land area in the Agricultural Land Reserve (ALR) as follows:

Electoral Area / Municipality	%	Contribution
Area 'C'/Christina Lake	7	$2,129.72
Area 'D'/Rural Grand Forks	22	$6,744.17
Area 'E'/West Boundary	47	$14,233.17
Grand Forks	17	$5,097.00
Greenwood	3	$895.77
Midway	4	$1,048.75
Total	**100**	**$30,150.00**

The Boundary Area Directors are requesting that the remaining $7,043 (23% of $30,150) come from the municipalities of Grand Forks, Greenwood and Midway applying the same breakdown based on population and portion of the municipality in the ALR. If funds are not provided by the municipalities, the project would still go ahead, but another source of funding would be required for the remaining $7,043. The project would still include the municipalities because it is not possible to compartmentalize the communities in the Boundary regarding agriculture and food.

REQUEST FOR DECISION

— COMMITTEE OF THE WHOLE —

To:	Committee of the Whole
From:	Manager of Development & Engineering Services
Date:	October 11, 2016
Subject:	Floodplain Exemption request for property located at 6116-12th Street, legally described as Lot 1, District Lot 382, Plan KAP90023
Recommendation:	**RESOLVED THAT** the Committee of the Whole recommend to Council to approve the Site Specific Exemption request to vary the Flood Construction level from 516.600 meters to 515.600 meters to install a hot water tank and heating source 0.6096 meters off the floor of the first level of the home, mounted on a metal stand, subject to the applicant registering a Section 219 covenant on title, saving the City harmless in case of flooding, and refer the decision to the October 11, 2016 Regular Meeting.

BACKGROUND:

Staff have received a Site Specific Exemption of the Floodplain Management Provisions application from the owner of property located at 6116-12th Street, legally described as Lot 1, District Lot 382, Plan KAP90023.

The property is zoned R-4 (Rural Residential), is located in the Agricultural Land Reserve and is 0.239 hectares in size.

The first level of the residence will be used as an entrance foyer and carport only. There is no liveable space on the first level as the property is located in a floodplain area, as shown on Schedule "D" of the Sustainable Community Plan (SCP).

The owner has requested a variance to the floodplain elevation from 516.600 meters above sea level to 515.600 meters above sea level, to install a hot water tank and heating source, 0.6096 meters off the floor of the first level of the home.

The City's Floodplain Bylaw No. 1402 and Ministry of Environment maps govern floodplain elevations in all floodplain areas shown on Schedule "D" of the SCP. Section 524 of the Local Government Act governs the requirements in relation to floodplain areas.

The City's Building Inspector has issued a building permit to construct the home and has stated that the Engineer's report addressed the height and location of the hot water and heating sources. If flooding does occur, the heating sources can be shut off to avoid damage.

REQUEST FOR DECISION
— COMMITTEE OF THE WHOLE —

Timeline:

Date	Process
October 11, 2016	**COTW Intro**
October 11, 2016	RMC for decision

General: The property at 6116-12th Street is located in a floodplain area and the owner would like to install a hot water tank and heating source on the first level of his residence, 1 meter below the floodplain elevation. The heating source is too tall to install at the floodplain elevation, thus the relaxation request.

Strategic Impact:

- N/A
- The Grand Forks Strategic Plan states that Council is open yet disciplined in land development decisions.
- To encourage residents to participate in decisions and process.
- Council will support community initiatives that align with the Strategic Plan.

Financial: There is no cost to the City or the tax payers in that the applicant has paid the applicable fees for the exemption process.

Policy/Legislation: The Local Government Act governs the requirements in relation to floodplain areas.

Attachments:
- Site Specific Exemption application;
- Site Plan and Floodplain map;
- Parcel Report;
- Zoning map and R-4 zoning excerpt;
- Photos of proposed location of heating source;
- Site Plan showing the residence being constructed;
- Aerial View of the property;
- Excerpts from the Local Government Act, Section 524;
- Floodplain Bylaw No. 1402;
- Schedule "D" - 200 Year Floodplain map contained in the SCP.

Recommendation: **RESOLVED THAT** the Committee of the Whole recommend to Council to approve the Site Specific Exemption request to vary the Flood Construction level from 516.600 meters to 515.600 meters to install a hot water tank and heating source 0.6096 meters off the floor of the first level of the home, mounted on a metal stand, subject to the applicant registering a Section 219 covenant on title, saving the City harmless in case of flooding, and refer the decision to the October 11, 2016 Regular Meeting.

REQUEST FOR DECISION

— COMMITTEE OF THE WHOLE —

OPTIONS:

1. **COTW COULD CHOOSE TO SUPPORT THE RECOMMENDATION.**
2. **COTW COULD CHOOSE TO NOT SUPPORT THE RECOMMENDATION.**
3. **COTW COULD CHOOSE TO REFER THE REPORT BACK TO STAFF FOR MORE INFORMATION.**

SCHEDULE "B" **BYLAW NO. 1756**

THE CORPORATION OF THE CITY OF GRAND FORKS
APPLICATION FOR SITE SPECIFIC EXEMPTION

This form is to be fully completed and submitted by the property owner to the City of Grand Forks as a request to exempt a development from the requirements of Section 910 of the Local Government Act, in respect to provisions in City of Grand Forks floodplain management bylaw.

Applicant's Name: Darrin Shelestynski

Address: 6116 12th STREET

Phone #: (250) 444-3344

Lot 1, District Lot 382, Plan KAP 90023
(Lot, Block, Legal Subdivision, Section, Plan, Township, Range, Land District)

City of Grand Forks 028-104-374 0.239 ha
(Name of Regional District, Village, Town, City or District)

Exemption of the following development from the requirements of Section 910 of the Local Government Act and Section 5 of the City of Grand Forks Floodplain Management Bylaw No. 1402, is requested:

Proposed Development:

Name of Adjacent Watercourse or Body of Water:

Flood Construction Level in Bylaw No. 1402 516.600

Flood Construction Level Requested: 515.600

Floodplain Setback in Bylaw No. 1402: 30 meters from the natural boundary of the Kettle or Granby Rivers and 7.5 meters from the landside toe of any standard dyke

Floodplain Setback Requested:

...../2

Request for Site-Specific Exemption
Floodplain Management Provisions
Page 2

ENCLOSED ARE:
(check where provided; provision of all of this information will facilitate processing of application)

___ legal map of property.

___ map indicating property location and relationship of proposed building to adjacent watercourses.

___ photos of property (proposed building location, adjacent existing development, riverbank areas, etc.).

___ professional engineer's report stating that the property can be safely used for the intended use.

REASONS FOR APPLICATION:

I would Like to ask For the Flood Construction Level to be Lowered 1 meter so I can have my hot water Tank and Heating Source installed on the first Floor of my New house. Even at this Level, my hot water tank and heating source will still be 2 Feet off the floor of the first Level, mounted on a metal Stand.

Date of Application: Friday Sept. 2/16

Signature of Applicant: Darin Shelestynski

Acknowledgement of Building Inspector: _____

Application fee: $200.00

SUBDIVISION PLAN OF THAT PART OF LOT 1 WHICH LIES WEST OF A LINE DRAWN 215 FEET PERPENDICULARLY DISTANT FROM AND PARALLEL TO THE WEST BOUNDARY OF THE SAID LOT; DL 382, SDYD, PLAN 11144

PLAN KAP 90023

BCGS 82E.008

SCALE 1 : 750

10 5 0 10 20 30

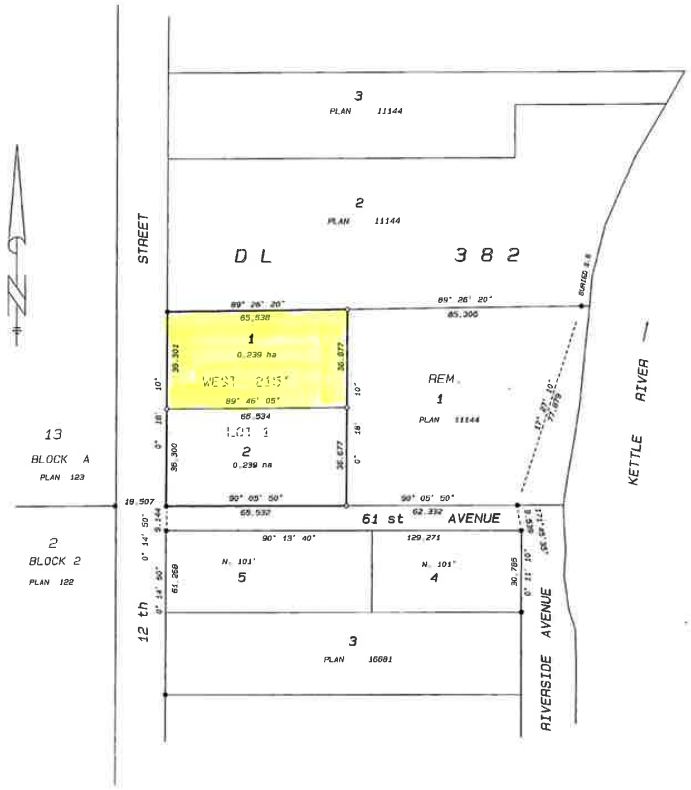
All distances are in metres.

Deposited in the Land Title Office at Kamloops, B.C. this 19 day of NOV 2009

A. Bruce
REGISTRAR

LB352933 - CJ

THE INTENDED PLOT SIZE OF THIS PLAN IS 560 mm IN WIDTH BY 864 mm IN HEIGHT (D SIZE) WHEN PLOTTED AT A SCALE OF 1:750



Approved under the Land Title Act this 13th day of January 20 09

Approving officer for the City of Grand Forks

LEGEND

Bearings are astronomic, derived from Plan 16681 .

● denotes standard iron post found

○ denotes standard iron post placed

THIS PLAN LIES WITHIN THE KOOTENAY BOUNDARY REGIONAL DISTRICT

MORTGAGE - LA171869
GRAND FORKS DISTRICT SAVINGS CREDIT UNION

AUTHORIZED SIGNATORY: Lillian Voykin

AUTHORIZED SIGNATORY: Terry Woodruff

WITNESS TO BOTH SIGNATURES

DALE LAPPELLE
PRINT NAME OF WITNESS

447 MARKET AVE. GRAND FORKS BC.
ADDRESS OF WITNESS

LOAN SERVICE REPRESENTATIVE
OCCUPATION OF WITNESS

OWNER : JOSEPH DARRIN SHELESTYNSKI

OWNER : MARCI SHELESTYNSKI

WITNESS TO BOTH SIGNATURES

K. Louise Currier
PRINT NAME OF WITNESS

PO Box 1928
7215 2nd Street
Grand Forks BC V0H 1H0
ADDRESS OF WITNESS

Notary Public
OCCUPATION OF WITNESS

I, A.F. HOEFSLOOT, A BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF GRAND FORKS IN BRITISH COLUMBIA, CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON THE 8 TH DAY OF OCTOBER 2009 . THE PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER NO. 107031 , ON THE 8 TH DAY OF OCTOBER , 2009

A. Hoefsloot B.C.L.S.

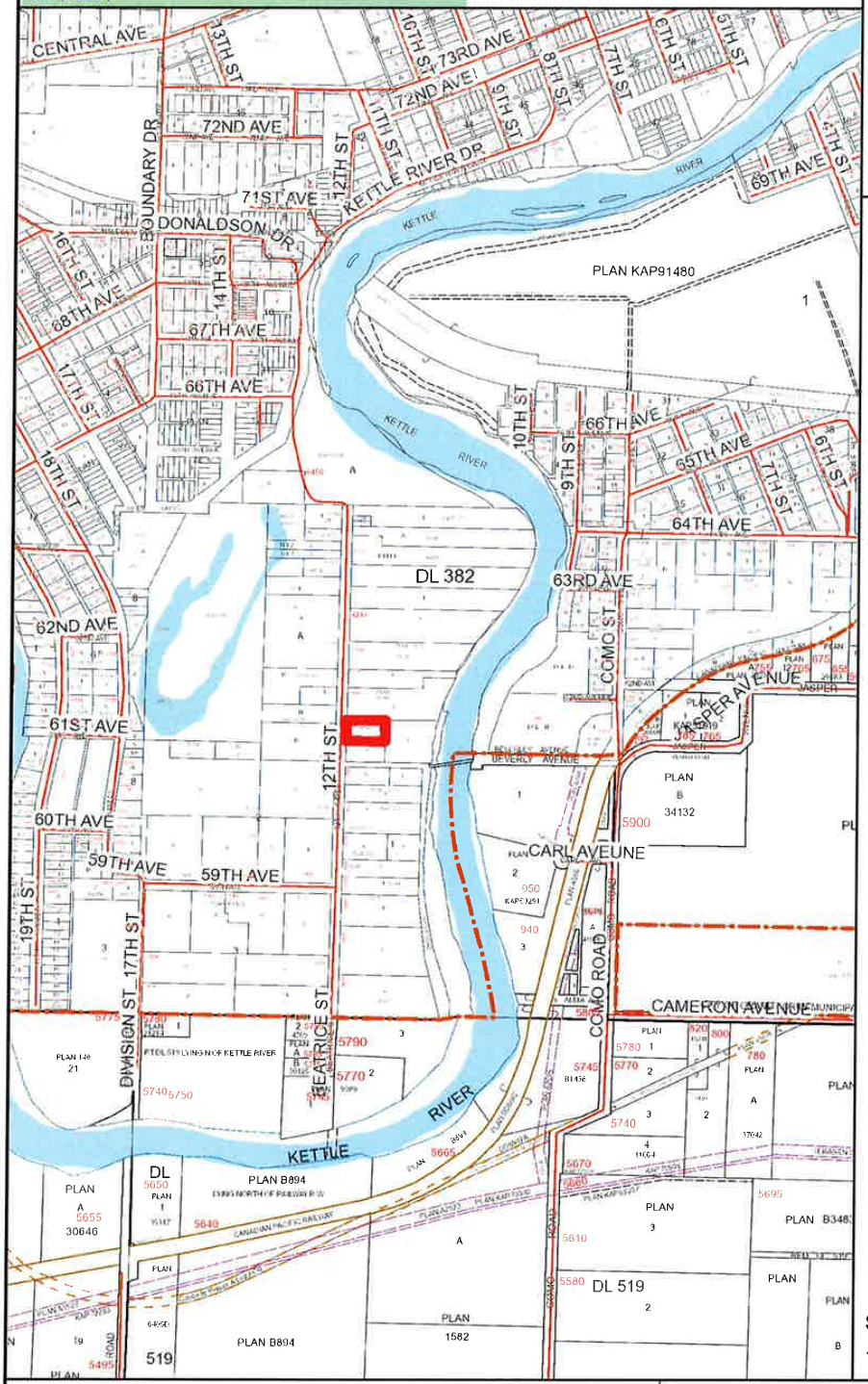
A.F. HOEFSLOOT
BRITISH COLUMBIA LAND SURVEYOR
P.O. BOX 2740, GRAND FORKS, B.C.
V0H 1H0 250-442-8597

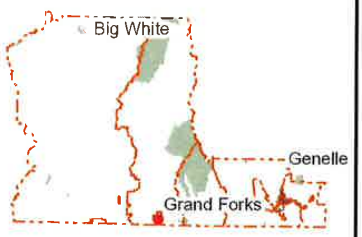
09-36

ORIGINAL

Regional District of Kootenay Boundary
Interactive Mapping System

Regional District of Kootenay Boundary





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
  - CADM_MAP_RESERVE
  - CADM_MINERAL_CLAIM
  - CADM_MISC_RW
  - CADM_MTN_TOP_MARKER
  - CADM_SKI_LIFT
  - CADM_STAR
  - CADM_TRANSCANADA_TRAIL
  - CADM_UNSURVEYED_ROAD
- Parcels
- Provincial Park
- Lakes
- Rivers
- Streets

Scale: 1: 10,323

1 cm represents 103.23 m

N

0 250 500 m

Datum: NAD 1983 Projection: UTM Zone 11N

Printed on 08-Sep-2016

Notes: 6112-12th Street

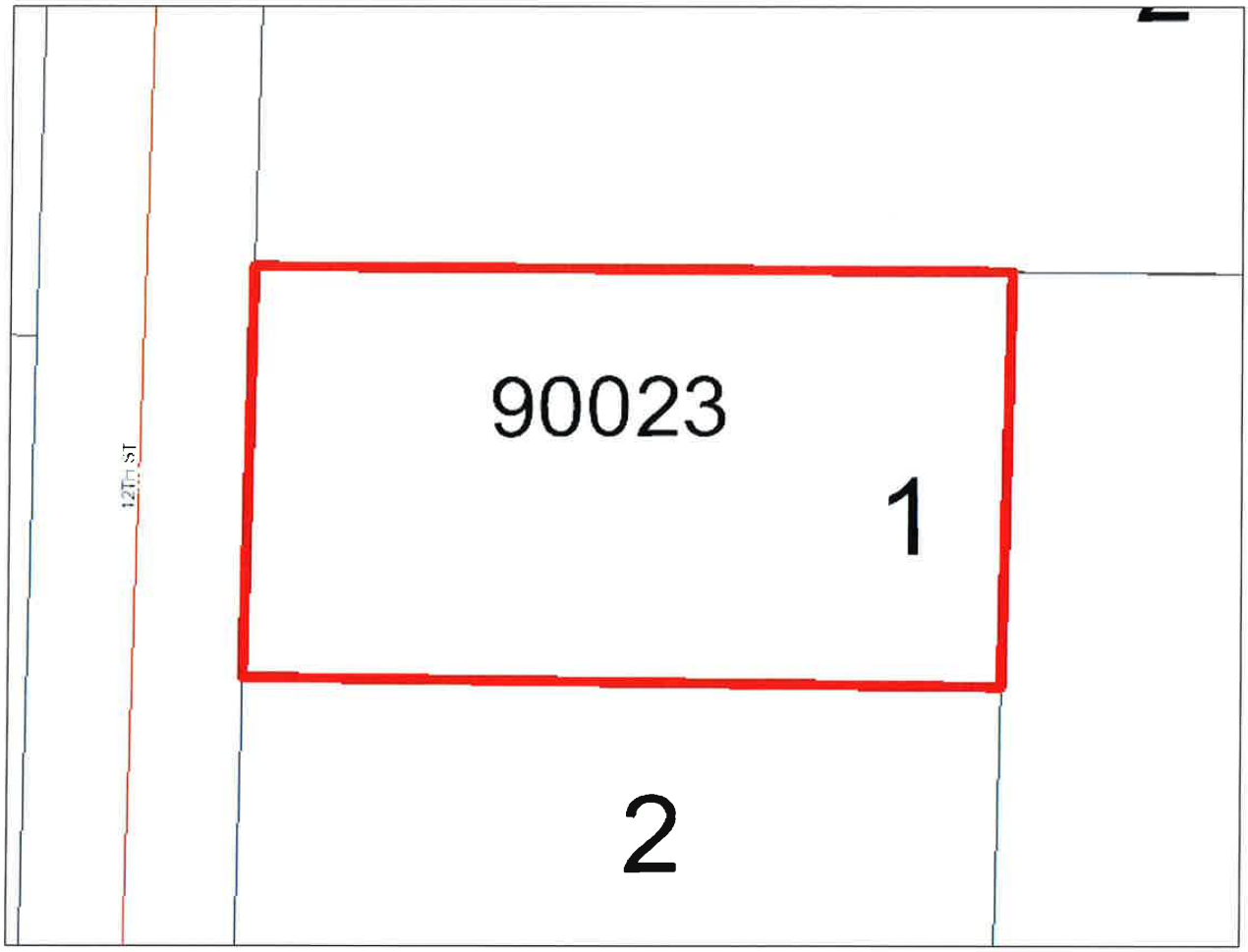
This map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.

Selkirk College

Regional District of Kootenay Boundary
Interactive Mapping System

Parcel Report

Thursday, September 8, 2016

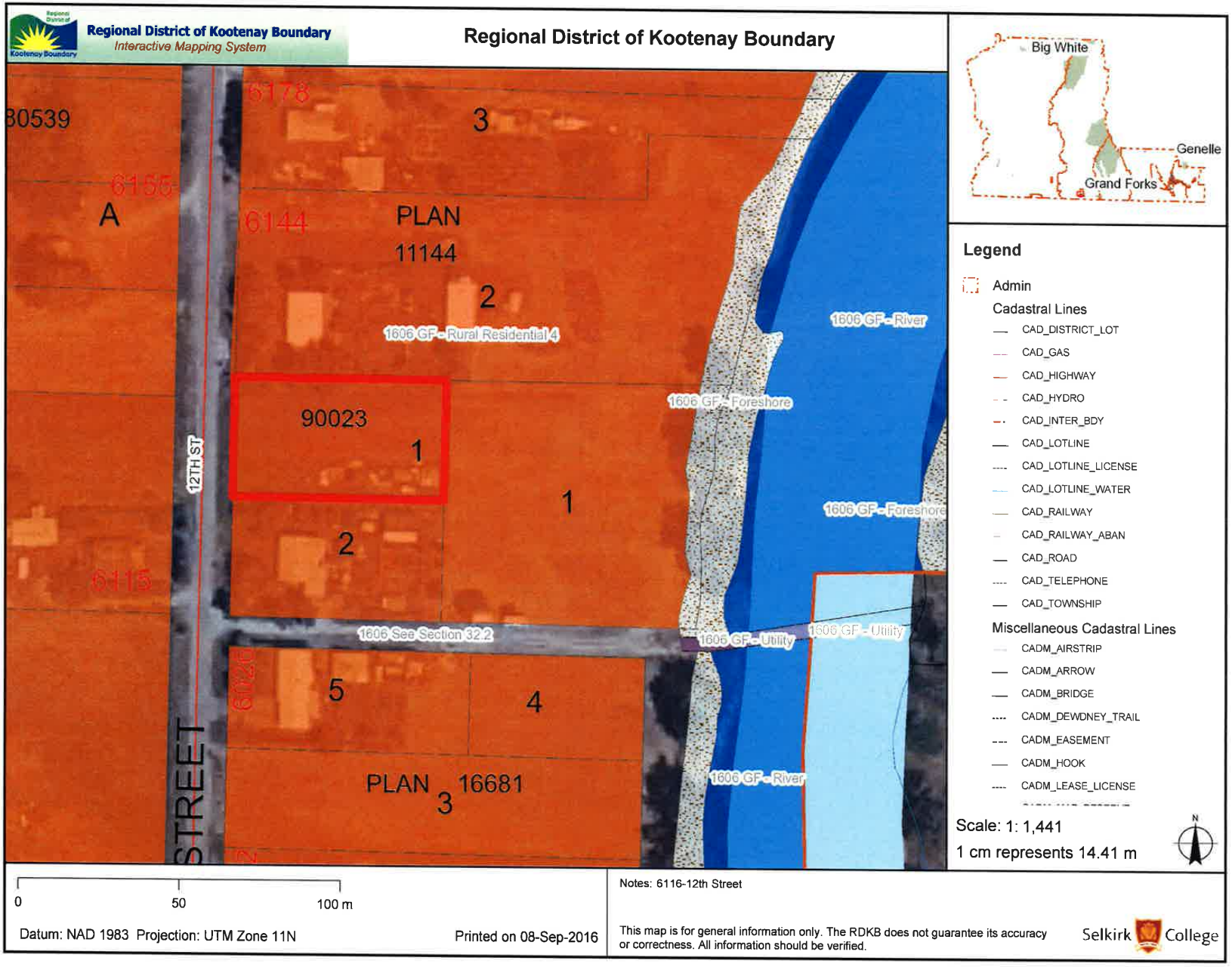


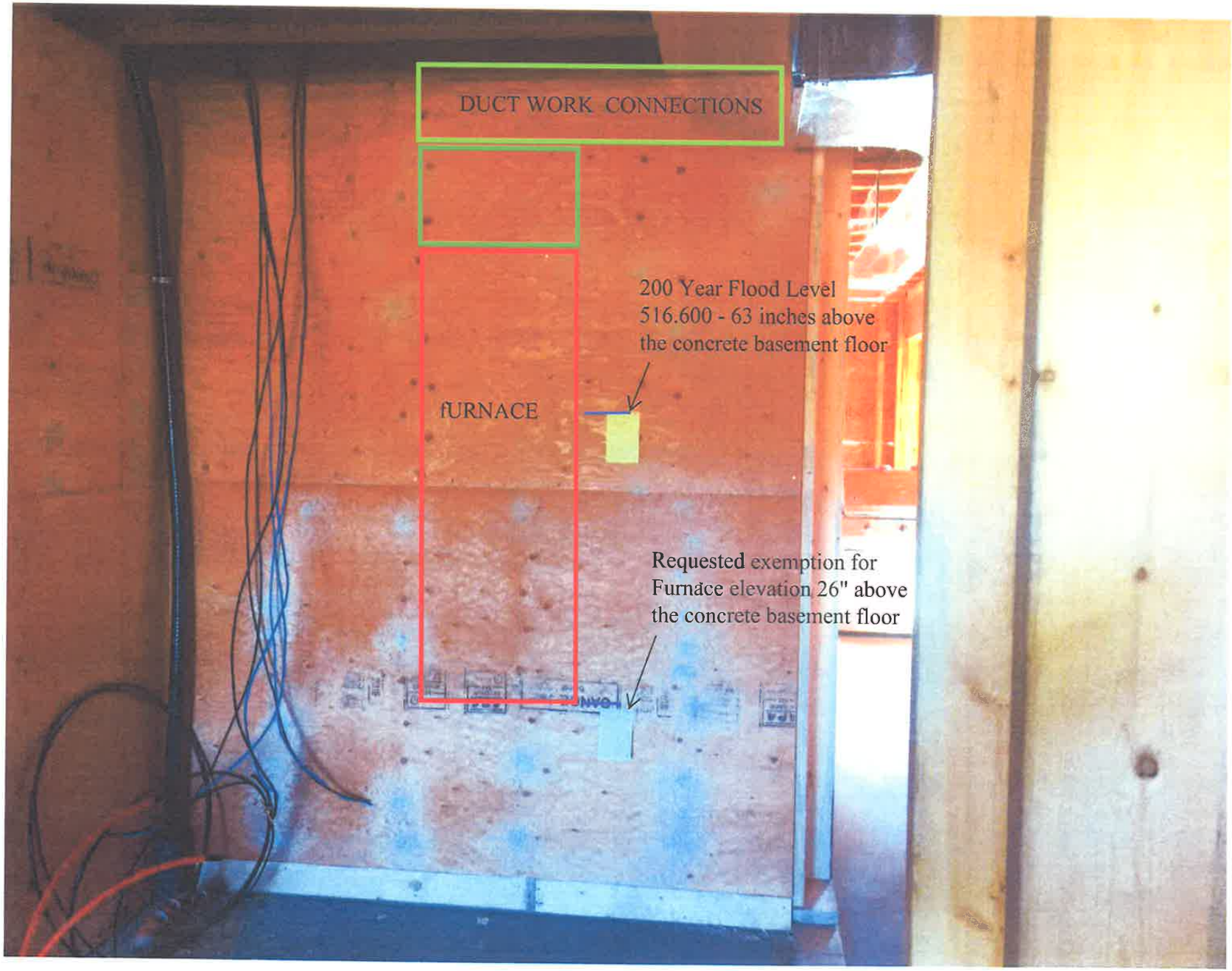
Scale 1: 532

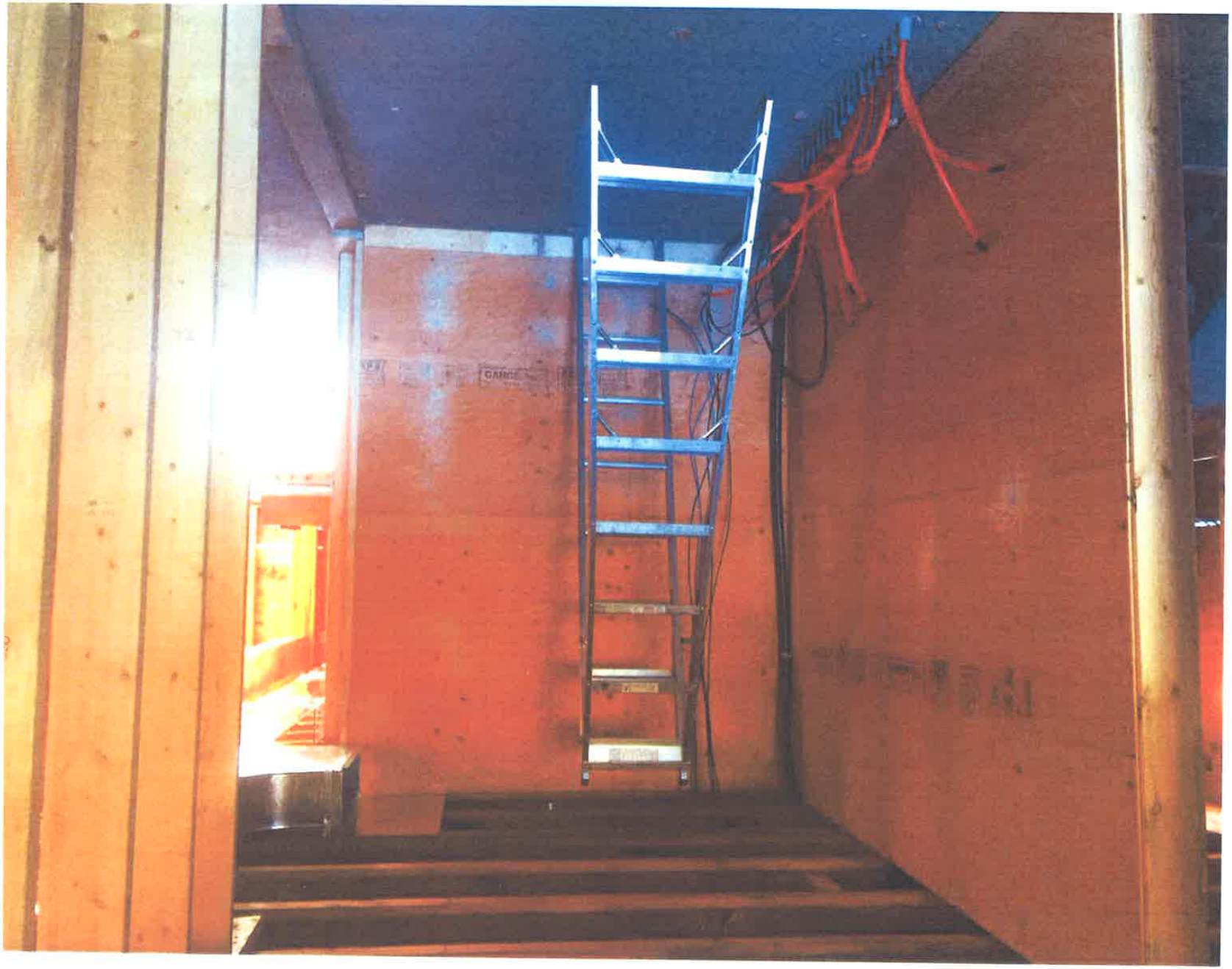
Legal Information

Plan:	KAP90023	**Section:**		**Jurs:**	210	**Lot Area:**	0.591
Block:		**Township:**		**Roll:**	612005	**Area Unit:**	acr
Lot:	1	**Land District:**	54	**PID:**	028-104-374	**Width (ft):**	0
District Lot:	382					**Depth (ft):**	0
Street:	6116 12TH ST						
Description:							

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


Regional District of Kootenay Boundary
Interactive Mapping System
Regional District of Kootenay Boundary
30539
6178
3
6155
A
6144
PLAN
11144
2
1606 GF - Rural Residential 4
1606 GF - River
90023
1
1606 GF - Foreshore
12TH ST
1
1606 GF - Foreshore
2
6115
1606 See Section 32.2
1606 GF - Utility
1606 GF - Utility
6026
5
4
STREET
PLAN 16681
3
1606 GF - River
Big White
Genelle
Grand Forks
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: 1,441
1 cm represents 14.41 m
N
0
50
100 m
Datum: NAD 1983 Projection: UTM Zone 11N
Printed on 08-Sep-2016
Notes: 6116-12th Street
This map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.
Selkirk College


DUCT WORK CONNECTIONS
200 Year Flood Level
516.600 - 63 inches above
the concrete basement floor
FURNACE
Requested exemption for
Furnace elevation 26" above
the concrete basement floor

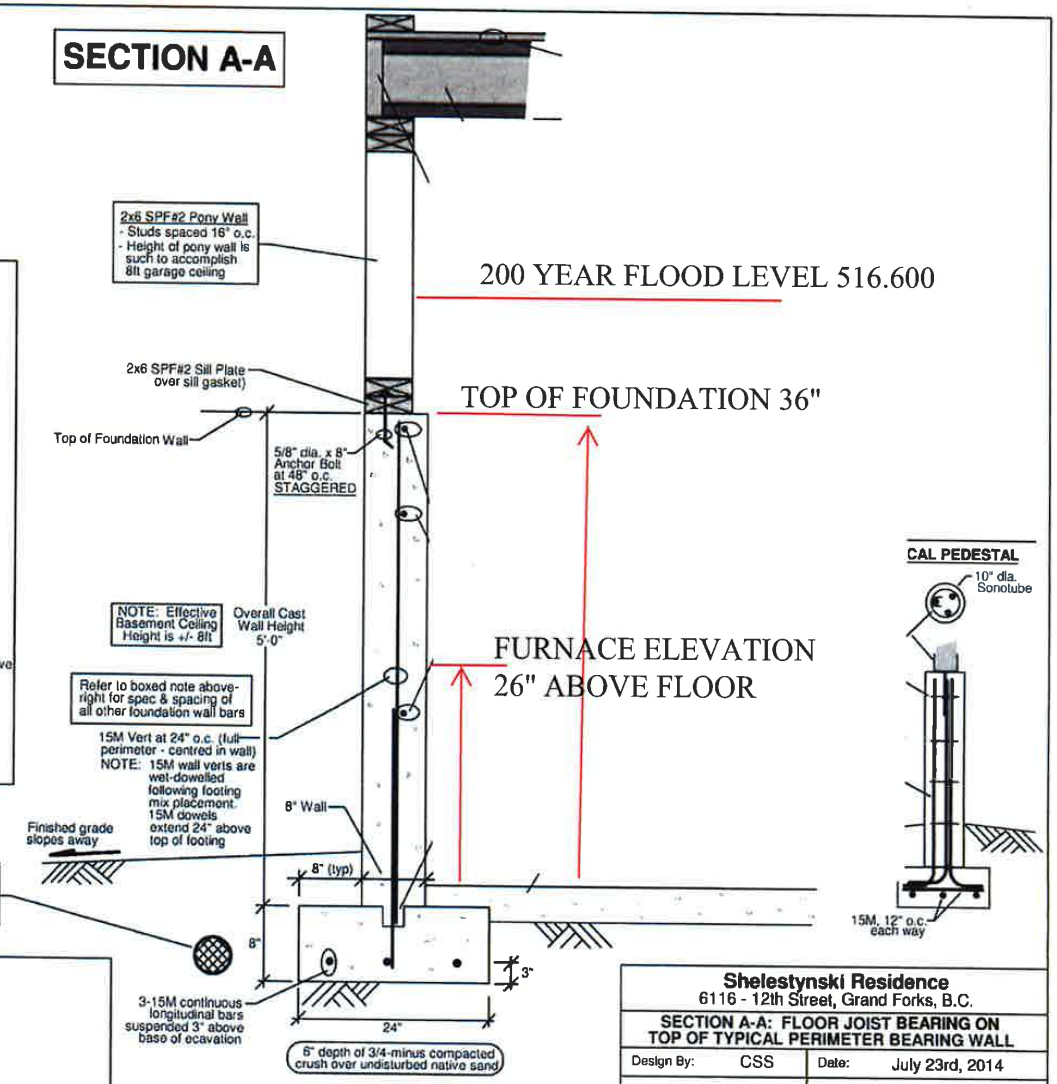


SECTION A-A

REFER TO DRAWING SHEET SK-S1
FOR FOUNDATION LAYOUT

NOTES

1. Underside of footings to bear on compacted 3/4-minus granular fill over undisturbed native sand, to provide minimum depth of frost cover of 30" below finished grade.
2. All reinforcement is 15M. All horizontal reinforcement is to be continuous at all corners and direction changes - provide minimum 24" lap splice at all reinforcement joints.
3. Owing to the very high permeability of the underlying native sand Perimeter Footing Drain is not required. Regardless, perimeter Roof Drain must be installed, as outlined at right.
4. Footing and Wall mix is placed to provide minimum 30 MPa compressive strength after 28-day cure. Wall mix is to be placed in a minimum of two staggered lifts, in an effort to avoid imposing excessive hydrostatic pressure on wall forms.
   NOTE: Vibrating wand contacts each lift of wall mix once only. Do not contact previously placed lift of mix with vib. wand during placement of subsequent pass(es).
5. 15M x 36" x 9" hooked dowels stub (minimum) 30" above top of Strip Footing. 15M hooked vert dowels tie to continuous longitudinal bars of footing. 15M hooks alternate direction across footing reinforcement, at successive hook positions.
6. Please provide SHERWIN ENGINEERING (SE) with representative digital photos depicting pre-pour preparation for mix placement prior to each placement of mix. Based upon photo evidence, SE will prepare, certify & distribute a Construction Review Report prior to each mix placement. As well as a description of SE's findings, these reports will include a concluding statement: "Proceed to place footing (or foundation wall) mix". Please do not place mix unless SE's report contains this statement.



SHERWIN ENGINEERING

1418 - 85th Street
Osoyoos, B.C. V0H 1V1
Phone: (250) 495-5370
email: cs.sherwin@telus.net

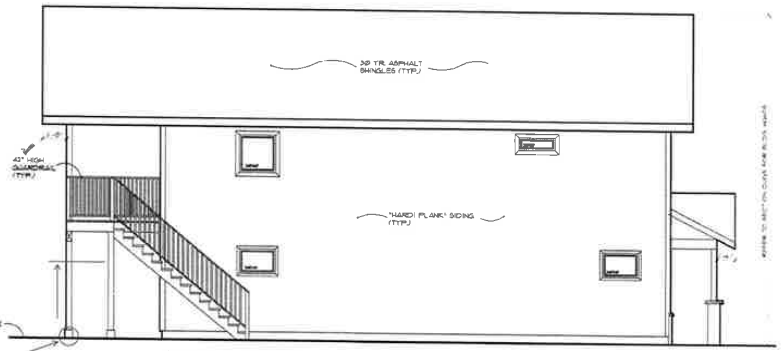
SEAL:

Shelestynski Residence
6116 - 12th Street, Grand Forks, B.C.

SECTION A-A: FLOOR JOIST BEARING ON TOP OF TYPICAL PERIMETER BEARING WALL

Design By:	CSS	Date:	July 23rd, 2014
Drawn By:	CSS	Project No.:	14123-S
Checked By:	CSS	Sheet No.:	SK-S2
Scale:	None	Revision No.:	

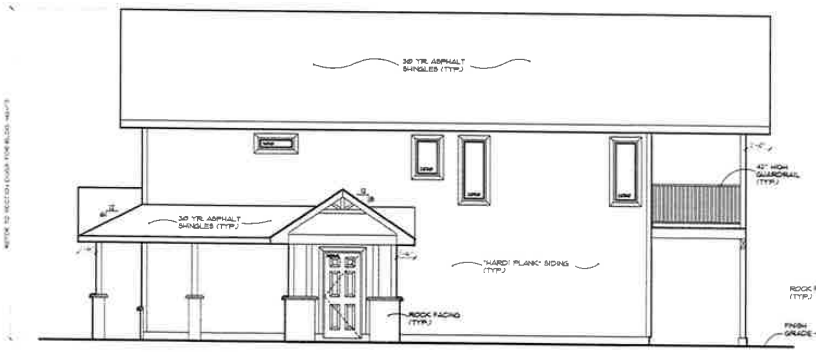
WEST ELEVATION
SCALE: 1/4"=1'-0"



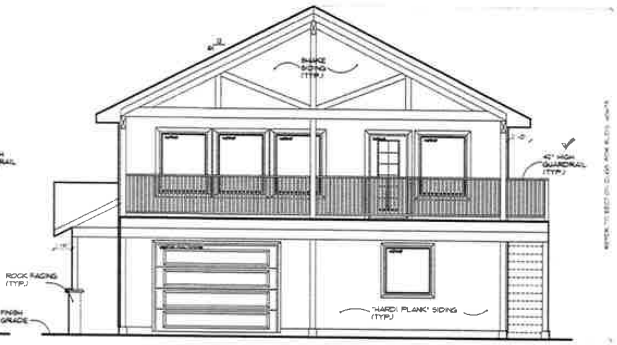
TOP OF CONCRETE AS PER ENGINEERING SPECIFICATIONS
517.00 TO UNDERSIDE OF FLOOR JOISTS

NOTE: FINISH GRADE IS SUGGESTED ONLY.
OWNER/CONTRACTOR TO VERIFY GRADE ON SITE

NORTH ELEVATION
SCALE: 1/4"=1'-0"



SOUTH ELEVATION
SCALE: 1/4"=1'-0"



NOTE: FINISH GRADE IS SUGGESTED ONLY.
OWNER/CONTRACTOR TO VERIFY GRADE ON SITE

EAST ELEVATION
SCALE: 1/4"=1'-0"

APPROVED

REVIEWED
By Wayne Kopan at 10:32 am, Jul 29, 2014

375 INDUSTRIAL DR. GRAND FORKS, B.C.
BOX 1382, V0H 1H0
TEL: (250) 442-1201 FAX: (250) 442-0866

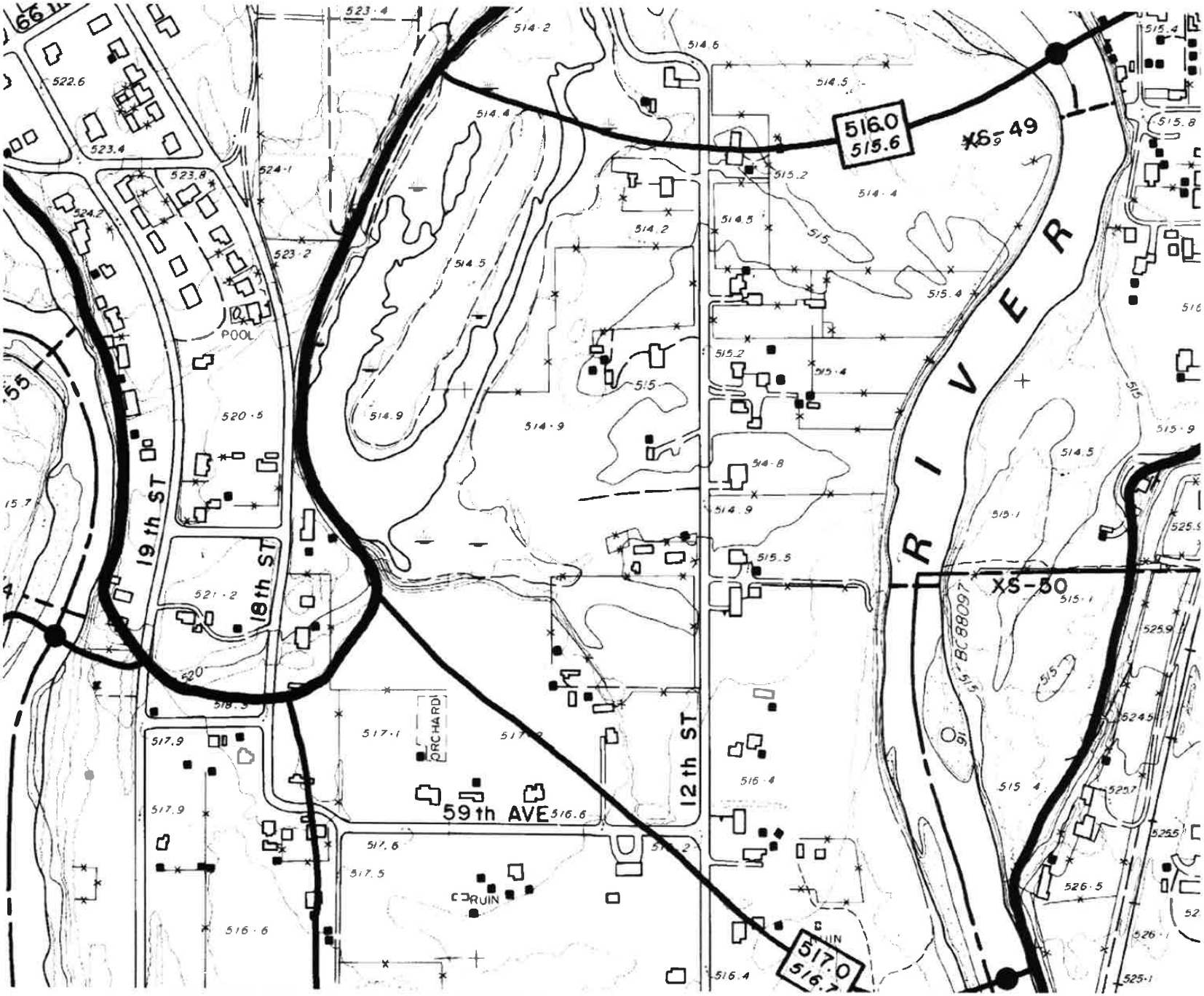
Page	# of Pages
A1	1 OF 3

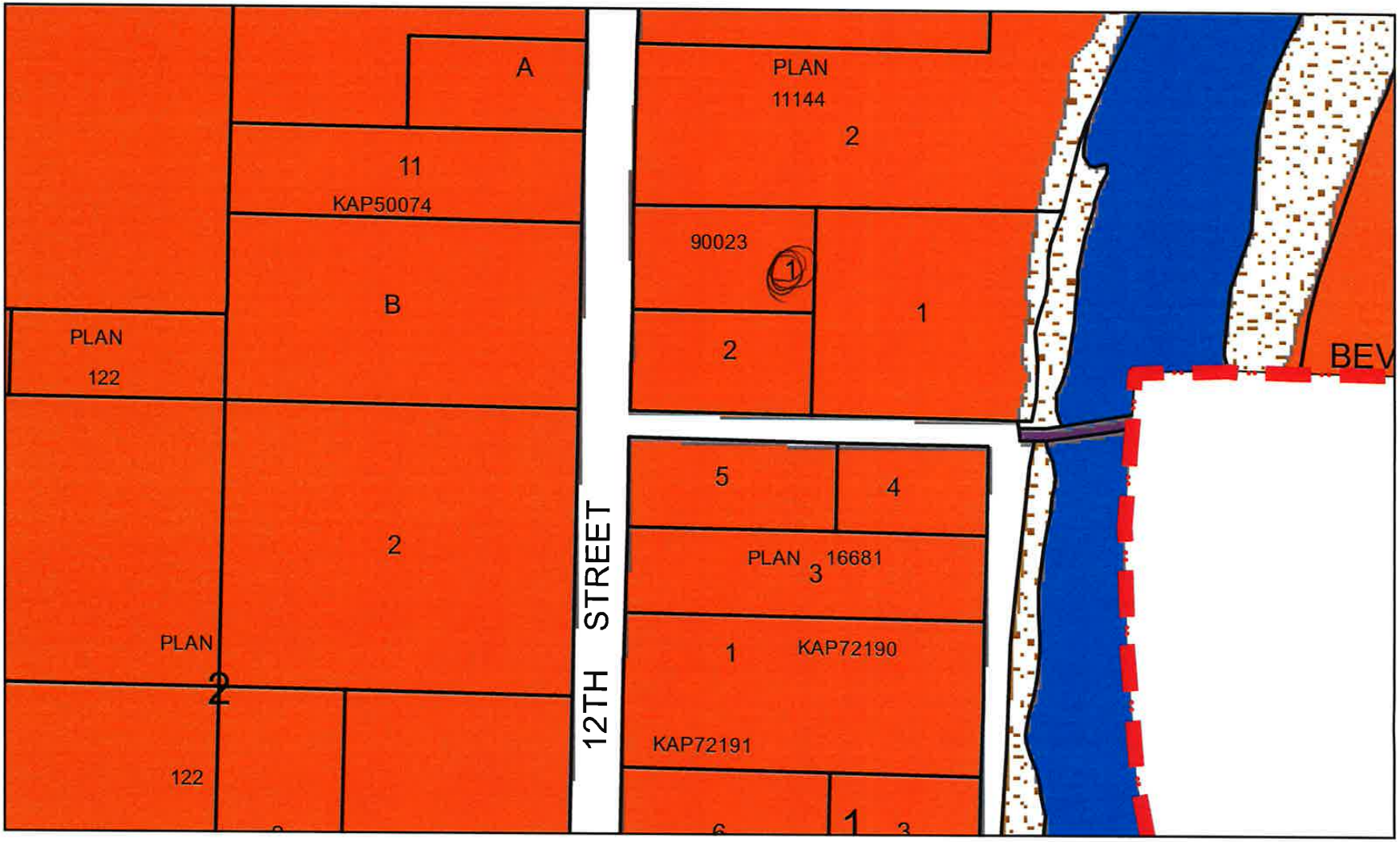
No.	Revision/Issue	Date
1		00/00/00
2		
3		
4		
5		

General Notes

Shelestynski
Grand Forks, B.C.

Drawn By: Don Koftinoff
Date: MAY 20TH, 2014
Scale: As Stated on Plans


516.0
515.6
XS-49
RIVER
19th ST
18th ST
12th ST
59th AVE
516.6
POOL
ORCHARD
RUIN
XS-50
BC88097
517.0
516.7


A
11
KAP50074
B
PLAN
122
2
PLAN
2
122
12TH STREET
PLAN
11144
2
90023
1
2
1
5
4
PLAN
3
16681
1
KAP72191
KAP72190
6
1
3
BEV

12th Street
12th Street
5479
5548
Command: PAN

affect the intent of the specified zoning bylaw provision or specified subdivision servicing bylaw provision.

RS2015-1-520 (B.C. Reg. 257/2015).

Notice of phased development agreement on land title

521. (1) If a phased development agreement is entered into under section 516, a notice that the land described in the notice is subject to the phased development agreement must be filed with the registrar of land titles in the same manner as a notice of a permit may be filed.

(2) Section 503 *[notice of permit on land title]* applies to a notice under subsection (1) of this section but there is no requirement to file a notice of a minor amendment described in section 519 (2) *[amendments to phased development agreement]*.

RS2015-1-521 (B.C. Reg. 257/2015).

Phased development agreement and other information that must be available for public inspection

522. In relation to a phased development agreement, the following must be available for public inspection at the local government offices during regular office hours:

(a) the phased development agreement;

(b) any amendments to the phased development agreement;

(c) any agreements, permits, plans or other documents that are incorporated into the phased development agreement, whether directly or by reference.

RS2015-1-522 (B.C. Reg. 257/2015).

Division 13 – Other Land Use Regulation Powers

Runoff control requirements

523. (1) A local government may, by bylaw, require that an owner of land who carries out construction of a paved area or roof area manage and provide for the ongoing disposal of surface runoff and storm water in accordance with the requirements of the bylaw.

(2) A local government may, by bylaw, establish the maximum percentage of the area of land that can be covered by impermeable material.

(3) A bylaw under subsection (1) or (2) may make different provisions for one or more of the following:

(a) different zones;

(b) different uses in zones;

(c) different areas in zones;

(d) different sizes of paved or roof areas;

(e) different terrain and surface water or groundwater conditions.

RS2015-1-523 (B.C. Reg. 257/2015).

Requirements in relation to flood plain areas

524. (1) In this section:

"environment minister" means the minister charged with the administration of the *Environmental Management Act*;

"Provincial guidelines" means the policies, strategies, objectives, standards, guidelines and environmental management plans, in relation to flood control, flood hazard management and development of land that is subject to flooding, prepared and published by the environment minister under section 5 of the *Environmental Management Act*;

"Provincial regulations" means, in relation to a local government, any applicable regulations enacted under section 138 (3) (e) *[general authority to make regulations – flood hazard management]* of the *Environmental Management Act.*

(2) If a local government considers that flooding may occur on land, the local government may, by bylaw, designate the land as a flood plain.

(3) If land is designated as a flood plain under subsection (2), the local government may, by bylaw, specify

(a) the flood level for the flood plain, and

(b) the setback from a watercourse, body of water or dike of any landfill or structural support required to elevate a floor system or pad above the flood level.

(4) In making bylaws under this section, a local government must

(a) consider the Provincial guidelines, and

(b) comply with the Provincial regulations and a plan or program the local government has developed under those regulations.

(5) A bylaw under subsection (3) may make different provisions for one or more of the following:

(a) different areas of a flood plain;

(b) different zones;

(c) different uses within a zone or an area of a flood plain;

(d) different types of geological or hydrological features;

(e) different standards of works and services;

(f) different siting circumstances;

(g) different types of buildings or other structures and different types of machinery, equipment or goods within them;

(h) different uses within a building or other structure.

(6) If a bylaw under subsection (3) applies,

(a) the underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for

(i) dwelling purposes,

(ii) business, or

(iii) the storage of goods that are susceptible to damage by floodwater

must be above the applicable flood level specified by the bylaw, and

(b) any landfill required to support a floor system or pad must not extend within any applicable setback specified by the bylaw.

(7) Subject to the Provincial regulations and a plan or program a local government has developed under those regulations, the local government may exempt a person from the application of subsection (6), or a bylaw under subsection (3), in relation to a specific parcel of land or a use, building or other structure on the parcel of land, if the local government considers it advisable and either

(a) considers that the exemption is consistent with the Provincial guidelines, or

(b) has received a report that the land may be used safely for the use intended, which report is certified by a person who is

(i) a professional engineer or geoscientist and experienced in geotechnical engineering, or

(ii) a person in a class prescribed by the environment minister under subsection (9).

(8) The granting of an exemption, and the exemption, under subsection (7) may be made subject to the terms and conditions the local government considers necessary or advisable, including, without limitation,

(a) imposing any term or condition contemplated by the Provincial guidelines in relation to an exemption,

(b) requiring that a person submit a report described in subsection (7) (b), and

(c) requiring that a person enter into a covenant under section 219 of the *Land Title Act.*

(9) The environment minister may make regulations prescribing a class of persons the minister considers qualified, for the purposes of this section, to certify reports referred to in subsection (7) (b).

RS2015-1-524 (B.C. Reg. 257/2015).

THE CORPORATION OF THE CITY OF GRAND FORKS

CONSOLIDATED FOR CONVENIENCE
NOT OFFICIAL VERSION

BYLAW NO. 1402

A BYLAW TO DESIGNATE CERTAIN LAND WITHIN THE CITY OF GRAND FORKS AS FLOODPLAIN AND TO SET FLOODPLAIN SETBACKS PURSUANT TO SECTION 969 OF THE MUNICIPAL ACT

GRAND FORKS FLOODPLAIN MANAGEMENT AMENDMENT BYLAW NO. 1756, 2004

WHEREAS the City of Grand Forks may enact a floodplain management bylaw, pursuant to Section 969 of the Municipal Act where it considers that flooding may occur on the land;

AND WHEREAS Environment Canada and B.C. Environment have cooperatively produced floodplain mapping for the Kettle and Granby Rivers which identify certain flood prone properties within the City of Grand Forks;

AND WHEREAS the purpose of a floodplain management bylaw is to reduce the risk of injury, loss of life and damage to the buildings and structures due to flooding. However, the City of Grand Forks does not represent to any person that any building or structure, including a manufactured home, used, located or constructed in accordance with the provisions of a floodplain management bylaw will not be damaged by flooding nor that injury or loss of life due to flooding will not occur;

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

1.0 Title

This bylaw may be cited as the **"City of Grand Forks Floodplain Management Bylaw No. 1402, 1993".**

2.0 Administration

2.1 The Building Inspector or other such person appointed by Council will administer this bylaw.

2.2 This bylaw shall apply to all of the City of Grand Forks.

2.3 The provision of this bylaw include Drawing Numbers 90-34-5 through 90-34-7 of the Environment Canada/BC Environment Floodplain Mapping for the Kettle and Granby Rivers in the Grand Forks Area, which are attached to and form part of this bylaw as Schedule "X".

3.0 Interpretation

For the purposes of this bylaw, the following definitions apply:

Bylaw 1756

DESIGNATED FLOOD means a flood which may occur in any given year of such magnitude as to equal a flood having a 200-year recurrence interval based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate stream flow data available.

DESIGNATED FLOOD LEVEL means the observed or calculated elevation for the designated flood, which is used in the calculation of the flood construction level.

DWELLING UNIT means a self contained unit consisting of one or more rooms, designated, occupied or intended for occupancy, as a separate household with sleeping, cooking and sanitary facilities, but specifically excluding recreation vehicles.

FARM BUILDING means a building or part thereof which is associated with and located on land devoted to the practice of farming and used essentially for the housing of equipment or livestock or the production, storage, processing, marketing and selling of agricultural and horticultural produce or feeds.

FLOOD CONSTRUCTION LEVEL means a designated flood level plus freeboard, or where a designated flood level cannot be determined, a specified height above a natural boundary, natural ground elevation or any obstruction that could cause ponding.

FLOODPLAIN means an area, which is susceptible to flooding from an adjoining watercourse, lake or other body of water.

FLOODPLAIN SETBACK means the required minimum distance from the natural boundary or other reference line of a watercourse, lake or other body of water to any landfill or structural support required to elevate a floor system or pad above the flood construction level so as to maintain a floodway and allow for potential land erosion.

Bylaw 1756

FREEBOARD means a vertical distance added to a designated flood level used to establish a flood construction level.

HABITABLE AREA means any space or room, including a manufactured home that is used for dwelling purposes, business, or the storage of goods, which are susceptible to damage by floodwater;

Bylaw 1756

LANDFILL means sand, gravel, earth, rock or any combination thereof, placed or deposited by man, to raise the level of the ground but does not include building or construction debris.

MANUFACTURED HOME means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another by being towed or carried and to provide a dwelling house or premises and which conforms to the requirements of the British Columbia Building Code;

NATURAL BOUNDARY means the visible high watermark of any lake, river, stream or other body of water, where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water, a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself and includes the edge of dormant side channels of any lake, river, stream, marsh or other body of water;

NATURAL GROUND ELEVATION means the undisturbed ground elevation prior to site preparation;

PAD means a paved surface on which blocks, posts, runners or strip footings are placed, for the purpose of supporting a Manufactured Home or a concrete pad for supporting a Habitable Area;

STANDARD DYKE means a dyke built to a minimum crest elevation equal to the Flood Construction Level and meeting standards of design and construction approved by the Ministry of Environment and maintained by an ongoing authority such as a local government body.

WATERCOURSE means any natural or man made depression with well defined banks and a bed 0.6 metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or more upstream of the point of consideration.

4.0 Floodplain Designation

The following lands are designated as Floodplain;

(1) All land lying within the Designated Floodplain Limit, as shown on Schedule "X", attached hereto.

(2) All lands which are below the Flood Levels specified in Section 5.1 or within the Floodplain Setbacks specified in Section 5.2 of this bylaw.

5.0 Floodplain Specifications

5.1 Flood Levels

The following elevations are specified as Flood Levels, except that where more than on flood level is applicable, the higher elevation shall be the flood level

1) 1.5 metres above the natural boundary of any watercourse, lake or other body of water;

2) Notwithstanding Section 5.1(1), within those areas designated in Section 4.0(1) of this bylaw, the specified Flood Levels shall be interpolated from the "200 year frequency Flood Level", identified on Schedule "X", attached hereto.

5.2 Floodplain Setbacks

The following distances are specified as Floodplain Setbacks, except that where more than on floodplain setback is applicable, the greater distance shall be the setback

1) 30 metres from the natural boundary of the Kettle or Granby Rivers;

2) 7.5 metres from the landside toe of any standard dyke;

3) 15 metres from the natural boundary of any other watercourse;

4) 7.5 metres from the natural boundary of any lake, marsh or pond.

6.0 Application of Floodplain Specifications

6.1 Pursuant to Section 969(5) of the Municipal Act, after a bylaw has specified Flood Levels and Floodplain Setbacks for a designated floodplain:

1) the underside of any floor system or the top of any pad supporting any space or room, including a manufactured home that is used for dwelling purposes, business or the storage of goods which are susceptible to damage by floodwater shall be above the specified level, and

Bylaw 1756

2) any landfill required to support a floor system or pad shall not extend within any setback from a watercourse or body of water specified by this bylaw.

3) structural support or compacted fill or a combination of both may be used to elevate the underside of the floor system or the top of the pad above the Flood Levels specified in Section 5.1. The structural support and/or fill shall be protected against scour and erosion from flood flows, wave action, ice and other debris.

4) the Building Inspector or such other person appointed by Council to administer this bylaw may require that a British Columbia Land Surveyor's certificate be required to verify compliance with the Flood Levels and Floodplain Setbacks specified in Section 5.1 and 5.2 and that the cost of such verification shall be assumed by the land owner.

7.0 General Exemptions

Bylaw 1756

Notwithstanding the flood construction level requirements cited in this bylaw, the following types of developments are exempted from the requirements as it pertains to the flood construction levels specified in Section 5.1 of this bylaw:

- ***a renovation of an existing building or structure that does not involve an addition thereto;***
- ***an addition to a building or structure that would increase the size of the building or structure by less than 25 percent of the floor area existing at the date of adoption of this bylaw, provided that the degree of conformity regarding setbacks is not increased;***
- ***that portion of a building or structure to be used as a carport, garage or entrance foyer;***

- *farm buildings other than dwelling units and closed-sided livestock housing;*
- *hot water tanks and furnaces behind standard dykes;*
- *closed-sided livestock housing behind standard dykes;*

Bylaw 1756

- *heavy industry behind standard dykes;*
- *on-loading and off-loading facilities associated with water-oriented industry and portable sawmills;*
- *farm dwelling units provided that they are located on parcels 8 hectares or greater in size that are located within the Agricultural Land Reserve, provided that they are located with the underside of a wooden floor system or the top of the pad of an habitable area (or in the case of a manufactured home or unit, the top of pad or the ground surface on which it is located) no lower than 1 metre above the natural ground elevation taken at any point on the perimeter of the building, or no lower than the flood construction levels specified in Section 5.1 of this bylaw, whichever is lesser;*
- *closed sided livestock housing not behind standard dykes provided that they are located with the underside of a wooden floor system or the top of the pad (or in the case of a manufactured home or unit, the top of pad or the ground surface on which it is located) no lower than 2 metre above the natural ground elevation taken at any point on the perimeter of the building, or no lower than the flood construction levels specified in Section 5.1 of this bylaw, whichever is lesser;*
- *industrial uses, other than main electrical switchgear, provided that the are located with the underside of a wooden floor system or the top of the pad (or in the case of a manufactured home or unit, the top of pad or the ground surface on which it is located) no lower than 1 metre above the natural ground elevation taken at any point on the perimeter of the building, or no lower than the flood construction levels specified in Section 5.1 of this bylaw, minus freeboard. Main electrical switchgear shall be no lower than the flood construction level.*

8.0 Site Specific Exemptions

An application by the property owner for a site-specific exemption shall be completed upon a form provided by the City, which is attached hereto as Schedule "B" and may be considered with the following provisions:

- *the exemption is consistent with the Provincial Guidelines as defined in the Local Government Act; and*

Bylaw 1756

- ***is accompanied with a professional engineer's or geoscientist's report that the property can be safely used for the intended use, at the elevation requested; and***
- ***a Section 219 Floodplain covenant is registered on title, saving the City harmless for any damages or injuries that may occur due to flooding.***

INTRODUCED this 18th day of October, 1993.

Read a **FIRST** time this 18th day of October, 1993.

Read a **SECOND** time this 18th day of October, 1993.

Read a **THIRD** time this 15th day of November, 1993.

I, Lynne Burch, City Clerk of the Corporation of the City of Grand Forks, hereby certify the foregoing to be a true and correct copy of Bylaw No. 1402, 1993" as read a **THIRD** time by the Council of the Corporation of the City of Grand Forks this 15th day of November, 1993.

(Lynne Burch)
City Clerk

The City of Grand Forks Floodplain Management Bylaw No. 1402, 1993 is approved pursuant to the provisions of Section 969 of the *Municipal Act* this 10th day of December, 1993.

(J.O. Riordan)
for Minister of Environment, Land and Parks

NOTICE ADVERTISED this 27th day of October, 1993 and also this 3rd day of November, 1993.

RECONSIDERED, PASSED AND FINALLY ADOPTED this 18th day of April, 1994.

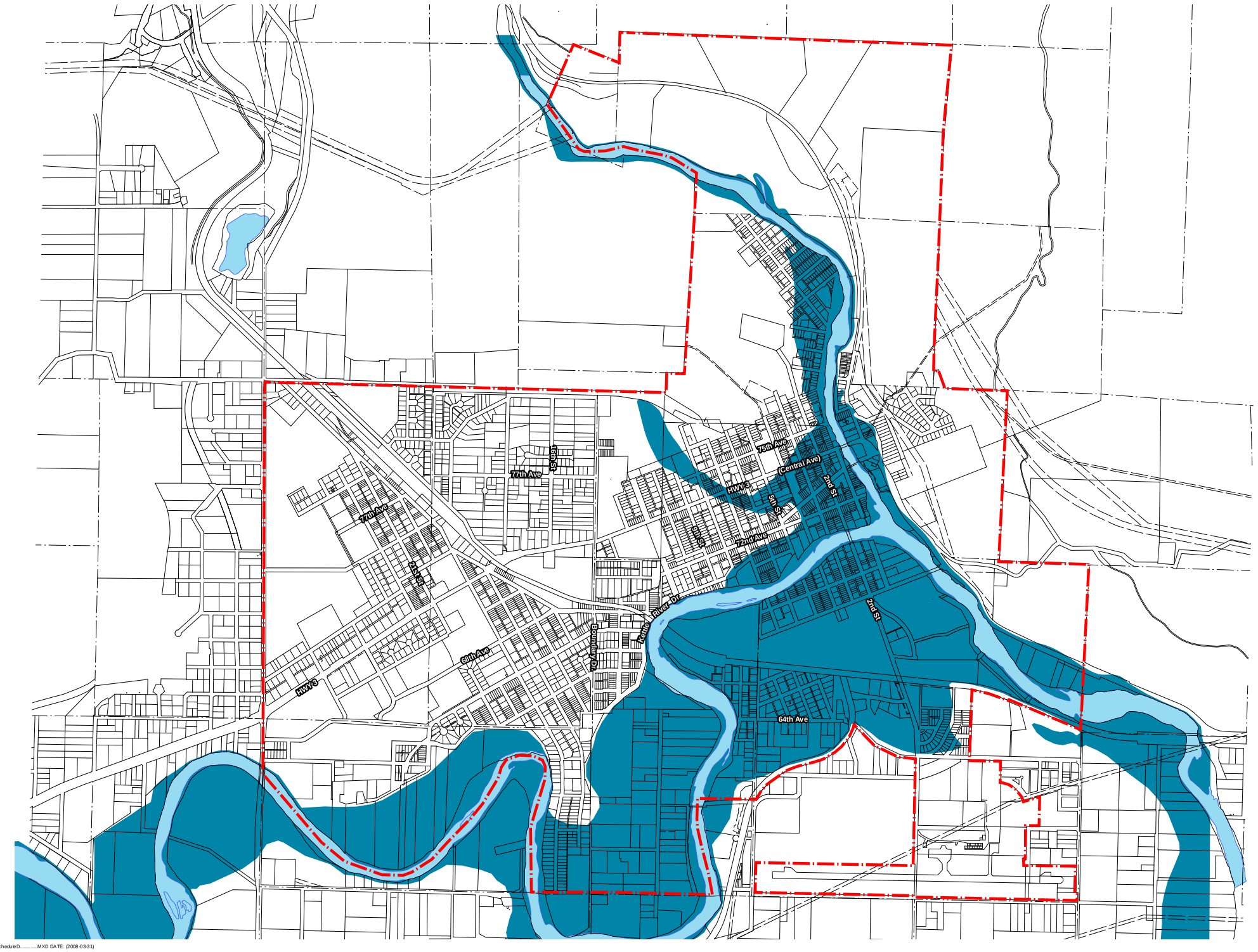
(Yasushi Sugimoto)
Y. Sugimoto – Mayor

(Lynne Burch)
J.L. Burch – City Clerk

City of Grand Forks

SUSTAINABLE COMMUNITY PLAN

Schedule 'D' - 200 Year Floodplain



Legend

- Municipal Boundary
- 200 year floodplain

0 250 500 750 1,000 Meters

The accuracy and completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate and establish the precise location of all existing information whether shown or not.

URBANSYSTEMS.

File Path: U:\Projects_KEL\078800\015\01\D-Drafting-Design-Analysis\CAD\DGIS\Maps\OCP\PF00-078800-1501-ScheduleD.....mxd DATE: (2008-03-31)

REQUEST FOR DECISION

— COMMITTEE OF THE WHOLE —

To:	Committee of the Whole
From:	Manager of Development & Engineering Services
Date:	October 11, 2016
Subject:	Subdivision application for 6370-12th Street and 6380-12th Street
Recommendation:	**RESOLVED THAT** the Committee of the Whole recommend that Council approves the two subdivision applications for 6370-12th Street and 6380-12th Street at the October 11, 2016 Regular Meeting.

- In March, 2016 the Agricultural Land Commission referred a subdivision application for 6370 and 6380-12th Street for Council review and requested the City submit a Local Government Report and a copy of the resolution back to the Commission.
- At the May 9, 2016 Regular Meeting, Council resolved to support the subdivision applications and sent a completed Local Government Report and Council's resolution to the Commission.
- September 23, 2016 the applicants each submitted an application for preliminary acceptance of subdivision.
    - 6370-12th Street property is currently ~1.1 hectares in size and the 6380-12th Street property is ~1 hectare in size.
    - If the subdivision is approved the 6370-12th Street property would become 0.37 hectares with the existing house and outbuildings. The 6380 property after consolidation would become 1.07 hectares and is currently vacant land with no buildings.
    - In accordance with the Zoning Bylaw, the minimum parcel size when connected to one service is 0.139 hectares and the minimum parcel size when not connected to any services is 1.01 hectares.
- The Agricultural Land Commission approved the Proposal to adjust the boundary as the Panel believed the adjustment is in support of farming, and does not affect other values and planning considerations.
- Interior Health Authority did not recommend supporting the subdivision. While the Authorized Person (Registered Onsite Wastewater Practitioner / ROWP) stated a Type 2 onsite sewerage system is required as there was not sufficient separation to groundwater, the Interior Health Subdivision Guideline does not allow for Type 2 systems for subdivision purposes and the proposed subdivision did not ensure sufficient room on 6370 12th St. for a Type 1 system and disposal field.
- This department **recommends approving the subdivision applications because they will not result in an increase in density of dwellings or number of sewerage systems within the area**. Should the system at 6370 12th St. require replacement in the future, the

owners would be required to install a Type 2 (or better) sewerage system. Ultimately, choosing not to approve the subdivisions would not have any positive impact on groundwater protection.

Strategic Impact:

- Financial: No impact noted
- Larger farm size increases farm viability.
- Food security has been identified as priorities in the Strategic Plan
- No additional impact on groundwater protection or the rural character of the neighbourhood is anticipated.

Policy/Legislation: Local Government Act, Sustainable Community Plan, Zoning Bylaw, Subdivision, Development & Servicing Bylaw and the Agricultural Land Reserve Act & Regulations.

Attachments:
- subdivision applications for 6370 and 6380-12th Street
- Council resolution of support
- Agricultural Land Commission Response
- Interior Health Authority recommendation.

Recommendation: **RESOLVED THAT** the Committee of the Whole recommend that Council approves the two subdivision applications for 6370-12th Street and 6380-12th Street at the October 11, 2016 Regular Meeting.

OPTIONS:
1. **COTW COULD CHOOSE TO SUPPORT THE RECOMMENDATION.**
2. **COTW COULD CHOOSE TO NOT SUPPORT THE RECOMMENDATION.**
3. **COTW COULD CHOOSE TO REFER THE REPORT BACK TO STAFF FOR MORE INFORMATION.**

Figure 1. Aerial view of subject properties (highlighted) prior to subdivision.

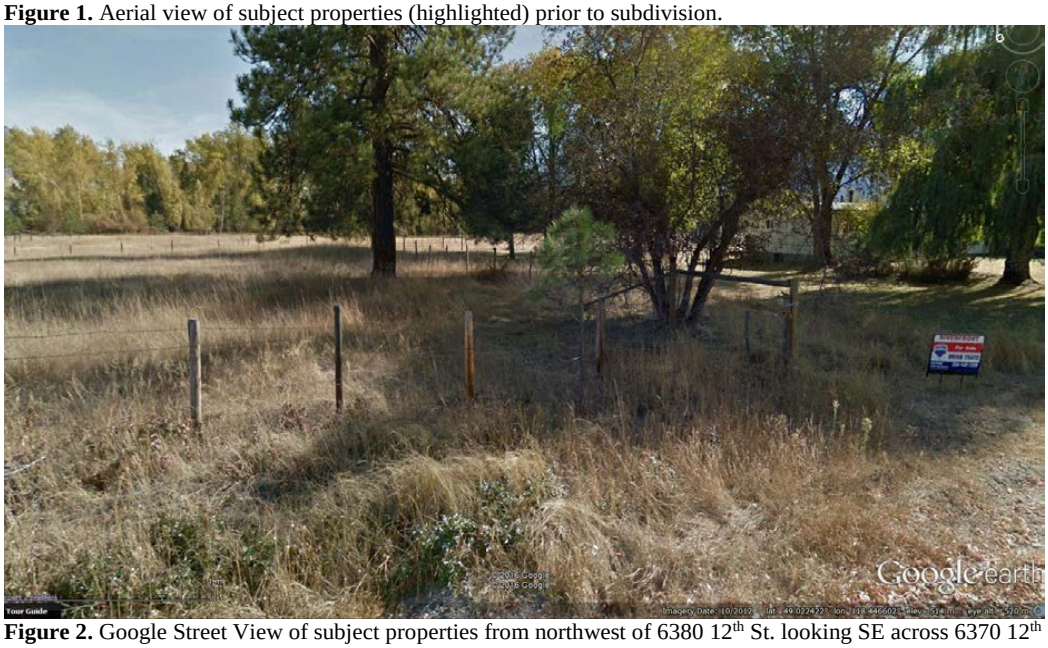


Figure 2. Google Street View of subject properties from northwest of 6380 12th St. looking SE across 6370 12th St.

THE CORPORATION OF THE CITY OF GRAND FORKS

APPLICATION FOR
PRELIMINARY ACCEPTANCE OF A SUBDIVISION
OR APPLICATION FOR STRATA CONVERSION

Receipt No. _____ Date: Sept 23 2016

Applicant's Name: JOHN VERKERK.

Applicant's Address: ___

Agent for Applicant: _____

Agent's Address: _____

Legal Description of Property to be Subdivided or Strata Converted

PLAN KAP 89680 LOT A

Civic or Street Address: 6380 12TH STR.

Current Zoning of Property R4

I/We hereby apply for preliminary acceptance of a subdivision or strata conversion of the above-described property and as shown on the attached plan. The subdivision will be in accordance with Bylaw No. 1424 and any amendments thereto.

Examination Fee (first lot – non refundable)	$100.00
Additional Lots Created ($100.00 x _____lots) (non refundable)	_____
Total Subdivision Fees	$_____
or	
Application for strata conversion	$100.00

_____
Applicant's/Agent's signature

NOTE TO APPLICANT:

- Applicant must provide a site profile to the Approving Officer when applying for subdivision of land that was used for industrial or commercial purposes or activities.
- Approval of preliminary application for subdivision is only valid for 3 months from date of acceptance.
- Form T approval of strata conversion is only valid for 6 months from date of acceptance.

DECLARATION PURSUANT TO *WASTE MANAGEMENT ACT*

I/We, _____, owner/agent 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.*

City Office Use Only

Preliminary Subdivision/Strata Conversion Checklist

Lot size created _____

Number of units to be converted _____

Existing Zoning _____

Other Comments _____

_____

_____

_____

Above checked by: _____

Development Cost Charges

Single Family (per lot created)	Sewer $2,377. x _____ = _____ Water $2,435. x _____ = _____
Two Family semi-detached (per lot created)	Sewer $3,803. x _____ = _____ Water $3,896. x _____ = _____

*Preliminary Subdivision or Strata Conversion approval is hereby granted based on the attached drawings. Should any services be required to be moved to accommodate the subdivision, the relocation shall be at the sole expense of the subdivider. All newly created lots, where City services are available, are subject to Development Cost charges as outlined in the City of Grand Forks Bylaw No. 1425 as listed above.

And any other requirements as listed: _____

_____

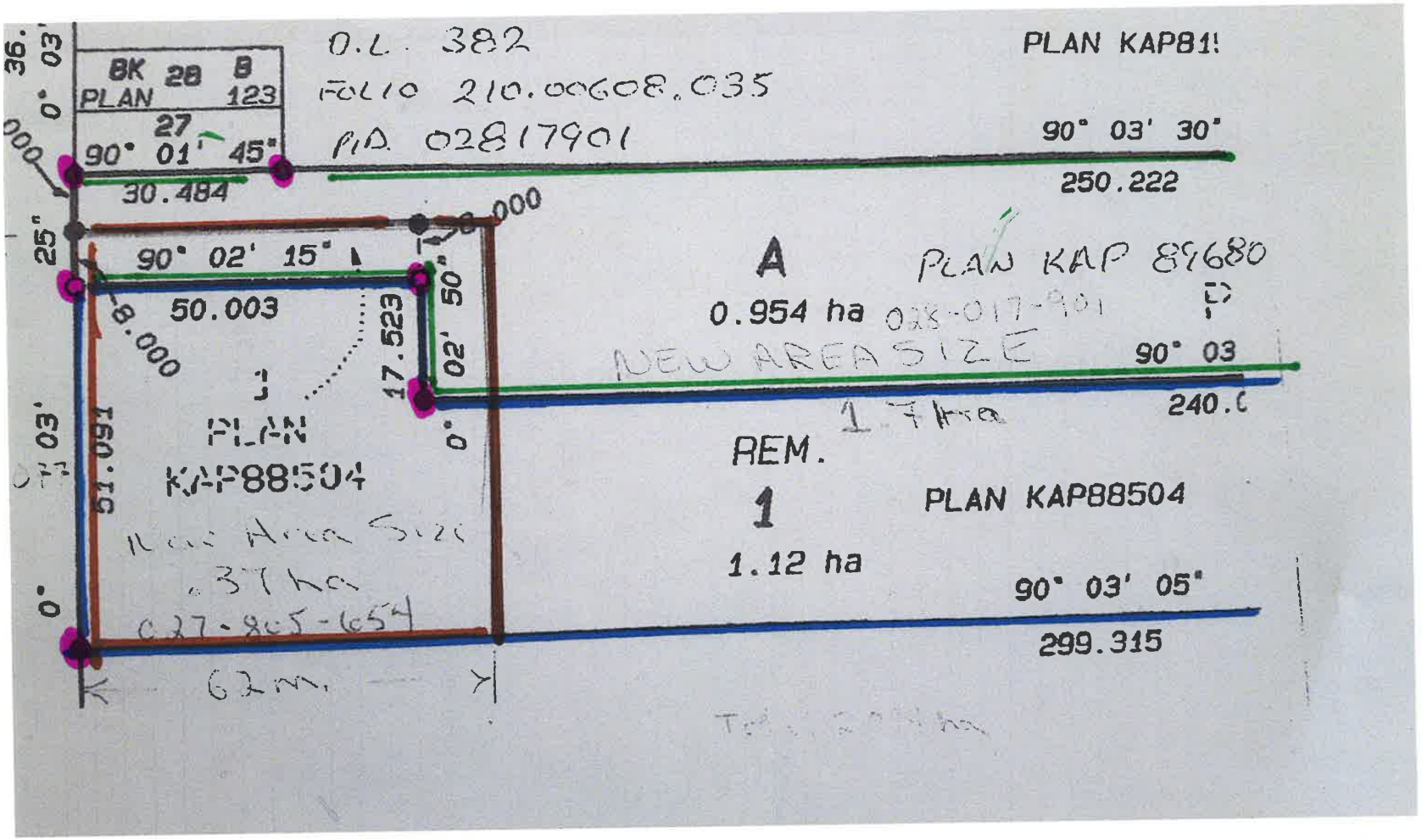
Dated this _____ day of _____, _____

_____
Approving Officer for the City of Grand Forks

*Strata Conversion approval will be granted by the endorsement by Approving Authority Form T.

*Applicant is exempt from the duty to provide a site profile under Section 26.1 of the *Waste Management Act* with respect to industrial or commercial purposes and industrial and commercial activities, which are not described in Schedule 2 of the Site Profile package.

(N:forms/planning/preliminary approval of subdivision or strata conversions)


BK 28 B
PLAN 123
27
90° 01' 45"
30.484
O.L. 382
FOLIO 210.00608.035
PID 02817901
PLAN KAP81!
90° 03' 30"
250.222
90° 02' 15"
50.003
8.000
17.523
02' 50"
A
0.954 ha
PLAN KAP 89680
028-017-901
NEW AREA SIZE
1.7 Ha
90° 03
240.0
PLAN
KAP88504
REM.
1
1.12 ha
PLAN KAP88504
New Area Size
.37 ha
027-805-654
90° 03' 05"
299.315
62m.

THE CORPORATION OF THE CITY OF GRAND FORKS

APPLICATION FOR
PRELIMINARY ACCEPTANCE OF A SUBDIVISION
OR APPLICATION FOR STRATA CONVERSION

Receipt No. _____ Date: Sept 23, 2017

Applicant's Name: Lawrence & Chris-Anne Gilmore

Applicant's Address:

Agent for Applicant: _____

Agent's Address: _____

Legal Description of Property to be Subdivided or Strata Converted

Lot 1, Plan KAP88504, DL 382, LD54 Except Plan KAP89680

Civic or Street Address: 6370-12 St

Current Zoning of Property R4

I/We hereby apply for preliminary acceptance of a subdivision or strata conversion of the above-described property and as shown on the attached plan. The subdivision will be in accordance with Bylaw No. 1424 and any amendments thereto.

Examination Fee (first lot – non refundable)	$100.00
Additional Lots Created ($100.00 x _____lots) (non refundable)	____
Total Subdivision Fees	$____
or	
Application for strata conversion	$100.00

Lawrence Gilmore
Applicant's/Agent's signature

NOTE TO APPLICANT:

- Applicant must provide a site profile to the Approving Officer when applying for subdivision of land that was used for industrial or commercial purposes or activities.
- Approval of preliminary application for subdivision is only valid for 3 months from date of acceptance.
- Form T approval of strata conversion is only valid for 6 months from date of acceptance.

DECLARATION PURSUANT TO *WASTE MANAGEMENT ACT*

I/We, Lawrence & Chris-Anne Gilmore, owner/agent 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.*

City Office Use Only

Preliminary Subdivision/Strata Conversion Checklist

Lot size created _____

Number of units to be converted _____

Existing Zoning _____

Other Comments _____

_____

_____

_____

Above checked by: _____

Development Cost Charges

Single Family (per lot created)	Sewer $2,377. x _____ = _____ Water $2,435. x _____ = _____
Two Family semi-detached (per lot created)	Sewer $3,803. x _____ = _____ Water $3,896. x _____ = _____

*Preliminary Subdivision or Strata Conversion approval is hereby granted based on the attached drawings. Should any services be required to be moved to accommodate the subdivision, the relocation shall be at the sole expense of the subdivider. All newly created lots, where City services are available, are subject to Development Cost charges as outlined in the City of Grand Forks Bylaw No. 1425 as listed above.

And any other requirements as listed: _____

_____

Dated this _____ day of _____, _____

_____

Approving Officer for the City of Grand Forks

*Strata Conversion approval will be granted by the endorsement by Approving Authority Form T.

*Applicant is exempt from the duty to provide a site profile under Section 26.1 of the *Waste Management Act* with respect to industrial or commercial purposes and industrial and commercial activities, which are not described in Schedule 2 of the Site Profile package.

(N:forms/planning/preliminary approval of subdivision or strata conversions)

Settle down.

CERTIFIED RESOLUTION

MOTION: ROSS / THOMPSON

RESOLVED THAT Council supports the subdivision application and completes the Local Government Report and sends a copy of the resolution to the Agricultural Land Commission.

THE MOTION WAS CARRIED.

I hereby certify the foregoing to be a true and
correct copy of a resolution passed by the
Municipal Council of the
City of Grand Forks
on the 9th day of May, 2016

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

Agricultural Land Commission
133–4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

August 15, 2016 ALC File: 55075

Chris-Anne Gilmore
6370 12th Street
Grand Forks, BC V0H 1H0

Dear Ms. Gilmore:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #306/2016) as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. A sketch plan depicting the decision has been attached.

Please send two (2) paper copies or one (1) electronic copy of the final survey plan to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Please note that pursuant to s. 33.1 of the *Agricultural Land Commission Act*, the Chair may direct the executive committee to reconsider this panel decision if, within 60 days from the date of this decision, he considers that the decision "may not fulfill the purposes of the commission as set out in section 6 or does not adequately take into account the considerations set out in section 4.3". I can advise you that in this case, the Chair has already reviewed the decision and has instructed me to communicate to you that he does not intend to exercise that authority in this case.

Further correspondence with respect to this application is to be directed to Riccardo Peggi at (Riccardo.Peggi@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Colin J. Fry, Director of Policy and Planning

Enclosures: Reasons for Decision (Resolution #306/2016)
Sketch plan

cc: City of Grand Forks (File: 2016SUBGILALC)

55075d1

AGRICULTURAL LAND COMMISSION FILE 55075

REASONS FOR DECISION OF THE KOOTENAY PANEL

Application submitted pursuant to s. 21(2) of the *Agricultural Land Commission Act*

Applicants:	**Chris-Anne Gilmore** **Lawrence Joseph Gilmore** **Robin Diana Whittall** **Johan Verkerk** **(the "Applicants")**
Agent:	**Chris-Anne Gilmore** **(the "Agent")**
Application before the Kootenay Regional Panel:	**Sharon Mielnichuk, Panel Chair** **Harvey Bombardier** **Ian Knudsen**

THE APPLICATION

[1] The legal description of the properties involved in the application are:

a. Parcel Identifier: 027-805-654
Lot 1, District Lot 382, Similkameen Division Yale District, Plan KAP88504, Except Plan KAP89680

b. Parcel Identifier: 028-017-901
Lot A, District Lot 382, Similkameen Division Yale District, Plan KAP89680

(collectively the "Properties")

[2] The Properties are 1.1 ha and 1 ha in area respectively.

[3] The Properties are generally described as being located on 12th Street, Grand Forks, BC.

[4] The Properties are located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "*ALCA*").

[5] The Property is located within Zone 2 as defined in s. 4.2 of the *ALCA*.

[6] Pursuant to s. 21(2) of the *ALCA,* the Applicants are applying to adjust the boundaries between the Properties to create new parcel sizes of 0.4 ha and 1.7 ha (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

RELEVANT STATUTORY PROVISIONS

[7] The Application was made pursuant to s. 21(2) of the *ALCA*:

21(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

[8] The Panel considered the Application pursuant to its mandate in s. 4.3 of the *ALCA*:

> 4.3 When exercising a power under this Act in relation to land located in Zone 2, the commission must consider all of the following, in descending order of priority:
> (a) the purposes of the commission set out in section 6;
> (b) economic, cultural and social values;
> (c) regional and community planning objectives;
> (d) other prescribed considerations.

[9] The purposes of the Commission set out in s. 6 are as follows:

> 6 The following are the purposes of the commission:
>
> (a) to preserve agricultural land;
> (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
> (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD BEFORE THE PANEL

[10] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Previous application history
4. Agricultural capability map, ALR context map and satellite imagery

All documentation noted above was disclosed to the Agent in advance of this decision.

[11] The City of Grand Forks (the "City") resolved to forward the Application with support.

[12] The Panel reviewed two previous applications involving the Property:

Application ID: 44704 Legacy File: 37898 (Gilmore, 2007)	To subdivide the 2.7 ha property into three parcels of 0.7 ha, 1.0 ha, and 1.0 ha. The Commission noted that the property was actually 2.07 ha, not 2.7 ha. An alternate proposal of subdivision of the property into two parcels of approximately 1.0 ha was approved by Resolution #315/2008. **Note: This approval created the Properties.**
Application ID: 42553 Legacy File: 36377 (Kabatoff, 2005)	To subdivide the 4.6 ha property into four parcels of 0.8 ha, 1.0 ha, 1.0 ha, and 1.8 ha. The application was approved by C Resolution #91/2006. **Note; This approval created the parent property that was the subject of subdivision application (Application ID: 44704) noted above.**

SITE VISIT

[13] The Panel, in the circumstances of the Application, did not consider it necessary to conduct a site visit to the Property based on the evidentiary record associated with the Application.

FINDINGS

Section 4.3(a) and Section 6 of the ALCA: First priority to agriculture

[14] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil

Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on CLI map sheet 82E/01 for the mapping unit encompassing the Property is Class 4; more specifically (4M).

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclass associated with this parcel of land is M (moisture deficiency).

[15] The Panel reviewed the CLI ratings and find that the Properties have moderate capability for agriculture.

[16] In her letter, the Agent stated that the purpose of the proposal is:

> *"to enable Johan Verkerk and Robin Whittall to grow hay and have livestock (horse, chickens etc)"*

[17] The Panel believes that the boundary adjustment will increase the farmable area available to the Applicants. The Panel believes that the boundary adjustment is in support of farming.

[18] The Panel noted that the Properties are located in an area of primarily rural residential use. Therefore, the Panel believes that the proposed parcel sizes are appropriate for the area.

Section 4.3(b) of the ALCA: Second priority to economic, cultural and social values

[19] The Agent did not provide any evidence or rationale regarding any economic, cultural and social values that may be pertinent to the Application.

Section 4.3(c) of the ALCA: third priority to regional and community planning objectives

[20] The City, in its report, noted that the Proposal is consistent with zoning and the official community plan for the area.

Weighing the factors in priority

[21] The Panel believes that the boundary adjustment will increase the farmable area available to the Applicants. The Panel believes that the boundary adjustment is in support of farming.

[22] The Panel gave consideration to economic, social and cultural values and regional and community planning objectives planning as required by s. 4.3. In this case, the Panel finds that these considerations are not contributory to the decision given the Panel's finding following its review of the agricultural considerations.

DECISION

[23] For the reasons given above, the Panel approves the Proposal to adjust the boundary between the Properties to create new parcel sizes of 0.4 ha and 1.7 ha.

[24] The Proposal is approved subject to the following conditions:

a. the subdivision being in substantial compliance with the plan submitted with the Application; and
b. the subdivision plan being completed within three (3) years from the date of release of this decision.

[25] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[26] Panel Chair Sharon Mielnichuk concurs with the decision.
Commissioner Harvey Bombardier concurs with the decision.

Commissioner Ian Knudsen concurs with the decision.

[27] Decision recorded as Resolution #306/2016.

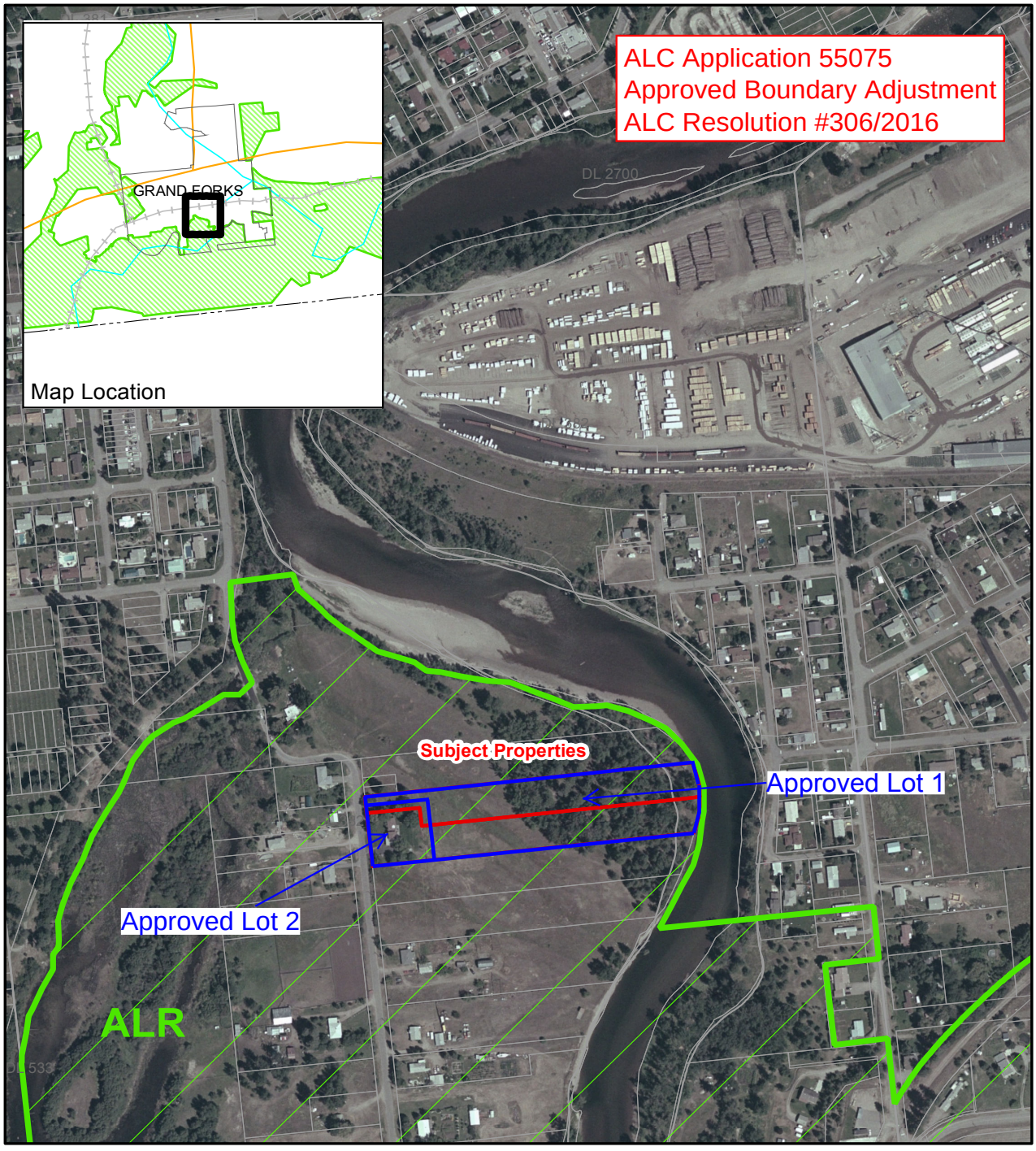
A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

*****

Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #306/2016. The decision is effective upon release.

August 15, 2016

Colin J. Fry, Director of Policy and Planning — **Date Released**



Airphoto Map

2005 Natural Colour

Map Scale: 1:5,000

40 0 40 80 120 160 200

Meters

ALC File #:	55075
Mapsheet #:	82E.008
Map Produced:	May 25, 2016
Regional District:	Kootenay Boundary

June 30, 2016

Dolores Sheets
Manager of Development & Engineering
P.O. Box 220
Grand Forks, B.C. V0H 1H0
Email: dsheets@grandforks.ca

Dear Ms. Sheets:

RE: Subdivision/ Development/ Development Variance/ Rezoning Application; Lot 1, DL 382, SDYD, Plan KAP88504 except Plan KAP89680; Interior Health File # 2016SDHBE-02, 6370 12th Street.

The following recommendation is based on the information provided by the applicant/Authorized Person. This assessment is to determine if the proposed subdivision is in compliance with B.C. Regulation 326/2004, Sewerage System Regulation, B.C. Regulation 262/70, Subdivision Regulations, and the B.C. Drinking Water Protection Act and B.C. Drinking Water Protection Regulation.

Interior Health does not recommend approval for the following reason:

An Authorized Person (AP) is required to identify suitable primary and reserve dispersal areas (Type 1 trench) for each proposed lot. The AP report states that a Type 2 onsite sewerage system is required for this proposal.

The soils indicated on the proposed lot(s) do not meet the requirements of Appendix B of the Subdivision Regulations or the Interior Health Subdivision Guideline. There must be 1.2 m of suitably permeable soil (undisturbed/natural) in the area designated for placement of sewerage dispersal. The soils in this area must not be impacted by seasonal high water table, water table mounding or a restrictive layer.

There is no assessment for the existing onsite sewerage regarding any potential health risk. If this sewerage system (SDS) is intended for continued usage, the Authorized Person will be required to confirm adequate performance, condition, size and location for the continued use of the existing onsite sewerage system. The SDS assessment is to determine location and to ensure that there is no health hazard /risk. The SDS must meet the required vertical and horizontal setbacks.

The site plan must show all the required information as per the Subdivision Report Criteria for Authorized Persons Link: Subdivision Report Criteria for Authorized Persons

Soil treatment and dispersal systems are considered to be the key risk management strategy and the principal method of renovating the treated effluent to meet the primary water quality objectives.

On-site wastewater treatment systems can remove a considerable amount of nutrients, but they are not usually specifically designed to do so. Whether these levels constitute risk factor depends on the density of development (i.e. how many systems are located in the area), proximity of neighbouring wells, groundwater flow volumes, and capacity of the soils to bind/uptake the nutrients.

Long range planning should consider which areas are the most suitable for development including the methods used to service the development. Onsite sewerage systems can be seen as long term infrastructure provided appropriate maintenance practices are in place and lots are of a suitable size to support a replacement field. Interior Health would strongly recommend that the subdivision servicing bylaws address maintenance of existing and future infrastructure.

Interior Health appreciates the intent of the applicant to further agricultural activities on these lands. We also understand that the intent is not to increase the potential onsite sewerage systems within in the area.

Please contact our office if you need any clarification.

Yours Sincerely

Clare Audet
Environmental Health Officer- Healthy Built Environment

CC: Baas, Lex Lex.Baas@interiorhealth.ca

Subdivision of agricultural land reserve

21 (1) A person must not subdivide agricultural land unless permitted under this Act.

(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

Covenants

22 (1) The commission may enter into a covenant under the *Land Title Act* with an owner of agricultural land.

(2) A covenant that restricts or prohibits the use of agricultural land for farm purposes has no effect until approved by the commission.

Exceptions

23 (1) Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area.

(2) The restrictions on the use of agricultural land do not apply to land lawfully used for a non-farm use, established and carried on continuously for at least 6 months immediately before December 21, 1972, unless and until

(a) the use is changed, other than to farm use, without the permission of the commission,

(b) an enactment made after December 21, 1972, prohibits the use, or

(c) permission for the use granted under an enactment is withdrawn or expires.

(3) For greater certainty, the exception in subsection (2) applies only to the land that was actually being used for a non-farm use and not to the entire parcel on which that use was being carried on.

Preservation of rights

24 Despite sections 2 and 3, if Crown land continued as an agricultural land reserve under this Act has been leased by the government, or sold by agreement for sale by the government and not transferred to the purchaser before December 21, 1972, and on that date was being used for a non-farm use, and not in contravention of the terms of the lease or agreement, that use may continue until termination of the lease or issue of title to the purchaser under the agreement for sale.

Subdivision of agricultural land reserve

21 (1) A person must not subdivide agricultural land unless permitted under this Act.

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22 (1) The commission may enter into a covenant under the *Land Title Act* with an owner of agricultural land.

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(a) the use is changed, other than to farm use, without the permission of the commission,

(b) an enactment made after December 21, 1972, prohibits the use, or

(c) permission for the use granted under an enactment is withdrawn or expires.

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Preservation of rights

24 Despite sections 2 and 3, if Crown land continued as an agricultural land reserve under this Act has been leased by the government, or sold by agreement for sale by the government and not transferred to the purchaser before December 21, 1972, and on that date was being used for a non-farm use, and not in contravention of the terms of the lease or agreement, that use may continue until termination of the lease or issue of title to the purchaser under the agreement for sale.

Grand Forks Zoning Bylaw 1606 (excerpt)

SECTION 37 **R-4 (Rural Residential) Zone** cont'd

Height

(e) No building or structure shall exceed 10 metres (33 ft) in height. This height restriction does not apply to any farm buildings or structures.

Setbacks

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

(i) 6 metres (20 ft) of a front parcel line;
(ii) 3 metres (10 ft) of an interior side parcel line;
(iii) 4.6 metres (15 ft) of an exterior side parcel line; or
(iv) 6 metres (20 ft) of a rear parcel line.

Accessory Buildings

(g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure. This does not apply to farm buildings or structures;

(h) No accessory building shall be located closer than 1.5 metres (5 ft) to a rear parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

(i) The maximum permitted lot area coverage shall be as follows (This does not include farm buildings or structures):

Principal building with all accessory buildings and structure 50%

Additional requirements

(j) *open fencing with no height or location restrictions is allowed in this zone; Bylaw 1679

(k) The minimum size for a single-family dwelling ***or mobile home*** shall be 75 square metres (800 sq. ft.);

(l) See Sections 13 to 30A of this bylaw.

Subdivision of agricultural land reserve

21 (1) A person must not subdivide agricultural land unless permitted under this Act.

(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

Covenants

22 (1) The commission may enter into a covenant under the *Land Title Act* with an owner of agricultural land.

(2) A covenant that restricts or prohibits the use of agricultural land for farm purposes has no effect until approved by the commission.

Exceptions

23 (1) Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area.

(2) The restrictions on the use of agricultural land do not apply to land lawfully used for a non-farm use, established and carried on continuously for at least 6 months immediately before December 21, 1972, unless and until

(a) the use is changed, other than to farm use, without the permission of the commission,

(b) an enactment made after December 21, 1972, prohibits the use, or

(c) permission for the use granted under an enactment is withdrawn or expires.

(3) For greater certainty, the exception in subsection (2) applies only to the land that was actually being used for a non-farm use and not to the entire parcel on which that use was being carried on.

Preservation of rights

24 Despite sections 2 and 3, if Crown land continued as an agricultural land reserve under this Act has been leased by the government, or sold by agreement for sale by the government and not transferred to the purchaser before December 21, 1972, and on that date was being used for a non-farm use, and not in contravention of the terms of the lease or agreement, that use may continue until termination of the lease or issue of title to the purchaser under the agreement for sale.

MEMORANDUM

DATE : **October 11, 2016**

TO: **Committee of the Whole**

FROM: **Manager of Development and Engineering**

SUBJECT: **PetroMaxX – Esso / Tim Hortons Update**

The Department will provide a brief update presentation on progress in the PetroMaxX – Esso / Tim Hortons development at the October 11 COTW.

MEMORANDUM

DATE : **October 11, 2016**

TO: **Committee of the Whole**

FROM: **Manager of Development and Engineering**

SUBJECT: **Sustainable Community Plan Presentation**

The Department will provide a presentation on Sustainable Community Plan Theme 1 findings and recommendations for SCP amendments at the October 11 COTW.

Recommendation

Committee of the Whole to receive for information.

MEMORANDUM

DATE : **October 11, 2016**

TO: **Committee of the Whole**

FROM: **Manager of Development and Engineering**

SUBJECT: **Energy Innovation Grant**

On September 6, 2016 Council resolved to direct staff to submit the information form and prepare a report to Council on scope, budget requirements and administration of the Clean Energy Innovation Grant available from Natural Resources Canada.

The department reviewed the grant program requirements and available resources and recommends that it is not appropriate to proceed at this time with the grant as there is not an approved capital project of sufficient size to meet the minimum $300,000 contribution and equivalent matching amount.

MONTHLY HIGHLIGHT REPORTS

DATE : September 27, 2016

TO : Committee of the Whole

FROM: Manager of Building Inspection & Bylaw Services

HIGHLIGHTS: For the Month of July & September, 2016

- **Bylaw Office Review**
- Following up on complaints
- The remaining river camp is now being handle by the Ministry of Natural Resources
- 34 Unsightly Properties are in various stages of clean up
- 11 Of these properties are in compliance
- 2 of our most severe Unsightly Properties Should be in compliance with in the next few weeks
- 74 water notices handed out.
- Public response to this office has been extremely positive

- **Building Inspections Review**
- Following up on existing Building Permits
- 5 New permit this month
- 1 New Single Family Dwellings,
- 2 Accessory Buildings / Garage / Shop
- 1 Commercial storage structure
- 1 Sundeck
- 2 more Single Family Dwellings pending documents
- Closed off 5 more building files this month

MONTHLY HIGHLIGHT REPORTS

DATE: October 11, 2016

TO: Committee of the Whole

FROM: Acting Corporate Officer

HIGHLIGHTS: For the Month of September, 2016

- Prepared and facilitated Council Meetings for the month of September
- Developed a Freedom of Information section for the website
- Fulfilled FOI requests
- Ongoing updating of Facebook and Website
- Human Resources Duties for the months of September
- Met with DBA re: signage
- Prepared and organized meetings, briefing notes and travel for UBCM
- Updated Economic Profile
- Participated in Rural Dividend webinar – re: changes to process and Community Futures session on same
- Created a data base for bylaws
- Staff training – Minute Taking
- Continued to work on Community Survey
- Volunteer appreciation

MONTHLY HIGHLIGHT REPORTS

DATE : September 28, 2016

TO : Committee of the Whole

FROM: Fire Chief

HIGHLIGHTS : For the month of September

- 24 emergency responses in September (to Sep 28th), 8 fire-related, 2 rescue, and 14 medical.
- Brought on 2 new volunteer firefighters, in addition to 3 students participating in our high school program which is in it's 2nd year.
- Fire Prevention – Conducted emergency evacuation drill at Silver Kettle Village with site staff and over 10 volunteer firefighters.
- Fire Prevention – Fire extinguisher training for Grand Forks Rec department staff at Aquatic Centre.
- Live-fire training 3 times at the Fire Training Ground.

MONTHLY HIGHLIGHT REPORTS

DATE : October 11, 2016

TO : Committee of the Whole

FROM: Manager of Operations

HIGH LIGHTS: For the Month of September 2016

Occupational Health and Safety Monthly Focus for the month of October 2016 Duties and functions of the Joint health and Safety committee and Contractor coordination

Public Works

- Tot Lot Playground renovation
- 2nd street Storm system repair
- Tree replacement program 6th St./ 7th St./Boundary Dr./ Angus MacDonald park (23 new trees so far) Plus 20 to go to Cemetery this Fall
- Drip Irrigation system installs to parks trees at Angus (Other parks to follow)
- New beacon site tower installed on Observation
- Shouldering program throughout Ruckle North and South

MONTHLY HIGHLIGHT REPORTS

GRAND FORKS
BC

Water/Sewer

- Well #3 Electrical preparation
- Maintenance waste water treatment plant
- Reservoir maintenance
- Locates for Telus project
- Chlorinator maintenance
- Sewer service repair on 22nd street
- Water main river crossing repairs on 5th street with diver

Electrical

- System repairs in Val mar
- LED lighting pilot project
- Tree Trimming
- 3 New service installs
- Locates for Telus
- Working with contractor on building assessments
- Electrical department had 1 planned outage in September for repairs

Capital projects

- Playground equipment
- Fleet replacement
- Voltage conversion
- Water metering project
- Well #3 replacement
- 5th St Water main replacement
- Electrical Substation Engineering
- Public Works fuel tank replacement
- 3rd street sewer repair
- Head works grinder
- Spray park

MONTHLY HIGHLIGHT REPORTS

DATE : **October 11, 2016**

TO : Committee of the Whole

FROM: Chief Financial Officer

HIGHLIGHTS: For the Month of September, 2016

- Asset management training workshop
- Permissive Tax Exemption Bylaw 2033 ready for adoption
- RFP for Audit Services closed September 30th
- Tax Sale on September 26th (no properties left for sale)
- Postings for staff replacement
- Updating Vadim financial reports
- Preliminary work on 2017-2021 5 Year Financial Plan

MONTHLY HIGHLIGHT REPORTS

DATE: **October 11, 2016**
TO: Committee of the Whole
FROM: Manager of Development & Engineering
HIGHLIGHTS: For the Month of September, 2016

- Capital projects
    - Continued the design options & reporting for the WWTP – UV Disinfection Project
    - UV environmental impact study & preliminary complete
    - Research options for pavement rehabilitation on 22nd St.
    - Awarded contract for 5th St / Darrell J. Priede Memorial Bridge Water Main project, negotiated access agreement with Interfor and hosted pre-work meeting with contractor and engineers
    - City Park Tot Lot Playground install nearly complete
- Supported preparation of Requests for Quotations and Proposals
- Continued implementation of the asset management and GIS software, including integration of GIS data model to Worktech system
- Department training: NAMS Asset Management training; Urban Development Institute conference, and Municipal Law
- Continued work on the Municipal Natural Assets Initiative
- Supported Wildlife / Danger Tree Assessment and planning for danger trees along trails and residential areas, as well as the 5th Street/DJP Bridge Water Main project
- Interdepartmental meetings & collaboration: capital projects; communication, Natural Assets, Geographic Information Systems
- Continuing with subject removal for land sale
- Development of application status forms for all developments
- Five excavation permits

MONTHLY HIGHLIGHT REPORTS

- Facilitated development permit processes for one major commercial development, one light industrial development, and one highway commercial development
- Sign bylaw research and development and wayfinding sign planning
- Processed a floodplain exemption application and a subdivision application
- Received over 26 enquiries regarding lot lines, zoning, setbacks, fencing, and land availability for development
- Received 3 subdivision/development enquiries
- Received 3 enquiries from new/future residents re: zoning/land use
- Kiosk maps graphic design and installation
- Creation of information packages and brochures regarding development, subdivision and planning approval processes
- Continued research, technical review and stakeholder outreach for Sustainable Community Plan update process and produced update report
- Finalized research on Deer management options, including funding availability and status of related initiatives
- Johnson Flats wetland/cemetery kiosk/dog park improvements launch event
- Preparation of park dedication bylaw for Johnson Flats Wetland

REQUEST FOR DECISION
— COMMITTEE OF THE WHOLE —

To:	Committee of the Whole
From:	Chief Financial Officer
Date:	October 11, 2016
Subject:	Bylaw No. 2034 - 2017 Revenue Anticipation Borrowing Bylaw
Recommendation:	**T**HAT the Committee of the Whole recommends that Council give the first three readings to Bylaw No. 2034 "2017 Revenue Anticipation Borrowing Bylaw" at the October 24th, 2016 Regular Meeting of Council.

BACKGROUND:

The Community Charter gives municipalities the authority to borrow money to cover obligations during the period between the beginning of the fiscal year (January 1) and the property tax payment due date of the first working day after July 1.

Although the City has enough cash on hand to cover its obligations for a considerable length of time, the adoption of an annual Revenue Anticipation Bylaw is a requirement of the City's banking contract with the Grand Forks and District Credit Union as it covers the City's overdraft.

Bylaw 2034 is the City's proposed 2017 Revenue Anticipation Borrowing Bylaw.

Benefits or Impacts of the Recommendation:

General:	This bylaw is a Statutory and Contractual requirement which allows for coverage of the City's overdraft.
Strategic Impact:	N/A
Financial:	The City currently has $2 million in overdraft protection.
Policy/Legislation:	This is an annual bylaw which is covered under Section 177 of the Community Charter and fulfils the requirement of the banking agreement with the Credit Union.
Attachments:	Bylaw No. 2034 "2017 Revenue Anticipation Borrowing Bylaw"

Recommendation:	THAT the Committee of the Whole recommends that Council give the first three readings to Bylaw No. 2034 "2017 Revenue Anticipation Borrowing Bylaw" at the October 24th, 2016 Regular Meeting of Council.

REQUEST FOR DECISION

— COMMITTEE OF THE WHOLE —

OPTIONS:

1. **COTW COULD CHOOSE TO SUPPORT THE RECOMMENDATION.**
2. **COTW COULD CHOOSE TO NOT SUPPORT THE RECOMMENDATION.**
3. **COTW COULD CHOOSE TO REFER THE REPORT BACK TO STAFF FOR MORE INFORMATION.**

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2034

A Bylaw Authorizing the Corporation of the City of Grand Forks to Borrow the Sum of Two Million Dollars to Meet the Current Lawful Expenditures of the City

==========

WHEREAS pursuant to Section 177 of the Community Charter, the Council of a Municipality may, by bylaw, provide for the borrowing of such sums of monies as may be necessary to meet the current lawful expenditures of the Municipality;

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

1. It shall be lawful for the Corporation of the City of Grand Forks to establish a line of credit to borrow upon the credit of the City, from the Grand Forks Credit Union, the sum, at any one time, of up to Two Million Dollars ($2,000,000) in such amounts and at such times as may be required, bearing interest at a rate not exceeding the rate established for Municipalities, as set by the Grand Forks Credit Union from time to time.

2. That the money borrowed and interest thereon, shall be repaid on or before the 31st day of December 2017.

3. That the amounts so borrowed shall be a liability payable out of the City's revenues for the year ended December 31st, 2017.

4. That the form of the obligation to be given as an acknowledgment of the liability to the Grand Forks Credit Union shall be a promissory note(s) or overdraft lending agreement for sums as may be required from time to time, signed by the Mayor and the Chief Financial Officer of the City and shall bear the Corporate Seal and all such notes(s) or overdraft lending agreements shall be made payable on or before the 31st day of December, 2017.

5. This bylaw may be cited as the "**2017 Revenue Anticipation Borrowing Bylaw No. 2034".**

Introduced this 11th day of October, 2016.

Read a **FIRST** time this 24th day of October, 2016.

Read a **SECOND** time this 24th day of October, 2016.

Read a **THIRD** time this 24th day of October, 2016.

FINALLY ADOPTED this 7th day of November, 2016.

_____	_____
Frank Konrad – Mayor	D. Heinrich – Corporate Officer

C E R T I F I C A T E

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2034 as passed by the Municipal Council of the Corporation of the City of Grand Forks on the ____ of _____.

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

REQUEST FOR DECISION
— COMMITTEE OF THE WHOLE —

To: Committee of the Whole

From: Manager of Development & Engineering Services

Date: October 11, 2016

Subject: Johnson Flats Wetland Protected Natural Area Dedication

Recommendation: **RESOLVED THAT** Committee of the Whole receives the report and recommends to Council to give first and second readings of the proposed "Johnson Flats Wetland Nature Park Bylaw, No. 2035, 2016", at the October 11, 2016 Regular Meeting.

Synopsis

- Council previously directed staff to undertake the process for protecting the Johnson Flats Wetland as a Protected Natural Area through Sustainable Community Plan (SCP) and Zoning Bylaw amendments.
- Subsequently, Council directed staff to begin a 5-year update of the SCP which would encapsulate these planning processes.
- Staff were requested to provide options for natural area protection and dedication for high-priority areas in advance of zoning and SCP amendments.
- Options for protecting the lands include statutory covenants and parkland dedications. Parkland dedication bylaws are appropriate for protecting and conserving municipally-owned land, while covenants are generally used for protecting private land
- Dedication of the wetlands by bylaw as a park with the intended use as "ecological reserve" will immediately provide for the protection of these lands and signal Council's intention for their use and preservation.

Background

On May 9, 2016 Council resolved to direct staff to draft the appropriate amendment bylaws to the Sustainable Community Plan Bylaw and the Zoning Bylaw to create the 'Protected Natural Area' zone and proceed with statutory requirements for amending bylaws; to draft an amendment to rezone the property from the current R-4 (Rural Residential) zone to the Protected Natural Area zone; and to prepare referral request

packages and initial public outreach for the property described as DL 382, Plan KAP4892B. These amendments were to proceed concurrently.

On June 13, 2016, Council directed staff to undertake a 5-year review of the Sustainable Community Plan (SCP). The SCP review is partly intended to amalgamate multiple planning and zoning issues, including developing objectives, policies and land use designations for protected natural areas, rather than having multiple individual amendments.

Staff subsequently identified that three additional and adjacent City-owned parcels are within the wetland area and recommend that the lands with the following legal description be included in the protected area:

1. DL 382, Plan KAP4892B; 19.26 acr
2. PT A, DL 382, Plan KAP1193B, portion PL 22; 1.49 acr
3. DL 382, Plan KAP5814B, portion shown on PL B5814; 1.006 acr
4. DL382, Plan KAP122, pt lying S of PL B4892 E of PL B1711 W of L 13 BLK A PL 123 & N OF L 5 BLK 2 PL 122; 0.586 acr

The parcels are designated as Agricultural / Rural in the SCP (Schedule 'B') and are located within the 200-year floodplain. The zoning of the properties is R-4 (Rural Residential). Protection of the wetlands will **ultimately involve amendments to the SCP land use designation and zoning** as scheduled in the 2017 update of the SCP and 2017/2018 update of the Zoning Bylaw.

Permitted uses for land in the Agricultural Land Reserve

Parks and ecological reserves are permitted uses on Agricultural Land Reserve (ALR) lands. B.C. Reg. 171/2002, *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* S. 3(1) states, "The following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw…

> (f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m^2 for each parcel;
>
> (g) use of an open land park established by a local government or treaty first nation government for any of the purposes specified in paragraph (f);"

REQUEST FOR DECISION

— COMMITTEE OF THE WHOLE —

Definition of Nature Park

Nature Parks are park spaces that are relatively undisturbed and contain a high percentage of native species, providing habitats for a diversity of vegetation and wildlife. They are natural or near natural in character, or are in the process of recovery from human disturbance.

These natural areas may represent or contain fragments of regionally important ecosystems, and they may contain habitat for endangered plant and animal species. They help maintain a diversity of living organisms through the conservation of wild genetic resources.

Compared with cultured or manicured parks, nature parks generally require less routine and intensive management to ensure their sustainability; however, because they are situated within urban areas and are often degraded, they may require ecological restoration or other active management activities.

The proposed bylaw requires that the use and development of the properties is that of an **ecological reserve**, defined in the Zoning Bylaw 1606 as:

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

Ecological reserves can occur in any land use zone.

It is also worth noting that the proposed bylaw is a park dedication bylaw and it does not require a public hearing.

Park Dedication vs S. 219 Covenant

Under section 30 of the *Community Charter*, Council may, by bylaw, reserve or dedicate real property owned by the municipality as a park. The adoption of a park dedication must be by an affirmative vote of at least 2/3 of all members of Council.

A park dedication bylaw provides greater protection than a rezoning bylaw because Council can only remove the dedication by bylaw with the approval of the electors.

The *Land Title Act,* s. 219, provides for the registration of convenants in favour of certain bodies (the "covenantees") against lands owned by the covenantor. Section 219 covenants are enforceable against the covenantor and successors in title, and may be positive (requiring specific activities) or negative (preventing certain uses).

Covenants may be used (subsection 219(4)) by the Crown / Crown agency, municipality, land trusts and certain other authorities to, for example, protect, preserve, conserve, maintain, enhance, restore or keep land in a natural or existing state. Section 219 covenants are typically used for achieving **long-term protection on private land**.

Timeline:

Date	**Process**
October 11, 2016	Bylaw introduction and RFD for first two readings at evening meeting; first two readings at evening meeting
October 18 (tbd)	Open house at City Hall to view kiosk map and draft bylaw
October 24, 2016	Third reading of bylaw
November 7, 2016	Final Reading / Adoption of bylaw

REQUEST FOR DECISION

— COMMITTEE OF THE WHOLE —

Strategic Impact:

Policy / Legislative: SCP Objective 6.2.2 directs the City to "Preserve and protect natural areas for environmental, aesthetic, recreational and economic values." Policy 6.3.4 states, "Protect natural areas within and between developed areas for both their environmental and aesthetic features".

- Protection of natural ecosystems such as wetlands sustains ecosystem services that provide economic benefit and reduce risks to infrastructure and have been found to increase property values, which affects tax revenues
- Parks and protected natural areas provide opportunities for eco-tourism and residential or business development associated with such amenities
- Protected natural areas provide the opportunity for engagement with the community and collaboration on science, education, stewardship and restoration
- Amenity values of protected natural areas for residents include nature appreciation, fitness, mental wellness and other passive recreation benefits

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Recommendation: **RESOLVED THAT** Committee of the Whole receives the report and recommends to Council to give first and second readings of the proposed "Johnson Flats Wetland Nature Park Bylaw, No. 2035, 2016", at the October 11, 2016 Regular Meeting.

OPTIONS:

1. COMMITTEE OF THE WHOLE COULD CHOOSE TO SUPPORT THE RECOMMENDATION.
2. COMMITTEE OF THE WHOLE COULD CHOOSE TO NOT SUPPORT THE RECOMMENDATION.
3. COMMITTEE OF THE WHOLE COULD CHOOSE TO REFER THE REPORT BACK TO STAFF FOR MORE INFORMATION.

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2035

A BYLAW TO DEDICATE JOHNSON FLATS WETLAND NATURE PARK

==========

WHEREAS section 30 (1) of the *Community Charter* empowers a municipal council, by bylaw, to reserve or dedicate for a particular municipal or other public purpose real property owned by the municipality;

AND WHEREAS section 8 (3) (b) and 62 of the *Community Charter* empowers a municipal council, by bylaw, to regulate, prohibit, and impose requirements in relation to public places;

AND WHEREAS The Corporation of the City of Grand Forks owns certain lands that it wishes to dedicate as park, and to preserve and protect the unique atmosphere, environment, and ecology of these lands;

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

1. DEFINITIONS

1.1. In this bylaw, unless the context otherwise requires:

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

"**Wetland**" is land that is saturated with water long enough to promote wetland or aquatic processes as indicated by poorly drained soils, hydrophytic (water-tolerant) vegetation, and various kinds of biological activity which are adapted to a wet environment.

2. The lands shown outlined in bold on Schedule 'A', attached to and forming part of this bylaw, are dedicated as a public park.

3. REGULATIONS

3.1. The use, development and improvement of the said park must be that of an ecological reserve.

3.2. No person shall modify or cause to modify the hydrology, vegetation, or wildlife of the park in a way that diminishes the function of the park as a wetland or an ecological reserve.

4. This bylaw may be cited, for all purposes, as the **"Johnson Flats Wetland Nature Park Bylaw No. 2035, 2016."**

INTRODUCED this 11th day of October, 2016.

DRAFT

Read a **FIRST** time this ____ day of ____, 2016.

Read a **SECOND** time this ____ day of ____, 2016.

Read a **THIRD** time this ____ day of ____, 2016.

ADOPTED by a 2/3 majority of all members of Council on ____ day of ____, 2016.

_____ _____

Mayor Frank Konrad Corporate Officer – Diane Heinrich

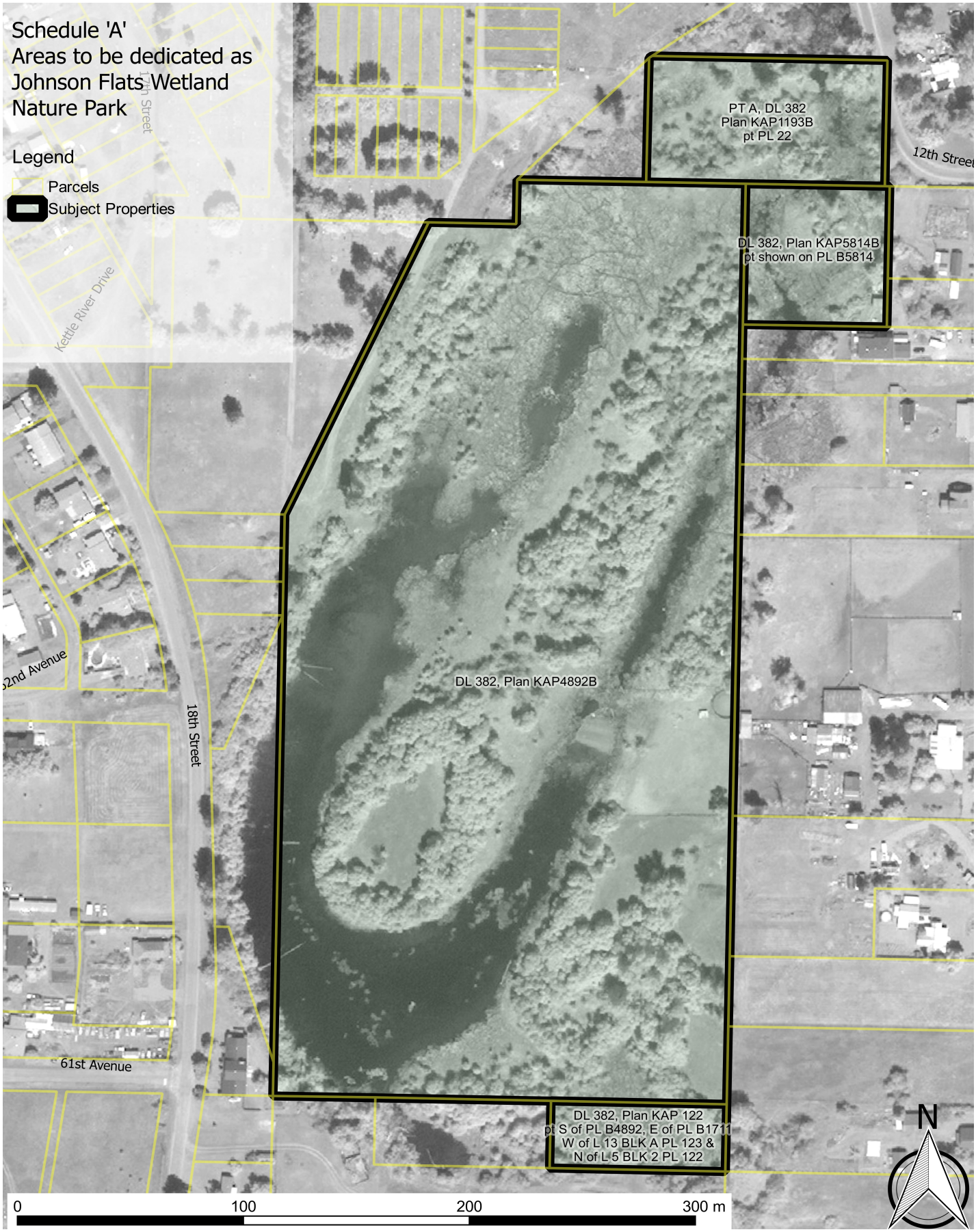
C E R T I F I CA T E

I hereby certify the foregoing to be a true copy of Bylaw No. ____ as passed by the Municipal Council of the City of Grand Forks on the ____ day of ____, 2016.

_____

Clerk of the Municipal Council of
The City of Grand Forks

DRAFT


Schedule 'A'
Areas to be dedicated as
Johnson Flats Wetland
Nature Park
Legend
Parcels
Subject Properties
PT A, DL 382
Plan KAP1193B
pt PL 22
12th Street
DL 382, Plan KAP5814B
pt shown on PL B5814
DL 382, Plan KAP4892B
DL 382, Plan KAP 122
pt S of PL B4892, E of PL B1711
W of L 13 BLK A PL 123 &
N of L 5 BLK 2 PL 122
18th Street
61st Avenue
Kettle River Drive
N
0
100
200
300 m