

**THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA – PRIMARY COMMITTEE MEETING**

**Monday August 15th, 2011
Council Chambers City Hall**

<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1. <u>CALL TO ORDER</u>		Call Meeting to order after the Regular Meeting has been recessed
2. <u>PRIMARY COMMITTEE MEETING AGENDA</u> -	Agenda for August 15th , 2011	Adoption of Agenda
3. <u>REGISTERED PETITIONS AND DELEGATIONS:</u>		
a) Corporate Officer's Report – Delegation, West Kootenay Boundary Crime Stoppers	Presentation by Jack Fisher, Chairman of the West Kootenay Crime Stoppers Program giving an outline of the organization's program and of their importance to West Kootenay communities	That the Committee recommends to Council that the presentation made by Jack Fisher, Chairman of the West Kootenay Crime Stoppers be received, and further determines to offer funding by way of a membership in the amount of \$500.00 to West Kootenay Boundary Crime Stoppers to be funded from Council Memberships
b) Corporate Officer's Report – Delegation, Mountain Media Advertising	Presentation by Sandra Barron of Mountain Media Advertising on a proposal for the City of Grand Forks to purchase advertising on six new visitor highway information signs & 300 Posters (with map) that is being created for 2012 for our region.	The Primary Committee recommends to Council to receive the presentation given by Sandra Barron of Mountain Media Advertising and to further discuss the option of purchasing advertising on six new visitor highway information signs and 300 posters (with map) that is being created for 2012 for our region.
4. <u>UNFINISHED BUSINESS:</u> NONE		
5. <u>RECOMMENDATIONS FOR CONSIDERATION:</u>		
a) Corporate Officer's Report – Amendment to the Zoning Bylaw	The City is in receipt of an application to rezone property located at 2675 Central Avenue, where the applicants, Barb & Jacques Boizeau, wish to rezone the southerly portion of the property from the current R-1 (Single & Two Family) residential zone to HC (Highway Commercial zone and leaving the northerly part as residential.	The Primary Committee recommends to Council that Staff be directed to draft the appropriate zoning amendment bylaw subject to the City obtaining a covenant, at the owner's expense, stating that commercial use and parking is restricted to the commercial portion of the property for the property located at 2675 Central Avenue legally known as Lot 6, Block 2, D.L. 520, Plan 5210

from R-1 (Single and Two Family Residential) to HC (Highway Commercial), southerly portion only, and that this bylaw be permitted to proceed to public hearing.

6. **OPERATIONAL DISCUSSIONS FROM STAFF:**

None

7. **INFORMATION ITEMS:**

None

8. **PROPOSED BYLAWS FOR DISCUSSION:**

None

9. **LATE ITEMS:**

10. **REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL**

11. **QUESTION PERIOD FROM THE PUBLIC**

Attendees in the gallery may ask Council questions at this time.

Hear Presentations and refer any issues for further discussion.
Hear from the Public

12. **ADJOURNMENT**

Adjournment

THE CITY OF GRAND FORKS
REQUEST FOR PRIMARY COMMITTEE RECOMMENDATION
DELEGATION

DATE : August 9th, 2011

TOPIC : West Kootenay Boundary Crime Stoppers

PROPOSAL : Delegation – Presentation from Jack Fisher on the Crime Stoppers Program

PROPOSED BY: Jack Fisher, Chairman of West Kootenay Boundary Crime Stoppers

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SUMMARY:

1. Jack Fisher, Chairman of the West Kootenay Boundary Crime Stoppers, will make a presentation to Council on behalf of the Crime Stoppers Program. Also included with this report is Mr. Fisher's request for funding correspondence.
2. In the past, the City has considered the funding contribution to the West Kootenay Boundary Crime Stoppers to be a membership and was funded from Council Memberships.

STAFF RECOMMENDATIONS:

2. That Primary Committee recommends to Council to receive the presentation made by Jack Fisher and determines to offer funding by way of a membership in the amount of \$500.00 to West Kootenay Boundary Crime Stoppers to be funded from Council Memberships.

OPTIONS AND ALTERNATIVES:

1. Receive the presentation: Under this option, Council is provided with the information on the background of the Crime Stoppers Program
2. Receive the presentation and consider funding to the program as a membership.

BENEFITS DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The main advantage of this option is that information is provided to the City and the Community.

Option 2: The main advantage of this option is that the City would be showing support for the Crime Stoppers program.

COSTS AND BUDGET IMPACT - REVENUE GENERATION:

There is no cost of making the presentation – should Council consider funding the program through a membership, the cost would be \$500.00.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council procedures bylaw makes provisions for making presentations to Council.


Department Head or Corporate Officer


Reviewed by Chief Administrative Officer

Chief Administrative Officer

- e) Correspondence from the Grand Forks Public Library-2010 Financial Statements. **Receive for information.**

- f) West Kootenay/Boundary Crime Stoppers - Request for funding for this community service. **Recommend to receive for discussion.**

MOTION: ROBERT/THOMPSON

RESOLVED THAT THE CITY SEND A LETTER OF INVITATION TO THE WEST KOOTENAY/BOUNDARY CRIME STOPPERS TO ATTEND A FUTURE COUNCIL MEETING, AND TO FURTHER ADVISE THE ORGANIZATION THAT GRANT IN AID FUNDING HAS ALREADY BEEN DISPURSED FOR THE YEAR 2011.

CARRIED.

- g) Correspondence from Bull, Housser & Tupper- Advising that the City Mineral Tenure is up for renewal. **Recommend that Council renew the existing Mineral Claims at a cost of approximately \$1,956.00.**

MOTION: ROBERT/THOMPSON

RESOLVED THAT THE CITY OF GRAND FORKS RENEW THE ANNUAL CITY MINERAL TENURE WITH REGARD TO THE SLAG PILE AT A COST OF APPROXIMATELY \$1,956.00 AND THAT THIS ITEM IS TO BE INCLUDED IN FUTURE FINANCIAL PLANS AS A LINE ITEM.

CARRIED.

- h) Letter from the Phoenix Interpretive Forest Society to the Minister of Forests, Lands - cc'd to Council- Advising of concerns that holders of a Community Forest License may not be aware of historical & non-timber resources evident in the Phoenix Forest Area. **Recommend to receive for information**
- i) Background Paper from AKBLG - Regarding the Rural BC Project. **Recommend to receive for information.**
- j) UBCM Member Release - Fiscal Management Report. **Recommend to receive for information.**
- k) UBCM – 2010 Resolutions - Information regarding Part 2 of Resolutions that were put forward at the 2010 UBCM. **Recommend to receive for information.**
- l) Discussion Paper Series from the AKBLG - Regarding Rural BC and what does it need to succeed. **Recommend to receive for information.**
- m) Minutes from the Deer Committee Meeting - From May 18th Meeting. **Recommend to receive for information.**
- n) May 9th Task List - List of Completed and In-Progress Tasks. **Recommend to file.**

THE CORPORATION OF THE CITY OF GRAND FORKS

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



June 2nd, 2011

West Kootenay/Boundary Crime Stoppers
P.O. Box 3392
Castlegar, BC
V1N 3N8

COPY

Attention: **Jack Fisher** Sent via email only to: jackfisher@shaw.ca
Chairman

Dear Mr. Fisher:

Thank-you for your letter regarding your request for funding and for supplying information on the Crime Stoppers program. At their Regular Meeting on May 30th, 2011, Council received your correspondence and adopted the following resolution:

RESOLVED THAT THE CITY SEND A LETTER OF INVITATION TO THE WEST KOOTENAY/ BOUNDARY CRIME STOPPERS TO ATTEND A FUTURE COUNCIL MEETING, AND TO FURTHER ADVISE THE ORGANIZATION THAT GRANT IN AID FUNDING HAS ALREADY BEEN DISPURSED FOR THE YEAR 2011.

In fall of 2010, through the City of Grand Forks' budgeting process, Council approved funds by way of Grants-In-Aid to organizations that made applications to the City of Grand Forks for funding requests, and in turn, these funds were allocated in the year 2011. Council felt that this was a fair and accountable process where all organizations who met the City's Grant-in-aid policy criteria, would have a chance to receive funds for their cause(s).

Council has also, in their resolution, extended an invitation for a representative from the West Kootenay/Boundary Crime Stoppers to attend a future Council meeting (dates are attached), and make a presentation to Council regarding the organization's most important services. If you or another representative would like to present to Council, please contact the writer, and we'll set up a Delegation for a future meeting.

Again, thank-you very much for the information you have sent us and for the assistance that Crime Stoppers contributes to our community.

Best regards,

A handwritten signature in black ink, appearing to read "Diane Heinrich".

Diane Heinrich
Corporate Officer

C1-Invitation for Boundary Crime Stoppers to attend a future Council meeting.



West Kootenay/Boundary
Crime Stoppers

P.O. Box 3392, Castlegar, BC V1N 3N8

Corporation of the City of Grand Forks
7217 4th Street
Grand Forks, BC
V0H 1H0

COPY

RECEIVED

MAY 11 2011

THE CORPORATION OF
THE CITY OF GRAND FORKS

West Kootenay/Boundary Crime Stoppers continues to assist local communities to solve crime through our proven and effective "tips line". However, we cannot run this program without the continued financial support of our districts, corporate sponsors and business communities.

Our overheads are low, largely due to the fact that we rely solely on volunteers. There are, however, numerous costs associated with the running of our organisation, including training, decals, banners and informational literature, updates to our computer programs and reward payouts. This year we will also be setting up a dedicated website, which will enable tipsters to provide tips online which will go directly to our coordinator, while maintaining their anonymity.

We appreciate your past contributions to this worthwhile project, including your donation of \$500 in 2008. We would ask once again, for your support in 2010 to help us to continue to provide this valuable service to your community.

We appreciate your consideration in this matter.

Yours truly,

Jack Fisher
Chairman

FILE CODE

WE4, C.I - CRIME STOPPERS - REQUEST FOR FUNDING

1-800-222-TIPS (8477)

Serving the West Kootenay/Boundary Region

COPY

What Is Crime Stoppers?

Crime Stoppers is a proven effective community service program combining the efforts of police, media and the public in solving crimes. It counters the fear (by offering anonymity) and apathy (by offering cash rewards) that make the public reluctant to fight crime.

How Does It Work?

A Board of Directors composed of involved citizens establish policy, raise funds, and oversee award payments. This non-profit organization registered as the West Kootenay/BOUNDARY Crime Stoppers Society is funded by donation only. Our organization pays cash rewards for information leading to the solving of a crime or recovery of property. Rewards are determined and payment arranged solely by the Board of Directors. Those having information call a special Crime Stoppers telephone number. Calls are then processed by trained personnel and callers do not have to reveal their names. Code numbers are assigned to ensure anonymity.

Who Benefits?

The Community - Citizens become more involved in policing their communities and make a stronger contribution in solving crime.

The Police - Increasing crime rates make the need for innovative and effective programs which generate information on criminal activity.

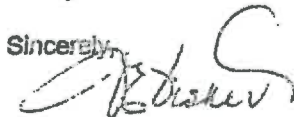
Everyone Benefits Except For The Criminals!

What Does It Cost?

The West Kootenay/BOUNDARY Crime Stoppers is active and are supported by donation only. We therefore require substantial public support for signage, promotional materials, telephone costs, postage and many other associated costs. In order for our organization to be successful within our community and region, we would like to ask for your support in the way of a contribution.

If you have any further questions or would like a presentation, please do not hesitate to contact me. I may be reached at 1-250-359-7306 or you may fax me at 1-250-352-0701. I look forward to hearing from you in the near future. Thank you for your consideration in this worthwhile program.

Sincerely,



Jack Fisher
Chair

West Kootenay/BOUNDARY Crime Stoppers

August 2003

CRIME STOPPERS

1-800-222-TIPS

P.O. BOX 3392, CASTLEGAR, B.C. V1N 3N8

COPY

	Arson	Assault	Driving Offences	Drugs	Other	Robbery	Sexual Assault	Theft	Wanted	Total	% of Total
Castlegar				5	9	1		1		16	11.85185
Grand Forks		1		8	22	1		1		33	24.44444
Kaslo					1					1	0.740741
Midway				5	2			2		9	6.666667
Nakusp				1	3					4	2.962963
Nelson PD		2		7	8			1		20	14.81481
Nelson RCMP	1	2		8	8			1	1	19	14.07407
Salmo				7	3					10	7.407407
Slocan Lake				5	5					10	7.407407
Traff			1	6	4	1		1		13	9.62963

THE CITY OF GRAND FORKS
REQUEST FOR PRIMARY COMMITTEE RECOMMENDATION
DELEGATION

DATE : August 9th, 2011

TOPIC : Mountain Media Advertising

PROPOSAL : Presentation on a proposal for City of Grand Forks to purchase Advertising on six new visitor highway information signs & 300 posters being created for 2012 for our region

PROPOSED BY : Sandra Barron-Mountain Media

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SUMMARY:

Sandra Barron of Mountain Media will make a presentation on her proposal for the City of Grand Forks to purchase advertising on six new visitor highway information signs & 300 posters (with map) that is being created for 2012 for our region.

STAFF RECOMMENDATIONS:

Option 2: Council receives the presentation and further discusses the option of purchasing advertising on six new visitor highway information signs & 300 posters (with map) that are being created for 2012 for our region.

OPTIONS AND ALTERNATIVES:

1. Receive the presentation: Under this option, Council is provided with the information on the proposal for advertising from Mountain Media.
2. Council receives the presentation and further discusses the option of purchasing advertising on six new visitor highway information signs & 300 posters (with map) that are being created for 2012 for our region.

BENEFITS DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1: The main advantage of this option is that information is provided to the City and the Community.

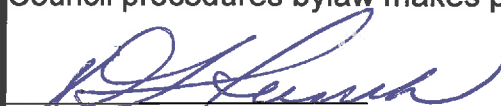
Option 2: The main advantage is same as Option 1 and further assists in reaching a decision regarding Mountain Media Advertising. By choosing to advertise the City of Grand Forks as per Sandra Barron's proposal, may be perceived as pro-tourism for the community.


COSTS AND BUDGET IMPACT - REVENUE GENERATION:

There is no cost of making the presentation. The cost for advertising will be determined by the proposal and the wish of Council.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Council procedures bylaw makes provisions for making presentations to Council.


Department Head or Corporate Officer
or Chief Administrative Officer


Reviewed by Chief Administrative
Officer

RECEIVED

AUG - 5 2011

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 Taylor, and Members of Council, I/We are here this evening on behalf of Mountain Media

to request that you consider purchasing advertising on six new visitor highway information signs & 300 posters (with map) being created for 2012 for our region.

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

to provide the City of Grand Forks with suitable representation on regional map/information boards and posters that provide tourists with information about the West Kootenay/ Boundary Region in order to direct visitors to our community.

This is a great opportunity to promote the City Park Municipal Campground.

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

- increased exposure of Grand Forks to tourists travelling through the other parts of the West Kootenays, opportunity to entice visitors to explore our community.
- exposure of our ammenities (like campground) to visitors in search of info

(over)

FILE CODE

D2 - Mountain Media

Council Delegations (cont.)

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

a lack of representation for our community compared to others in the region.

Most other communities represented on the map have scheduled advertising to promote their ammenities and communities (ie: Trail, Fruitvale, Castlegar, Nelson)

Travellers need to be educated about the opportunities & options available here.

In conclusion, I/we request that Council for the City of Grand Forks adopt a resolution stating: that they support Mountain Media in the production of six new highway information signs and 300 regional map posters by purchasing an advertising package to promote the community of Grand Forks to the travelling public.

Name: Sandra Barron

Organization: Mountain Media

Mailing Address: Box 1747 Grand Forks BC V0H 1H0
(Including Postal Code)

Telephone Number: 250-442-3766 or cell: 250-666-0436

Email Address: info@mountainmedia.org

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

Form may be submitted by email to:
info@grandforks.ca

NEW

3D Geopictorial map of Boundary & West Kootenay

by world famous artist Jean-Louis Rheault



Hundreds of posters

- Illustration of your Business
- Over 300 posters displayed
- 6 Huge Outdoor Visitor Signs
- Business directory
- Limited Space

MOUNTAIN MEDIA

SANDRA BARRON

P.O. Box 20189
Kelowna, BC, Canada
V1Y 9H2

Sales: 250-442-3766
Cell: 250-666-0436
Office: 250-763-1097
Info@mountainmedia.org
mountainmedia.org

6 Visitor Sign Locations



Boundary & West-Kootenays

Preliminary Sketch
ARTWORK IN PROGRESS
DO NOT COPY
KOOTENAY BOUNDARY GEOGRAPHICAL INC. LTD.
Copyright 2011
All rights reserved

COOTENAY BOUNDARY GEOMETRICAL™ K&B
Copyright 2011
Illustrated Media Inc
(All rights reserved)

300 Posters throughout the Region



BRILLIANT DAM

VERDUIN'S TOWNS

ZUCKERSBERG ISLAND

PELICAN COLLEGE

CASTLEGAR REGIONAL AIRPORT

3A

COLUMBIA RIV.

CANADIAN TIRE

N

B-2

Quality Inn
Kamloops

**1860 Rogers Place
1-800-575-7322**



5-

**Silver Star
WINTER**

REMAX[®]

THE CITY OF GRAND FORKS **REQUEST FOR PRIMARY COMMITTEE** **RECOMMENDATION**

DATE : **August 9th, 2011**

TOPIC : **Amendment to the Zoning Bylaw**

PROPOSAL : **To amend the current Zoning Bylaw by rezoning property located At 2675 Central Avenue Southerly Portion of the property from the current R-1 (Single & Two Family) Residential Zone to HC (Highway Commercial) zone and leaving the northerly part as residential**

PROPOSED BY : **Applicants – Arild Engen Agent for Barb & Jacques Boizeau**

SUMMARY:

The City is in receipt of an application to rezone property located at 2675 Central Avenue legally described at Lot 6, Blk 2, DL 520, Plan 5210. The applicant wishes to rezone the southerly portion of the property from the current R-1 (Single & Two Family) residential zone to HC (Highway Commercial) zone and leaving the northerly part as residential. This proposal is consistent with the Official Community Plan inasmuch as the southerly section is designated as Commercial and the northerly portion is designated as Low Density Residential, and therefore there is no need to amend the plan (refer to OCP Land Use Map). The proposal to rezone is based on the property owner's desire to eventually subdivide the property, but at present, wishes to advertise it for sale as is.

Attached is a report from the Planning Tech, outlining the specific details of the proposal.

STAFF RECOMMENDATIONS:

Option 1: That the Primary Committee recommends to Council that Staff be directed to draft the appropriate zoning amendment bylaw subject to the City obtaining a covenant, at the owner's expense, stating that commercial use and parking is restricted to the commercial portion of the property for the property located at 2675 Central Avenue legally known as Lot 6, Block 2, D.L. 520, Plan 5210 from R-1 (Single and Two Family Residential) to HC (Highway Commercial), southerly portion only, and that this bylaw be permitted to proceed to public hearing.

OPTIONS AND ALTERNATIVES:

Option 1: Direction be given to Staff to draft a Zoning Amendment Bylaw, rezoning property located at 2675 Central Avenue (Southerly Portion Only) from R-1 (Single & Two Family Residential) to HC (Highway Commercial) subject to the City obtaining a covenant, at the owner's expense, stating that commercial use and parking is restricted to the commercial portion on the property. This option will allow the proposal of an amendment bylaw to be forwarded to the public hearing process. After hearing presentations at the public hearing, Council may consider proceeding with the amendment.

Option 2: Primary Committee recommends to Council to decline to permit the proposed amendment to proceed as requested.

This option will allow for the status quo, with no rezoning of property known as 2675 Central Avenue.

Option 3: Primary Committee recommends to Council to direct Staff to proceed with obtaining a covenant, at the owner's expense, prior to proceeding with a Zoning Amendment Bylaw. This option is similar to Option 1; however the completion of the Zoning Amendment Bylaw would be extended due to the timeline required to put the covenant in place prior to proceeding with the amendment bylaw.

BENEFITS, DISADVANTAGES AND NEGATIVE IMPACTS:

Option 1:

This option will provide the opportunity for the property to be rezoned in consistency with the City's Official Community Plan. The applicant has stated that they eventually intend to subdivide the property thus allowing for potential commercial on the southerly portion and potential R-1 residential housing on the northerly portion.

Option 2: This option will allow for the status quo to remain, and the property can only be developed as large residential lot. This option loses the opportunity to maximize the potential development density as outlined in the City's Official Community Plan.


Option 3: This option is the same as Option 1, however the disadvantage to this option is that the zoning amendment would take approximately 2-3 weeks longer to complete.

COSTS AND BUDGET IMPACTS – REVENUE GENERATION:

There are costs involved in any amendment to the Zoning Bylaw such as newspaper advertising, and statutory notifications of surrounding property owners. Generally speaking the application fee collected is intended to cover these costs.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

The ability to amend our existing Zoning Bylaw comes from the Local Government Act. The Act requires that any Zoning Bylaw must be referred to the public (public hearing), and may only be adopted after Council has heard from the public on the matters contained in the bylaw.



Department Head or Corporate Officer
Or Chief Administrative Officer



Reviewed by Chief Administrative Officer

THE CORPORATION OF THE CITY OF GRAND FORKS

STAFF MEMORANDUM

To: Diane Heinrich, Corporate Officer

Date: July 22, 2011

From: Kathy LaBossiere, Planning Tech

Boizeau Rezoning Application

We have received an application for rezoning of property legally described as Lot 6, Block 2, D.L. 520, Plan 5210 located at 2675 Central Avenue. The applicant wishes to rezone the southerly portion of the property from the current R-1 (Single & Two Family) residential zone to HC (Highway Commercial) zone and leaving the northerly part as residential.

The entire lot less the existing lane through the property is 0.9 acres in size. The southerly section is designated as Commercial and the northerly portion is designated as Low Density Residential, in the Official Community Plan.

The applicant has stated that he will eventually subdivide the property, but at present, wishes to advertise it for sale as is.

To avoid the commercial use of the northerly portion of the property, I received planning advice from Mark Andison, Regional District Planner and he recommended that before the rezoning, the City should get a covenant stating that commercial use and parking is restricted to the commercial portion of the property to protect the residential part of the property.

This application would only require an amendment to the Zoning Bylaw in that the proposal meets the current OCP visions and objectives.

Respectfully Submitted:



Kathy LaBossiere
PLANNING TECH

N:planning/zoning/boizeau/memo to clerk

The Corporation of the City of Grand Forks

P.O. Box 220
Grand Forks, B.C.
VOH 1H0

7217-4th Street
Telephone (250) 442-8266
Fax (250) 442-8000

**Zoning AND/OR Official Community Plan Amendment
Application**

Application to amend the Zoning Bylaw AND/OR Official Community Plan Bylaw

Zoning OR Official Community Plan Application Fee:



\$1,000.00

Receipt No. 146491

Zoning AND Official Community Plan Application Fee:



\$1,200.00

Receipt No. _____

The subject fee is applicable to each request for an amendment to the Zoning or Official Community Plan Bylaw, or to both. Should this request **not** proceed to Public Hearing, one-half (1/2) the fee (\$500.00 or \$600.00) shall be refunded.

Registered Owner of Property to be rezoned:

BARB BAILEY BOIZEAU
JACQUES BOIZEAU

Mailing Address: 34 CUE DU CHAMPEROUX
SAINT SAVIEN 17350
FRANCE

Telephone: 011-335 7728-4334 010-328.530

Full Legal Description of property to be rezoned:

LOT 6 BLOCK 2 DIST. LOT 520 PLAN 5210
SDYR (SOUTHERN PORTION OF SAID
PROPERTY (SEE ATTACHED))

Street Address of Property 2675 CENTRAL AVE
GRAND FORKS B.C.

Aruld
442-7626

Please submit the following information with this application:

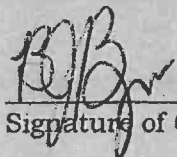
- (i) the legal boundaries and dimensions of the subject property;
- (ii) the location of permanent buildings and structures existing on the property;
- (iii) the location of any proposed access roads, parking, driveways, and any screening, landscaping and fences;
- (iv) the location and nature of any physical or topographic constraints on the property (ie: streams, ravines, marshes, steep slopes etc)

=====

Upon reviewing your application, the City of Grand Forks may request other, or more detailed information.

=====

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


Signature of Owner

July 18/2011
Date

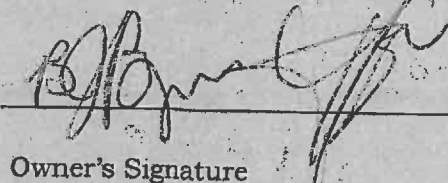
=====

AGENT'S AUTHORIZATION

I hereby authorize : ARILD ENGEN
3082 EAST LAKESIDE
CHRISTINA LK. B.C.
VOHIEI

(full name, address and telephone number of Agent)

to act on my behalf with regards to this application.


Owner's Signature

The personal information on this form is collected under the authority of the Local Government Act. The information collected will be used to process your application for a Rezoning or Official Community Plan amendment. If you have questions about the collection use and disclosure of this information, contact the "Coordinator City of Grand Forks."

Please outline the provisions of the respective Bylaw that you wish to vary or supplement and give your reasons for making this request:

southerly 23,636 sq ft of Lot 6 from R-1
(Residential) to HC (Highway Commercial).

DECLARATION PURSUANT TO THE WASTE MANAGEMENT ACT

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

(signature)

(date)

July 18/2011

5494

VENUE "A"

PLAN

A 13376

NORTH

WEST

BLOCK

17,500.

6

20' R/W
0.057 AC.

227

AVENUE

WEST

PLAN

16' LANE

26190

D.

PLAN 5210
23636

SUBJECT

#3

HIGHWAY

B

A

C

D

PLAN

26805

20' LANE

52

NO

E OIP

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OIP

OIP

OIP

E OIP

OIP

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OIP

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From:  "Mark Andison" <mandison@rdkb.com>

Thu, Jul 21, 2011 3:59:31 PM 

Subject: RE: Scan from City of Grand Forks

To:  **Kathy LaBossiere**

Attachments:  Attach0.html

13K

Hi Kathy,

There are couple of ways to deal with this situation.

First, the offstreet parking required for a commercial use would be considered an accessory use of the property – accessory to the principal commercial use. As such, uses that are accessory to a permitted commercial use would only be permitted on the commercially zoned portion of the lot. The parking spaces needed for the commercial use would, then have to be located on the commercially zoned portion of the split-zoned lot. Parking as an accessory use in the residentially zoned portion of the lot would only be permitted as needed for the residential use on that portion of the lot.

A second way to approach this to ensure that the property-owner (and future owners of the property) is completely aware of the requirement that the parking required for the commercial use must be located on the commercially zoned portion of the property would be to have the applicant volunteer to register a Section 219 covenant on the title of the property before the rezoning is approved by Council which acknowledges that the commercial parking must be located on the commercially zoned portion of the property. This would provide the neighbouring property-owners with some assurance that the residential portion of the property will not become a parking lot and it would help to avoid future battles with the property-owner over the interpretation of the bylaw as to where accessory commercial parking spaces may be located. I would recommend pursuing the registration of a covenant in conjunction with the rezoning application to provide an additional level of protection (i.e. belt and suspenders).

Regards,

Mark Andison, MCIP

Director of Planning and Development

Regional District of Kootenay Boundary

843 Rossland Ave

Trail, BC

Canada V1R 4S8

toll-free: 1.800.355.7352

tel: 250.368.9148

cell: 250.231.0860

fax: 250.368.3990

email: mandison@rdkb.com

web: www.rdkb.com

LAND TITLE ACT

[RSBC 1996] CHAPTER 250

Registration of covenant as to use and alienation

219 (1) A covenant described in subsection (2) in favour of the Crown, a Crown corporation or agency, a municipality, a regional district, the Greater Vancouver Transportation Authority, or a local trust committee under the *Islands Trust Act*, as covenantee, may be registered against the title to the land subject to the covenant and is enforceable against the covenantor and the successors in title of the covenantor even if the covenant is not annexed to land owned by the covenantee.

* (2) A covenant registrable under subsection (1) may be of a negative or positive nature and may include one or more of the following provisions:

(a) provisions in respect of

(i) the use of land, or

(ii) the use of a building on or to be erected on land;

(b) that land

(i) is to be built on in accordance with the covenant,

(ii) is not to be built on except in accordance with the covenant, or

(iii) is not to be built on;

(c) that land

(i) is not to be subdivided except in accordance with the covenant, or

(ii) is not to be subdivided;

(d) that parcels of land designated in the covenant and registered under one or more indefeasible titles are not to be sold or otherwise transferred separately.

(3) A covenant described in subsection (4) in favour of

(a) the Crown or a Crown corporation or agency,

(b) a municipality, a regional district, the Greater Vancouver Transportation Authority or a local trust committee under the *Islands Trust Act*, or

(c) any person designated by the Minister of Environment, Lands and Parks on terms and conditions he or she thinks proper,

as covenantee, may be registered against the title to the land subject to the covenant and, subject to subsections (11) and (12), is enforceable against the covenantor and the successors in title of the covenantor even if the covenant is not annexed to land owned by the covenantee.

(4) A covenant registrable under subsection (3) may be of a negative or positive nature and may include one or more of the following provisions:

(a) any of the provisions under subsection (2);

(b) that land or a specified amenity in relation to it be protected, preserved, conserved, maintained, enhanced, restored or kept in its natural or existing state in accordance with the covenant and to the extent provided in the covenant.

(5) For the purpose of subsection (4) (b), "**amenity**" includes any natural, historical, heritage, cultural, scientific, architectural, environmental, wildlife or plant life value relating to the land that is subject to the covenant.

(6) A covenant registrable under this section may include, as an integral part,

(a) an indemnity of the covenantee against any matter agreed to by the covenantor and covenantee and provision for the just and equitable apportionment of the obligations under the covenant as between the owners of the land affected, and

(b) a rent charge charging the land affected and payable by the covenantor and the covenantor's successors in title.

(7) If an instrument contains a covenant registrable under this section, the covenant is binding on the covenantor and the covenantor's successors in title, even though the instrument or other disposition has not been signed by the covenantee.

(8) No person who enters into a covenant under this section is liable for a breach of the covenant occurring after the person has ceased to be the owner of the land.

(9) A covenant registrable under this section may be

(a) modified by the holder of the charge and the owner of the land charged, or

(b) discharged by the holder of the charge

by an agreement or instrument in writing the execution of which is witnessed or proved in accordance with this Act.

(10) The registration of a covenant under this section is not a determination by the registrar of its enforceability.

(11) On the death or dissolution of an owner of a covenant registrable under subsection (3) (c), the covenant ceases to be enforceable by any person, including the Crown, other than

(a) another covenantee named in the instrument creating the covenant, or

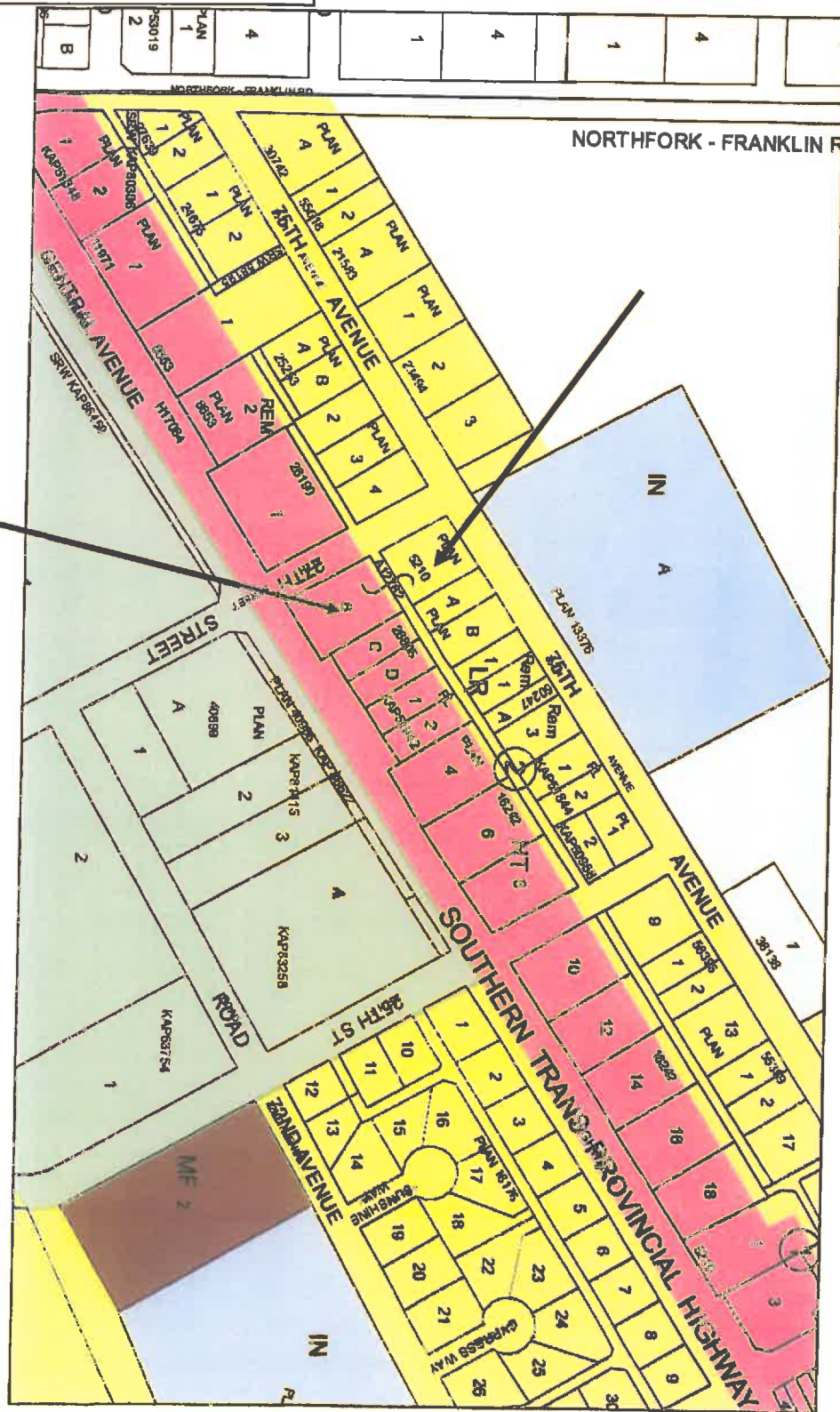
(b) an assignee of a covenantee if the assignment has been approved in writing by the Minister of Environment, Lands and Parks.

(12) If a covenantee or assignee referred to in subsection (11) is a corporation that has been dissolved and subsequently restored into existence under an enactment of British Columbia, the covenant continues to be enforceable by the restored corporation from the date of its restoration.

(13) A recital in a covenant that a person "has been designated by the Minister of Environment, Lands and Parks under section 219 (3) (c) of the *Land Title Act*", or a statement to that effect in the application to register the covenant, is sufficient proof to a registrar of that fact.

KAP63754

OCP LAND USE MAP
Pink is Commercial
Yellow is low density residential



SUBJECT PROPERTY



Imagery Date: 5/14/2007



2005

49°01'28.07"N 118°28'10.49"W elev 1733 ft

Image © 2011 DigitalGlobe

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Google

Eye alt 3144 ft

PID numbers and associated legal descriptions. *Attach an additional sheet if necessary.*

PID

Legal Description

010-328-530 Lot 6, Block 2, DL 520, SD 74 D, Plan 5210

Total number of titled parcels represented by this site profile is: 1

For Untitled Crown Land

PIN numbers and associated Land Description. *Attach an additional sheet if necessary.*

PIN

Land Description

Total number of untitled crown land parcels represented by this site profile is: _____

(and, if available)

Crown land file numbers. *Attach an additional sheet if necessary.*

III COMMERCIAL AND INDUSTRIAL PURPOSES OR ACTIVITIES

Please indicate below, in the format of the example provided, which of the industrial and commercial purposes and activities from Schedule 2 have occurred or are occurring on this site.

EXAMPLE

Schedule 2

Description

Reference

E1

appliance, equipment or engine repair, reconditioning, cleaning or salvage

F10

solvent manufacturing or wholesale bulk storage

Please print legibly. Attach an additional sheet if necessary

Schedule 2

Description

Reference

IV AREAS OF POTENTIAL CONCERN			
	Is there currently or to the best of your knowledge has there previously been on the site any (please mark the appropriate column opposite the question):	YES	NO
A.	Petroleum, solvent or other polluting substance spills to the environment greater than 100 litres?		✓
B.	Residue left after removal of piled materials such as chemicals, coal, ore, smelter slag, air quality control system baghouse dust?		✓
C.	Discarded barrels, drums or tanks?		✓
D.	Contamination resulting from migration of substances from other properties?		✓
V FILL MATERIALS			
	Is there currently or to the best of your knowledge has there previously been on the site any deposit of (please mark the appropriate column opposite the question):	YES	NO
A.	Fill dirt, soil, gravel, sand or like materials from a contaminated site or from a source used for any of the activities listed under Schedule 2?		✓
B.	Discarded or waste granular materials such as sand blasting grit, asphalt paving or roofing material, spent foundry casting sands, mine ore, waste rock or float?		✓
C.	Dredged sediments, or sediments and debris materials originating from locations adjacent to foreshore industrial activities, or municipal sanitary or stormwater discharges?		✓
VI WASTE DISPOSAL			
	Is there currently or to the best of your knowledge has there previously been on the site any landfilling, deposit, spillage or dumping of the following materials (please mark the appropriate column opposite the question):	YES	NO
A.	Materials such as household garbage, mixed municipal refuse, or demolition debris?		✓
B.	Waste or byproducts such as tank bottoms, residues, sludge, or flocculation precipitates from industrial processes or wastewater treatment?		✓
C.	Waste products from smelting or mining activities, such as smelter slag, mine tailings, or cull materials from coal processing?		✓
D.	Waste products from natural gas and oil well drilling activities, such as drilling fluids and muds?		✓
E.	Waste products from photographic developing or finishing laboratories; asphalt tar manufacturing; boilers, incinerators or other thermal facilities (e.g. ash); appliance, small equipment or engine repair or salvage; dry cleaning operations (e.g. solvents); or from the cleaning or repair of parts of boats, ships, barges, automobiles or trucks, including sandblasting grit or paint scrapings?		✓

VII TANKS OR CONTAINERS USED OR STORED, OTHER THAN TANKS USED FOR RESIDENTIAL HEATING FUEL			
	Are there currently or to the best of your knowledge have there been previously on the site any (please mark the appropriate column opposite the question):	YES	NO
A.	Underground fuel or chemical storage tanks other than storage tanks for compressed gases?		✓
B.	Above ground fuel or chemical storage tanks other than storage tanks for compressed gases?		✓
VIII HAZARDOUS WASTES OR HAZARDOUS SUBSTANCES			
	Are there currently or to the best of your knowledge have there been previously on the site any (please mark the appropriate column opposite the question):	YES	NO
A.	PCB-containing electrical transformers or capacitors either at grade, attached above ground to poles, located within buildings, or stored?		✓
B.	Waste asbestos or asbestos containing materials such as pipe wrapping, blown-in insulation or panelling buried?		✓
C.	Paints, solvents, mineral spirits or waste pest control products or pest control product containers stored in volumes greater than 205 litres?		✓
IX LEGAL OR REGULATORY ACTIONS OR CONSTRAINTS			
	To the best of your knowledge are there currently any of the following pertaining to the site (please mark the appropriate column opposite the question):	YES	NO
A.	Government orders or other notifications pertaining to environmental conditions or quality of soil, water, groundwater or other environmental media?		✓
B.	Liens to recover costs, restrictive covenants on land use, or other charges or encumbrances, stemming from contaminants or wastes remaining onsite or from other environmental conditions?		✓
C.	Government notifications relating to past or recurring environmental violations at the site or any facility located on the site?		✓
X ADDITIONAL COMMENTS AND EXPLANATIONS			
<p>(Note 1: Please list any past or present government orders, permits, approvals, certificates and notifications pertaining to the environmental condition, use or quality of soil, surface water, groundwater or biota at the site.</p> <p>Note 2: If completed by a consultant, receiver or trustee, please indicate the type and degree of access to information used to complete this site profile. Attach extra pages, if necessary):</p> <hr/> <hr/> <hr/> <hr/>			

XI SIGNATURES

The person completing the site profile states that the above information is true based on the person's current knowledge as of the date completed.


Signature of person completing site profile

2011-08-05
Date completed: (YY-MM-DD)

XII OFFICIAL USE**Local Government Authority**

Reason for submission (Please check one or more of the following)

Soil removal ☐

Subdivision application ☐ Zoning application ☐ Development permit ☐ Variance permit ☐ Demolition permit ☐

Date received:	<u>Local Government contact :</u>		Date submitted to Site Registrar:	Date forwarded to Director of Waste Management:
	Name _____			
	Agency _____			
	Address _____			
	Telephone _____ Fax _____			

Director of Waste Management

Reason for submission (Please check one or more of the following)

Under Order ☐ Site decommissioning ☐ Foreclosure ☐

Date received:	<u>Assessed by:</u>		Investigation Required? YES NO	Decision date:
	Name _____			
	Region _____			
	Telephone _____ Fax _____			
	If site profile entered, SITE ID # _____			

Site Registrar

Date received:	<u>Entered onto Site Registry by:</u>	SITE ID #:	Entry date:
