CITY OF GREENWOOD

Special Council Meeting

Thursday, August 25, 2022 10:00 am

AGENDA

- 1. Call to Order
- 2. Adoption of Agenda

3. Discussion Items

- a. Temporary Use Permit Application TUP-2022-04
- b. Temporary Use Permit Application TUP-2022-05
- c. Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022
- 4. Question Period
- 5. Adjournment

MEMORANDUM TO COUNCIL

To:	Mayor Noll and Council	Date: August 24, 2022
From:	Andrea Sherstobitoff, CO	Date to Council: August 25, 2022
Subject:	Temporary Use Permit Outdoor Motorcycle Raceway	File: TUP-2022-04
Location:	1475 Deadwood Street / S. Copper Avenue	

Rationale

The purpose of this report is to seek Council's approval to issue a Temporary Use Permit (TUP) to allow for the continued use of municipally owned property adjacent to Highway 3 to be used as an outdoor motorcycle racetrack until December 1, 2023.

Options

- 1. Council may choose to support the recommendation.
- 2. Council may choose to refer the issues back to staff for additional information.
- 3. Council may choose not to support the recommendation.

Recommendations

That Council issue a Temporary Use Permit (TUP) for the use of municipally owned property located at 1475 Deadwood Street and on South Copper Avenue to be used as an outdoor motorcycle racetrack for a period of two (2) years from September 1, 2021 to December 1, 2023.

Background / Report

The property is zoned Commercial 1 (General Commercial) and Parks and Recreational. The use of this property as an outdoor recreational facility is not permitted in Greenwood's Zoning Bylaw No. 683, 1997.

The Route 3 Racing Club initially contacted the City of Greenwood regarding use of this property in 2020. A Licence to Use and Occupy (LUO) application was submitted and approved by Council in August 2021. The term of the LUO is from August 23, 2021 to November 1, 2023.

At the time of the LUO review and approval, the City had not yet completed the amendment of the Zoning Bylaw No. 683, 1997 to allow for consideration of Temporary Use Permits. Route 3 Racing Club was advised that application for a TUP would be required once this development option could be considered.

Statutory Regulations, Policies, and Bylaws

Section 318 of the Zoning Bylaw allows Council to consider Temporary Use Permit (TUP) applications on a case-by-case basis in all zones in the City of Greenwood.

Division 8 – Sections 492-497 of the *Local Government Act* (LGA) addresses TUP terms and regulations. A TUP allows a non-conforming use to be carried out on property for a short period of time.

TUPs may be issued for a term of up to three (3) years and can only be renewed once for an additional term of up to three (3) years.

Section 493 of the LGA includes the following regulations:

- (2) A temporary use permit may do one or more of the following:
 - (a) allow a use not permitted by a zoning bylaw;
 - (b) specify conditions under which the temporary use may be carried on;
 - (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Public Notice

A Public Hearing is not required prior to issuance of a TUP. The LGA's statutory public notice requirement is to publish at least one notice in a local newspaper at least three (3) days and not more than fourteen (14) days prior to Council's decision. A notice was published in the August 17, 2022 edition of the local newspaper.

City of Greenwood's Development Procedures Bylaw No. 676, 1996 requires notification to adjacent property owners of the subject property. Notices were sent to adjacent property owners on August 12, 2022. At the time of publishing this report, staff had not received any referral responses.

Development Proposal

The property owner's TUP application is included as **Attachment 1** of this report and includes a site plan and aerial photograph.

Municipal Utilities and Maintenance

Connection to municipal water and sewer services is not required.

The property must be maintained in compliance with the City of Greenwood Bylaw No. 928, 2018 – Property Maintenance Bylaw.

Site Plan

The proposed site plan complies with the following regulations of Greenwood's Zoning Bylaw:

- minimum setback requirements; and
- maximum lot coverage limit.

Temporary Use Permit Application Evaluation

When evaluating a TUP application, the following considerations must be made: -

Will the proposed use have a negative impact on adjacent properties?

Adjacent properties may be impacted by increased noise. However, it is not anticipated that the noise would be significant or continuous. Races are held only once or twice per season and all events do not take place during the Noise Bylaw's quiet hours.

• Will the proposed use create a significant increase and/or demand for City services?

The use will not create any additional increase and/or demand for City services.

• Will the proposed use require significant or permanent alteration of the property?

The development required alteration of the property to create the racetrack. However, the track is not paved / permanent and will not be difficult to remove when racing events are no longer taking place.

• Is the proposed use anticipated to be permanent or semi-permanent (i.e. longer than six years)?

The proposed use is temporary only.

Is the proposal significantly inconsistent with the policies the OCP and other municipal bylaws?

The OCP supports recreational developments as compatible land uses in commercial areas.

The development is consistent with the regulations of Bylaw No. 950, 2020 – Noise Control, and Bylaw No. 928, 2018 – Property Maintenance.

<u>Attachments</u>

Attachment 1: Temporary Use Permit Application



PO Box 129 202 S. Government Avenue Greenwood, BC V0H 1J0 Phone: 250-445-6644 Fax: 250-445-6441 Email: frontdesk.greenwoodcity@shaw.ca

APPLICANT'S INFORMATION:

Application Date:	May 21, 2022
Applicant:	Route 3 Racing Club
Mailing Address:	PO. Box Greenwood B.C VOH 1JO
Telephone Number(s):	
Registered Property Owner:	City of Greenwood
Mailing Address:	202 South Government St. P.O. Box 129 Greenwood BC VOHIJO
Telephone Number(s):	
Applicant's Status:	Individual Municipality Company (attach Cert. of Incorporation) Other, specify: Non Profit Society
Current Zoning:	
SUBJECT PROPERTY AND I	DEVELOPMENT INFORMATION:
Proposed Term of Use: (ie: years / months / days)	2 yrs
Start Date: Sept 20	End Date: Dec 2023
Civic Address (street):	1475 Deadwood St. / S. Copper Ave
Legal Description: (lot / block / plan)	
Property Identification #s: (PIDs)	

Provide a description of the existing use / development of the property: was an use of this property was very areaa Jt in hauled and torn be wa to ar SSION tor aven was task the Provide a description of the proposed temporary use of the land and buildings: small motorcycle race is used Q Lang half dirt. half pavement and a this have ot skate the. Communit to Describe all potential impacts on adjacent landowners, the environment and local area: brand would be landowners impacts on Potential to a couple limited motorcycles Inis 0+ Sound reasonable daytime hours and The season during environment that we can see the 15 harm to no into Greenwood on race Also, much commerce brought events Describe the steps that will be taken to restore the land or buildings to their original state after completion of the temporary use: was the original above has been scoperty dowr ine torn ne done scaping clea Some 10 and Will painted proper been we state ner much improved removed will using it Curbing

Please attach additional information, as required.

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APPLICATION CHECKLIST:

All sections of this application form have been completed
Appendix A – Site Plan
State of Title Certificate (not more than 30 days old)
Copies of all covenants registered against the Title
All owners listed on the Title have signed the application
Application fee

By signing this application form, the signee confirms that the information disclosed on this form is accurate and complete. The signee warrants and represents that they have sufficient power, authority and capacity to sign on behalf of their company / corporation / commanity group.

Applicant's Name (please print)

Date: May 21, 2022

Registered Owner's Name (please print)

Signature

Signature

Date: _____

This information is collected pursuant to Part 14 of the Local Government Act. This information may form part of the public record and may be included in a meeting agenda that is posted online when this matter is before the Council for the City of Greenwood.





MEMORANDUM TO COUNCIL

To:	Mayor Noll and Council	Date:	August 24, 2022
From:	Andrea Sherstobitoff, CO	Date to	Council: August 25, 2022
Subject:	Temporary Use Permit Recreational Vehicle (RV) as a Temporary Dwelling	File:	TUP-2022-05
Location:	1310 Rendell Street, Greenwood, BC		

Rationale

The purpose of this report is to seek Council's approval to issue a Temporary Use Permit (TUP) to allow a property owner to use a recreational vehicle (RV) as a temporary dwelling at 1310 Rendell Street in Greenwood, BC for a term of two (2) years from August 4, 2022 August 30, 2024.

Options

- 1. Council may choose to support the recommendation.
- 2. Council may choose to refer the issues back to staff for additional information.
- 3. Council may choose not to support the recommendation.

Recommendation

That Council issue a Temporary Use Permit (TUP) for the use of a recreational vehicle (RV) as a temporary dwelling at 1310 Rendell Street in Greenwood, BC for a term of two (2) years, commencing from the date of issuance.

Background / Report

The property is zoned Residential 1 – Single and Two Family. The use of a recreational vehicle as a dwelling is not permitted in any of the residential zones in Greenwood's Zoning Bylaw No. 683, 1997. Recreational vehicles are not considered "buildings" and are not constructed for year-round use as a dwelling. Living in an RV contradicts various BC safety codes are regulations, and such properties are not subject to the Homeowner Protection Act.

The property owners plan to construct a modular home on the property. They have received a building permit from the RDKB that will be renewed to accommodate their delayed development plans.

Statutory Regulations, Policies, and Bylaws

Section 318 of the Zoning Bylaw allows Council to consider Temporary Use Permit (TUP) applications on a case-by-case basis in all zones in the City of Greenwood.

Division 8 – Sections 492-497 of the *Local Government Act* (LGA) addresses TUP terms and regulations. A TUP allows a non-conforming use to be carried out on property for a short period of time.

TUPs may be issued for a term of up to three (3) years and can only be renewed once for an additional term of up to three (3) years.

Section 493 of the LGA includes the following regulations:

- (2) A temporary use permit may do one or more of the following:
 - (a) allow a use not permitted by a zoning bylaw;
 - (b) specify conditions under which the temporary use may be carried on;
 - (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Public Notice

A Public Hearing is not required prior to issuance of a TUP. The LGA's statutory public notice requirement is to publish at least one notice in a local newspaper at least three (3) days and not more than fourteen (14) days prior to Council's decision. A notice was published in the August 17, 2022 edition of the local newspaper.

City of Greenwood's Development Procedures Bylaw No. 676, 1996 requires notification to adjacent property owners of the subject property. Notices were sent to adjacent property owners on August 16, 2022. At the time of publishing this report, staff had not received any referral responses.

Development Proposal

The property owners' TUP application is included as **Attachment 1** of this report. The application includes a building site plan.

Municipal Utilities and Maintenance

The property owners have connected to municipal water service and are billed for service in accordance with Bylaw No. 982, 2021 – Utility Billing and Payment Schedule Bylaw. The property owners are not yet connected to municipal sewer service.

The property must be maintained in compliance with the City of Greenwood Bylaw No. 928, 2018 – Property Maintenance Bylaw.

Site Plan

The proposed site plan complies with the following regulations of Greenwood's Zoning Bylaw:

- minimum setback requirements;
- minimum floor area requirement (residential dwelling);
- maximum lot coverage limit; and
- maximum height limits.

Temporary Use Permit Application Evaluation

When evaluating a TUP application, the following considerations must be made:

• Will the proposed use have a negative impact on adjacent properties?

If occupation of the RV as a dwelling is temporary, negative impacts to adjacent properties will not be significant.

• Will the proposed use create a significant increase and/or demand for City services?

The use will not create any additional increase and/or demand for City services.

• Will the proposed use require significant or permanent alteration of the property?

The proposed use does not require significant or permanent alteration of the property and will not result in negative impacts to the surrounding environment if the RV is properly connected to water and sewer services.

Is the proposed use anticipated to be permanent or semi-permanent (i.e. longer than six years)?

The proposed use is temporary only.

• Is the proposal significantly inconsistent with the policies the OCP and other municipal bylaws?

The OCP includes only single and two family dwellings as acceptable dwellings in residential areas.

Greenwood's Business Licence Bylaw No. 924, 2018 includes fines for unlicensed occupied recreational vehicles used as permanent residences. These fines will not apply to this property throughout the duration of the approved TUP. If approved by Council, the TUP will include a condition that the RV must remain licenced and roadworthy.

Attachments

Attachment 1: Temporary Use Permit Application



PO Box 129 202 S. Government Avenue Greenwood, BC V0H 1J0 Phone: 250-445-6644 Fax: 250-445-6441 Email: frontdesk.greenwoodcity@shaw.ca

APPLICANT'S INFORMATION:

Application Date:	August 3, 20.22
Applicant:	Danny & Carolina Hopkins
Mailing Address:	PO Box Michway BC VOH IND
Telephone Number(s):	
Registered Property Owner:	Donny & Carolina Hopkins
Mailing Address:	PO Box Midway BC VOH IMO
Telephone Number(s):	(as above)
Applicant's Status:	🗹 Individual Municipality 🔲 Company (attach Cert. of Incorporation)
	Other, specify:
Current Zoning:	Residential
SUBJECT PROPERTY AND	DEVELOPMENT INFORMATION:
Proposed Term of Use: (ie: years / months / days)	Temporary Permit for BV pending completion of Building Permit
Start Date: August 4	2022 End Date: August 30, 2024
Civic Address (street):	1310 Rendell Street
Legal Description: (lot / block / plan)	LOT C DL TIL SOYD PLAN EPP22492
Property Identification #s: (PIDs)	028-913-671

Provide a description of the existing use / development of the property: vacant Lot w/ Building Permit 2020-0303 GW Provide a description of the proposed temporary use of the land and buildings: Site Br for temporary dwelling until konstruction/ siting of modular complete + final inspection Describe all potential impacts on adjacent landowners, the environment and local area: None Describe the steps that will be taken to restore the land or buildings to their original state after completion of the temporary use: hand will not be returned to original State of Vacant

Please attach additional information, as required.

APPLICATION CHECKLIST:



By signing this application form, the signee confirms that the information disclosed on this form is accurate and complete. The signee warrants and represents that they have sufficient power, authority and capacity to sign on behalf of their company / corporation / community group.

ELDEST Applicant's Name (please print) Date: Registered Owner's Name (please print) AUGUST 2025

Date: _

Signature

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This information is collected pursuant to Part 14 of the Local Government Act. This information may form part of the public record and may be included in a meeting agenda that is posted online when this matter is before the Council for the City of Greenwood.

BUILDING SITE PLAN

- 1. Draw proposed location of home or building on space provided below, and show distances to all PROPERTY LINES. Also, show north arrow.
- 2. Show location of street access and names of streets.
- 3. Show location and distances of any water courses.



City of Greenwood

MEMORANDUM

То:	Mayor Noll and Council	Date: August 23, 2022
From:	Marcus Lebler, CAO	Meeting date: August 25, 2022
Subject:	Financial Plan 2022-2026 Amendment Bylaw No. 994, 20	022
Location:	City of Greenwood	

Rationale:

To present to Council the details of the proposed amendments to the 2022 - 2026 Five Year Financial Plan for three readings, and to obtain approval to release the amendment information for public consultation.

Options:

- 1. Council may choose to support the recommendation.
- 2. Council may choose to refer back to staff for additional information.
- 3. Council may choose to not support the recommendation.

Recommendations:

- 1) That Council gives first, second and third reading to "Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022".
- 2) That Council gives approval to release the amendment information for the public consultation.

Background / Report:

The Five Year Financial Plan (2022-2026) Bylaw No. 989, 2022 was adopted on April 11, 2022. Throughout the year, several unexpected events can occur, as well as changes to carry-forward projects, making it necessary to amend the Five Year Financial Plan to reflect spending changes throughout 2022. Subsection 165(2) of the Community Charter allows for amendments of the financial plan by bylaw and Section 137(1)(b) directs that the power to amend or repeal must be exercised by bylaw and is subject to the same approval and other requirements, if any, as the power to adopt a new bylaw under that authority. Section 166 states that a Council must undertake a process of public consultation regarding the proposed financial plan before it is adopted. To comply with the Charter, the City must adopt a bylaw amending the Financial

Plan 2022-2026 Bylaw No. 989, 2022. To date Council has approved one amendment to the 2022-2026 five year financial plan. The amendment was approved by resolution at the May 24, 2022 Regular Council Meeting and reads as follows:

 THAT Council approve a budget amendment to the 2022-2026 Financial Plan that was approved at the March 28, 2022 Regular Council Meeting to revise the capital budget for the Public Washroom Upgrade from \$100,000 to \$135,000 with the \$35,000 increase being funded from the Gas Tax Reserve.

The Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022 will come forward at the Regular Council Meeting on September 19, 2022 for adoption after public consultation.

Attachments:

1) Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022

THE CORPORATION OF THE CITY OF GREENWOOD

BYLAW NO. 994, 2022

A bylaw respecting the Financial Plan Amendment for the years 2022-2026

A bylaw to provide for the amendment of Financial Plan 2022-2026 Bylaw No. 989, 2022.

WHEREAS, pursuant to Section 165 of the Community Charter, Five Year Financial Plan (2022 to 2026) Bylaw No. 989, 2022 was adopted on the 11th day of April, 2022;

AND WHEREAS, pursuant to Section 173 of the Community Charter, an expenditure not provided for in the Financial Plan or the Financial Plan as amended is not lawful unless for an emergency that was not contemplated;

The Municipal Council of the Corporation of the City of Greenwood, in open meeting assembled, enacts as follows:

- 1) THAT this bylaw may be cited as "Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022".
- 2) THAT Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022, is hereby amended by deleting Schedule "A" and Schedule "B" and replacing them with Schedule "A" and Schedule "B" attached to and forming part of this Bylaw.

Read a first time this	day of	2022.
Read a second time this	day of	2022.
Read a third time this	day of	2022.
Adopted this	day of	2022.

Mayor

Corporate Officer

Certified a true copy of Bylaw No. 994, 2022 as adopted by Resolution on this day of 2022.

Corporate Officer

THE CITY OF GREENWOOD Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022 SCHEDULE "A"

	2021	2022	2023	2024	2025
Revenues					
Property Taxation	614,096	642,351	672,099	703,334	736,131
Sale of Services	711,564	359,764	360,478	361,207	361,950
User Fees	410,243	422,550	435,226	448,283	461,732
Grants from other Govts	511,160	581,292	583,029	494,451	494,451
Grants for Capital Projects	502,020	372,286	2,704,046	1,676,500	1,676,500
Transfer from Reserves	908,158	440,277	1,073,880	823,300	814,489
Debt Proceeds	0	0	0	0	0
Total Revenues	3,657,241	2,818,520	5,828,758	4,507,075	4,545,253
Expenditures					
General Government Services	1,005,769	986,661	998.931	1,011,459	1,032,300
Public Works	312,020	331,833	335,218	338,671	342,193
Protective Services	85,050	82,950	83,302	83,661	84,027
Water Services	119,200	125,880	127,055	128,256	129,483
Sewer Services	143,400	145,350	146,495	147,663	148,857
Capital Asset Expenditures	1,209,020	707,686	3,687,503	2,425,000	2,425,000
Transfer to Reserves	782,782	438,160	450,254	372,365	383,393
Total Expenditures	3,657,241	2,818,520	5,828,758	4,507,075	4,545,253
Financial Plan Balance	0	0	0	0	0

THE CITY OF GREENWOOD 2022-2026 FINANCIAL PLAN Statement of Objectives and Policies Schedule "B" of Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022

In accordance with Section 165 (3.1) of the Community Charter, the City of Greenwood is required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

- 1. The portion of total revenue that comes from each of the funding sources described in Section 165 (7) of the Community Charter;
- 2. The distribution of property taxes among property classes; and
- 3. The use of permissive tax exemptions.

FUNDING SOURCES

Table 1 shows the portion of total revenue proposed to be raised from each funding source in 2022.

Government grants form the largest portion of planned revenue.

Transfers from reserves form the second largest portion.

Other sources of revenue form the third largest portion.

Property taxation & user fees form the remaining portion of planned revenue.

REVENUE SOURCE	% OF TOTAL REVENUE	DOLLAR VALUE
Grants from other Govts	27.6%	\$1,013,180
Transfer from Reserves	24.8%	\$908,158
Other Sources	19.6%	\$711,564
Property Taxation	16.8%	\$614,096
User Fees	11.2%	\$410,243
Debt Proceeds	0.0%	\$0
Total	100.0%	\$3,622,241

Table 1: Sources of Revenue

Objective

Over the next 5 years, the City will increase the portion of revenue that is received from user fees by 3% and property taxation by 5% to cover increased operational costs.

The City has evaluated their own property needs to determine what City-owned properties can be released for public sale in 2022.

Policies

The City will review user fee levels to ensure they are adequately meeting both capital and delivery costs of the services that are charging user fees. A fees and charges Bylaw has been drafted to enable the collection of fees for various services rendered by the City of Greenwood.

THE CITY OF GREENWOOD 2022-2026 FINANCIAL PLAN Statement of Objectives and Policies Schedule "B" of Financial Plan 2022-2026 Amendment Bylaw No. 994, 2022

Distribution of Property Tax Rates

Table 2 outlines the distribution of the property taxes among the property classes.

PROPERTY CLASS	% OF TOTAL PROPERTY TAXATION	DOLLAR VALUE
Residential	85.5%	\$484,280
Business	13.0%	\$73,694
Utility	1.5%	\$8,425
Recreation	0.0%	\$221
Total	100.0%	\$566,620

Table 2: Distribution of Property Tax Rates

Objective

To maintain a consistent percentage of total property taxation for each property class over the next 5 years.

Policies

Encourage economic development initiatives that will bring more business to Greenwood and the surrounding area. New businesses in Greenwood will help off set the tax burden of current businesses and provide employment for the residents of Greenwood.

Permissive Tax Exemptions

The City maintains a policy on permissive tax exemptions.