



City of PARKSVILLE

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COUNCIL MEETING AGENDA

MONDAY, JULY 21, 2008 – 6:00 P.M.

1. **ADOPTION OF MINUTES**

- a) of the regular meeting of Council held July 7, 2008 – Pages 1 to 7

Recommendation: THAT the minutes of the regular meeting of Council held July 7, 2008 be adopted.

2. **APPROVAL OF AGENDA**

3. **PRESENTATIONS**

4. **DELEGATIONS**

5. **UNFINISHED BUSINESS**

6. **CORRESPONDENCE**

7. **DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE**

8. **REPORTS**

- a) **Committee of the Whole – July 14, 2008 – Pages 8 to 9**

- (1) **Manager of Current Planning – Consideration of a Small-Lot Residential Zone**
Staff has been directed by Council to investigate the possibility of the inclusion of a small lot residential zoning within the existing Zoning and Development Bylaw.

***Recommendation: THAT the report from the Manager of Current Planning dated July 3, 2008 entitled "Consideration of a Small-Lot Residential Zone", be received;
AND THAT the small lot residential zone template, attached as Schedule "A" to the report from the Manager of Current Planning dated July 3, 2008 entitled "Consideration of a Small-Lot Residential Zone", be accepted;
AND FURTHER THAT staff make the small lot residential zone template available to interested parties.***

- (2) Director of Community Planning – Consideration of Implementations of Mandatory Provision of Affordable Housing Units within all Future Multiple Family Developments

Council requested that Staff consider the topic of mandating that all future housing projects contain some affordable housing units. Preliminary investigations indicate that some projects would not have the financial capability to do so, which would result in one-off relaxation requests. Staff recommended the approach of an OCP amendment to make mandatory affordable housing inclusion an evaluation of future rezoning applications. The COTW did not recommend that approach.

Recommendation: THAT the report from the Director of Community Planning dated June 19, 2008 for consideration of implementation of mandatory provision of affordable housing units within all future multiple family developments be received;

AND THAT staff be directed to amend all existing multiple family zoning categories so as to include a mandatory requirement for affordable housing in all future multi-family developments.

- (3) Manager of Engineering – Highway 19A – Shelly Road to the Englishman River Bridge Pedestrian Facilities Upgrade

Project includes installing a wide concrete sidewalk from the Englishman River Bridge to Shelly Road; upgrading the pedestrian crosswalk at Martindale with overhead solar-powered pedestrian activated warning lights, and; installing traffic medians for the purpose of pedestrian refuge, a dedicated left turn lane onto Martindale Road and a protected turning lane onto Highway 19A (westbound) from Martindale Road.

Recommendation: THAT the report from the Manager of Engineering dated July 8, 2008 entitled "Highway 19A – Shelly Road to the Englishman River Bridge Pedestrian Facilities Upgrade", be received;

AND THAT the tender for the "Highway 19A – Shelly Road to the Englishman River Bridge Pedestrian Facilities Upgrade", in the amount of \$490,449.83 (including GST), be awarded to Nash Excavating Ltd.

- (4) Director of Administrative Services – Consolidation Authorization Bylaw No. 1447

Under the provisions of the Community Charter the Corporate Officer may be authorized to consolidate the bylaws of a municipality. This is required in order to give legal effect to the City's consolidated bylaws, as currently the bylaws are consolidated only for convenience.

Recommendation: THAT the report from the Director of Administrative Services dated June 24, 2008 entitled "Consolidation Authorization Bylaw No. 1447" be received for information;

AND THAT the "Consolidation Authorization Bylaw, 2008, No. 1447" be advanced for reading consideration.

(5) 2009 Provisional Budget – Comments & Questions from Council

Recommendation: THAT 2009 Provisional Budget presented to Council at the Special Committee of the Whole meeting held July 7, 2008 showing a prior year surplus in 2009 of \$1,725,868 be approved with the following revisions:

1. **Increase the tax rate from 3% to 5% in 2013;**
2. **Carry over \$50,000 allocated for the OCP DP Guidelines review from 2008 to 2009;**
3. **Allocate an additional \$150,000 (\$200,000 total) in 2009 for a full OCP review; and**
4. **Allocate \$5000 under Grants in Aid for the Brant Wildlife Festival in 2009, 2010 and 2011;**

AND THAT staff be instructed to initiate the public consultation process with respect to the 2009 Provisional Budget

(6) Director of Community Planning – Official Community Plan (OCP) Development Permit Guidelines

Council, through the budget process, endorsed consideration of a review and enhancement of the OCP's development permit guidelines as a major 2008 project. The budget assigned to the project is \$50,000.00 but the applicant responding to the call for proposal has determined that their projected cost with GST will be \$68,900.00. This report is to consider reallocation of funds in order to increase the OCP Development Permit Guidelines update project cost to \$80,000.00.

Recommendation: THAT the report from the Director of Community Planning dated June 19, 2008 for consideration of budget increase for the Official Community Plan Development Permit Guideline project be received;

AND THAT a reallocation of funds in order to increase the OCP DP Guideline update project costs to \$80,000 not be approved.

b) Bylaw Compliance Officer – Untidy Lot [213 Crabapple Crescent] – Pages 10 to 12

Recommendation: THAT if Council is not satisfied with the explanation, or if there is no explanation from the above property owners, Council may direct Staff to proceed with direct enforcement by giving the owners and/or occupier written notice of ten (10) days from the date of this Council meeting to clean up the property themselves;

AND THAT the notice advises of specific clean up requirements, indicate the specific area requested to be cleaned up, and the consequences if the requested work is not completed;

AND FURTHER THAT at the expiration of the ten (10) days following delivery of the notice, if clean up has not been completed, either City Staff or a private contractor shall undertake the specified clean up and expenses incurred shall be listed with an invoice directed to the registered owner. If such expenses are not paid by the end of the current year, the cost will be added to the property taxes pursuant to Sections 64 and 258 of the Community Charter.

- c) Building Inspector – Summary of Permit Types June 2008 – Page 13

Recommendation: THAT the Building Inspector's Summary of Permit Type report for June 2008 showing a cumulative year to date value of \$8,528,515, be received.

- d) Fire Chief – Monthly Incident and Inspection Reports June 2008 – Pages 14 to 15

Recommendation: THAT the Fire Chief's Summary of Incident Type report for June 2008 showing a total of 53 calls and the monthly Inspection Report for June 2008 showing 23 inspections, be received

- e) Manager of Budgets and Special Projects – Road, Storm, Water and Sanitary Sewer DCC Bylaw – Pages 16 to 18

City staff has presented Council with proposed revisions to the DCC program and was instructed by them to prepare the appropriate DCC Bylaw. The process has been following legislative and best practices guidelines and is now ready for Council to give readings to the revised DCC Bylaw for Water, Sanitary Sewer, Storm Drainage, Highway Facilities and Parkland. Council has an option of a further consultation meeting between Council and the public prior to the 3rd reading of the Bylaw or can elect to proceed with the Bylaw and Ministerial approval.

Staff has provided the following alternative recommendations, as the decision to provide an opportunity for additional non technical input from the public regarding the impact of the new DCC rates is entirely at Council's discretion.

Note: Should Council wish to hold an Open House the bylaw may only receive first reading at this meeting.

Option 1: (No Open House)

Recommendation: THAT Development Cost Charges Bylaw, 2008, No. 1437 be advanced for first three readings consideration by Council

Option 2: (Open House required)

Recommendation: THAT staff be directed to arrange an Open House on the Development Cost Charges Bylaw, 2008, No. 1437 to allow Council an opportunity to receive public input on the proposed increases to the development cost charges;

AND THAT Development Cost Charges Bylaw, 2008, No. 1437 be advanced for first reading consideration by Council

- f) Director of Administrative Services – Elector Approval – Fire Hall Borrowing – Pages 19 to 27

In order to proceed with consideration of the adoption of the Firehall Addition Local Authorization Bylaw, 2008, No. 1443, Council must first seek elector approval. Council has two options for seeking the approval – "Alternative Approval Process" or "Other Voting (Referendum)".

Recommendation: THAT the report dated July 14, 2008 from the Director of Administrative Services entitled "Elector Approval – Firehall Borrowing" be received for information;

AND THAT the elector approval of the Firehall Addition Local Authorization Bylaw, 2008, No. 1443 be obtained by the Alternate Approval Process, on a city-wide basis, using a single elector response form and that the deadline date for elector responses be Friday, August 29, 2008, at 4:00 p.m.

g) Director of Administrative Services – 2008 Beer Garden Special Events Applications – Pages 28 to 41

Under the provisions of the City's Special Events Policy organizations proposing to hold an event on municipal property, streets or parks are required to apply for a special events permit. All events covered in the policy must be approved by Council and event organizers must fulfill the requirements outlined in the policy.

Recommendation: THAT the following organizations be permitted to conduct a beer garden special event in the Community Park Lacrosse Box on the specified dates and times outlined in the applications attached to the report from the Director of Administrative Services dated July 14, 2008 entitled "2008 Beer Garden Special Events Applications":

District 69 Mixed Slo-Pitch Playoffs – July 26 and 27, 2008, 12:00 p.m. till 6:00 p.m.;

Island Jewel Charity Slo-Pitch Tournament – August 2, 3, and 4, 2008, 12:00 p.m. till 6:00 p.m.;

AND THAT the approval be granted on condition that the organizers ensure that any temporary food concessions associated with the event are in compliance with Community Park Food Concessions Policy No. 3.18;

AND FURTHER THAT the approval for each event be granted on condition that the organizers adhere to the signed Terms and Conditions forms dated July 14, 2008 attached to the report from the Director of Administrative Services dated July 14, 2008 entitled "2008 Beer Garden Special Events Applications"

9. BYLAWS

a) "Election Procedures and Automated Voting Authorization Bylaw, 2008, No. 1446"

To provide the use of an automatic voting system and establish various procedures for the conduct of local government elections and other voting.

(i) Recommendation: THAT "Election Procedures and Automated Voting Authorization Bylaw, 2008, No. 1446" be adopted

b) "Officers Amendment Bylaw, 2008, No. 1326.2"

Amendment to the Officers Bylaw to clarify position titles and the method of appointment.

(i) Recommendation: THAT "Officers Amendment Bylaw, 2008, No. 1326.2" be adopted.

c) "Outdoor Burning Amendment Bylaw, 2008, No. 1428.1"

Amendment to the Outdoor Burning Bylaw to include agricultural clearing waste fires and the conditions under which they will be permitted.

(i) Recommendation: THAT "Outdoor Burning Amendment Bylaw, 2008, No. 1428.1" be adopted

d) "Zoning and Development Text Amendment Bylaw, 2008, No. 2000.60"

Text Amendment to RS-3 Zone to reduce the overall percentage of affordable housing units that trigger the density bonusing.

(i) Recommendation: THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.60" be adopted.

- e) "Zoning and Development Amendment Bylaw, 2008, No. 2000.61"
352 Hirst Avenue - RS-1 to RS-3 (Carel Properties / R. B. Palmer & Associates).
 - (i) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.61" be adopted.**

- f) "Consolidation Authorization Bylaw, 2008, No. 1447" – Pages 42 to 43
Authorizes the corporate officer to consolidate one or more of the bylaws of the City.
 - (i) **Recommendation: THAT "Consolidation Authorization Bylaw, 2008, No. 1447" be read a first time.**

 - (ii) **Recommendation: THAT "Consolidation Authorization Bylaw, 2008, No. 1447" be read a second and third time.**

- g) "Development Cost Charges, 2008, No. 1437" – Pages 44 to 50
DCC's may be imposed to provide funds to assist the City to pay the capital costs of providing, constructing, altering or expanding sewage, water, drainage and highway facilities and of providing and improving parkland, in order to service, directly or indirectly, the development for which the charges are imposed.

NOTE: The number of readings given to this bylaw is dependent on the decision made under Item 8 (e).

If no open house is to be held the recommendation will be:

- (i) **Recommendation: THAT "Development Cost Charges, 2008, No. 1437" be read a first time.**

- (ii) **Recommendation: THAT "Development Cost Charges, 2008, No. 1437" be read a second and third time.**

If an open house is to be held the recommendation will be:

- (i) **Recommendation: THAT "Development Cost Charges, 2008, No. 1437" be read a first time.**

- 10. NEW BUSINESS
- 11. NOTICE OF MOTION
- 12. SPECIAL BUSINESS (Closed/In Camera)
- 13. ADJOURNMENT

ooOOoo

TO BE ADOPTED

CITY OF PARKSVILLE

4504.
July 7, 2008

Minutes of the regular meeting of Council held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, July 7, 2008 at 6:00 p.m.

PRESENT: Her Worship Mayor S. R. Herle

Councillors: C. R. Burger
B. Johnston
T. Patterson
S. Powell
C. Robinson

Staff: G. O'Rourke, A/Chief Administrative Officer
L. Taylor, Director of Administrative Services
L. Butterworth, Director of Finance
G. Jackson, Director of Community Planning
D. Banks, Fire Chief
M. Squire, Manager of Engineering
P. Lovegrove, Manager of Budgets and Special Projects



1. ADOPTION OF MINUTES

08-160 Powell - Johnston
THAT the minutes of the Public Hearing held June 16, 2008 be adopted. CARRIED.

08-161 Powell - Burger
THAT the minutes of the regular meeting of Council held June 16, 2008 be adopted. CARRIED.

08-162 Burger - Powell
THAT the minutes of the special meeting of Council held June 23, 2008 be adopted. CARRIED.

2. APPROVAL OF AGENDA

08-163 Johnston - Powell
THAT the July 7, 2008 Council meeting agenda be approved. CARRIED.

3. PRESENTATIONS – Nil

4. DELEGATIONS - Nil

5. UNFINISHED BUSINESS - Nil

6. CORRESPONDENCE

- a) **Regional District of Nanaimo – Regional Growth Management Service Establishment Bylaw No. 1553**

08-164 Powell - Burger
THAT the Council of the City of Parksville consents to the adoption of "Regional Growth Management Service Establishment Bylaw No. 1553" and the Regional District be notified accordingly. CARRIED.

- b) **Malaspina University-College Foundation – City of Parksville Bursary**

08-165 Johnston - Powell
THAT the correspondence from the Malaspina University-College Foundation, dated June 18, 2008, regarding the award of the City of Parksville Bursary be received for information. CARRIED.

7. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE - Nil

8. REPORTS

- a) **Special Committee of the Whole – June 18, 2008**

08-166 THAT the report of the Special Committee of the Whole meeting held June 18, 2008 be received and the following recommendations considered:

- (1) **Reduce or Eliminate New Single Family Subdivisions**

Powell - Burger
THAT staff prepare an updated water capacity study by September 30, 2008, based on the current OCP, growth projections and demands, to determine whether we have sufficient water to continue pre-zoned growth. CARRIED.

- (2) **Director of Community Planning - Consideration of Options to Reduce or Eliminate New Single Family Subdivisions (dated July 25, 2007)**

Johnston - Powell
THAT further consideration of the report dated July 25, 2007 from the Director of Community Planning entitled "Consideration of Options to Reduce or Eliminate New Single Family Subdivisions" be tabled until after the receipt of the water capacity study to be submitted to Council by September 30, 2008. CARRIED.

b) Committee of the Whole – June 23, 2008

08-167 THAT the report of the Committee of the Whole meeting held June 23, 2008 be received and the following recommendations considered:

(1) **Oceanside Tourism Association - 2008 Budget Presentation and 2008 Marketing Plan**

Johnston - Powell

THAT the Oceanside Tourism Association 2008 Budget and 2008 Marketing Plan be approved. CARRIED.

(2) **Parksville Community and Conference Centre – Parking Issues**

Burger - Johnston

THAT staff be requested to meet with representatives from the Parksville Community and Conference Centre to discuss options to address parking problems at the PCCC site and report back to Council on what solutions can be implemented on a short-term basis and what solutions can be implemented in the longer term. CARRIED.

(3) **Manager of Engineering – Allwood Road, Young Street and Rushton Avenue – Road and Utility Improvements**

Burger - Powell

THAT the report from the Manager of Engineer dated June 18, 2008 entitled "Allwood Road, Young Street and Ruston Avenue – Road and Utility Improvements", be received;
AND THAT the tender for the "Allwood Road, Young Street and Ruston Avenue Road and Utility Improvements", in the amount of \$2,556,992.03 (including GST) be awarded to Knappett Industries (2006) Ltd. CARRIED.

(4) **Director of Administrative Services – Optional Changes to the Election Procedures Bylaw**

Powell - Johnston

a) THAT the recommendation from the Citizens Advisory Committee to increase the number of nominators required for nomination to an office from 2 to 10 be defeated. DEFEATED.

Patterson - Robinson

THAT the number of nominators required for nomination to an office be increased from 2 to 10 be defeated. DEFEATED.

Note: The number of nominators required will remain at 2.

Johnston - Powell

b) THAT the report from the Director of Administrative Services dated June 19, 2008 entitled "Optional Changes to the Election Procedures Bylaw", be received;
AND THAT the following recommendations from the Citizens Advisory Committee be approved:

- i) THAT additional public access to nomination documents be provided by posting them on the City's website.
- ii) THAT additional public access to campaign financing disclosures be provided by posting them on the City's website.
- iii) THAT the City not implement a mail ballot voting system for the 2008 election but that it be reviewed for future elections.
- iv) THAT special voting opportunities be continued and offered at Arrowsmith Lodge, Trillium Lodge, Stanford Place and Halliday House.
- v) THAT the appropriate election bylaw amendments be forwarded to Council for reading consideration.

CARRIED.

(5) OCP amendment referral from the Special Committee of the Whole June 18, 2008.

Burger - Powell

THAT Staff be directed to prepare a report on the feasibility of an Official Community Plan amendment bylaw which has the effect of adding a 'sustainability' section to the OCP which conveys the message that, at this time, zoning amendment applications and applications to amend the OCP are not invited due to a need to re-evaluate the carrying capacity of City infrastructure and due to the belief that each of the following land use categories [commercial, industrial, multiple family, resort] has a sufficient supply to meet the community needs at this time. CARRIED.

c) Planner – Development Permit Application [1143 Franklin's Gull Road]

Johnston - Burger

08-168

THAT the report from the Planner dated June 24, 2008 entitled "Development Permit Application (1143 Franklin's Gull Road)", be received;
AND THAT a development permit be issued to 0818118 B.C. Ltd., Inc. to permit an industrial building with a 2nd floor caretaker residence and implementation of the overall site plan on Lot 5, Block 564, Nanoose District, Plan VIP79328 (1143 Franklin's Gull Road) subject to:

- (a) A landscaping bond in the amount of \$9,082.50 be received prior to the issuance of the permit.

CARRIED.

9. BYLAWS

- a) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.62"**
Definition of Affordable Housing - Text Amendment.

Powell - Patterson

08-169

THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.62" be read a third time. CARRIED.

- 08-170 Burger - Powell
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.62" be adopted. CARRIED.
- b) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.63"**
Amendment to C-3 Downtown Commercial to add single family residential as a permitted land use.
- 08-171 Powell - Johnston
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.63" be read a third time. CARRIED.
- 08-172 Powell - Patterson
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.63" be adopted. CARRIED.
- c) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.64"**
Amendment to CS-1 Highway Commercial to add single family residential as a permitted land use.
- 08-173 Burger - Powell
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.64" be read a third time. CARRIED.
- 08-174 Johnston - Burger
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.64" be adopted. CARRIED.
- d) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.65"**
Amendment to the Agricultural A-1 Zone to change the minimum lot size for a single family dwelling from 560m² to 4 hectares.
- 08-175 Powell - Burger
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.65" be read a third time. CARRIED.
- 08-176 Burger - Johnston
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.65" be adopted. CARRIED.
- e) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.66"**
Amendment to General Regulations, Division 600 to prohibit the storage of fireworks in all zones containing residential uses except I-1 Zone.
- 08-177 Powell - Burger
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.66" be read a third time. CARRIED.
- 08-178 Johnston - Powell
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.66" be adopted. CARRIED.

- f) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.67"**
Amendment to the Division 100: Scope and Definitions to revise the definition of exterior lot line.
- 08-179 Burger - Powell
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.67" be read a third time. CARRIED.
- 08-180 Patterson - Powell
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.67" be adopted. CARRIED.
- g) **"Zoning and Development Amendment Bylaw, 2008, No. 2000.68"**
Amendment to Secondary Suites by changing the maximum size from 60m² to 90m².
- 08-181 Powell - Johnston
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.68" be read a third time. CARRIED.
- 08-182 Burger - Powell
THAT "Zoning and Development Amendment Bylaw, 2008, No. 2000.68" be adopted. CARRIED.
- h) **"Election Procedures and Automated Voting Authorization Bylaw, 2008, No. 1446"**
To provide the use of an automatic voting system and establish various procedures for the conduct of local government elections and other voting.
- 08-183 Johnston - Powell
THAT "Election Procedures and Automated Voting Authorization Bylaw, 2008, No. 1446" be read a first time. CARRIED.
- 08-184 Powell - Burger
THAT "Election Procedures and Automated Voting Authorization Bylaw, 2008, No. 1446" be read a second and third time. CARRIED.
- i) **"Officers Amendment Bylaw, 2008, No. 1326.2"**
Amendment to the Officers Bylaw to clarify position titles and the method of appointment.
- 08-185 Powell - Burger
THAT "Officers Amendment Bylaw, 2008, No. 1326.2" be read a first time. CARRIED.
- 08-186 Johnston - Powell
THAT "Officers Amendment Bylaw, 2008, No. 1326.2" be read a second and third time. CARRIED.
- j) **"Outdoor Burning Amendment Bylaw, 2008, No. 1428.1"**
Amendment to the Outdoor Burning Bylaw to include agricultural clearing waste fires and the conditions under which they will be permitted.
- 08-187 Powell- Burger
THAT "Outdoor Burning Amendment Bylaw, 2008, No. 1428.1" be read a first time. CARRIED.

08-188 Burger - Powell
THAT "Outdoor Burning Amendment Bylaw, 2008, No. 1428.1" be read a second and third time. CARRIED.

- 10. NEW BUSINESS - Nil
- 11. NOTICE OF MOTION - Nil
- 12. SPECIAL BUSINESS (Closed/In Camera) - Nil
- 13. ADJOURNMENT

It was moved by Councillor Powell and seconded by Councillor Burger that the meeting adjourn. CARRIED.

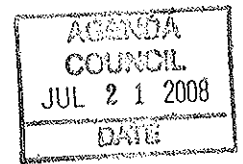
The meeting adjourned at 6:40 p.m.

Certified Correct.

Mayor



Director of Administrative Services



July 15 2008

REPORT TO: MAYOR AND COUNCIL

FROM: COMMITTEE OF THE WHOLE

SUBJECT: JULY 14, 2008 MEETING RECOMMENDATION

The following item was considered by the Committee of the Whole at its special meeting held Monday, July 14, 2008:

RECOMMENDATIONS

1) Manager of Current Planning – Consideration of a Small-Lot Residential Zone

THAT the report from the Manager of Current Planning dated July 3, 2008 entitled "Consideration of a Small-Lot Residential Zone", be received;

AND THAT the small lot residential zone template, attached as Schedule "A" to the report from the Manager of Current Planning dated July 3, 2008 entitled "Consideration of a Small-Lot Residential Zone", be accepted;

AND FURTHER THAT staff make the small lot residential zone template available to interested parties.

2) Director of Community Planning – Consideration of Implementations of Mandatory Provision of Affordable Housing Units within all Future Multiple Family Developments

THAT the report from the Director of Community Planning dated June 19, 2008 for consideration of implementation of mandatory provision of affordable housing units within all future multiple family developments be received;

AND THAT staff be directed to amend all existing multiple family zoning categories so as to include a mandatory requirement for affordable housing in all future multi-family developments.

3) Manager of Engineering – Highway 19A – Shelly Road to the Englishman River Bridge Pedestrian Facilities Upgrade

THAT the report from the Manager of Engineering dated July 8, 2008 entitled "Highway 19A – Shelly Road to the Englishman River Bridge Pedestrian Facilities Upgrade", be received;

AND THAT the tender for the "Highway 19A – Shelly Road to the Englishman River Bridge Pedestrian Facilities Upgrade", in the amount of \$490,449.83 (including GST), be awarded to Nash Excavating Ltd.

4) Director of Administrative Services – Consolidation Authorization Bylaw No. 1447

THAT the report from the Director of Administrative Services dated June 24, 2008 entitled "Consolidation Authorization Bylaw No. 1447" be received for information;

AND THAT the "Consolidation Authorization Bylaw, 2008, No. 1447" be advanced for reading consideration.

5) **2009 Provisional Budget – Comments & Questions from Council**

THAT 2009 Provisional Budget presented to Council at the Special Committee of the Whole meeting held July 7, 2008 showing a prior year surplus in 2009 of \$1,725,868 be approved with the following revisions:

1. Increase the tax rate from 3% to 5% in 2013;
2. Carry over \$50,000 allocated for the OCP DP Guidelines review from 2008 to 2009;
3. Allocate an additional \$150,000 (\$200,000 total) in 2009 for a full OCP review; and
4. Allocate \$5000 under Grants in Aid for the Brants Festival in 2009, 2010 and 2011;

AND THAT staff be instructed to initiate the public consultation process with respect to the 2009 Provisional Budget

6) **Director of Community Planning – Official Community Plan (OCP) Development Permit Guidelines**

THAT the report from the Director of Community Planning dated June 19, 2008 for consideration of budget increase for the Official Community Plan Development Permit Guideline project be received;

AND THAT a reallocation of funds in order to increase the OCP DP Guideline update project costs to \$80,000 not be approved.



MAYOR SANDY HERLE, Chair
COMMITTEE OF THE WHOLE

COUNCIL MEETING REPORT

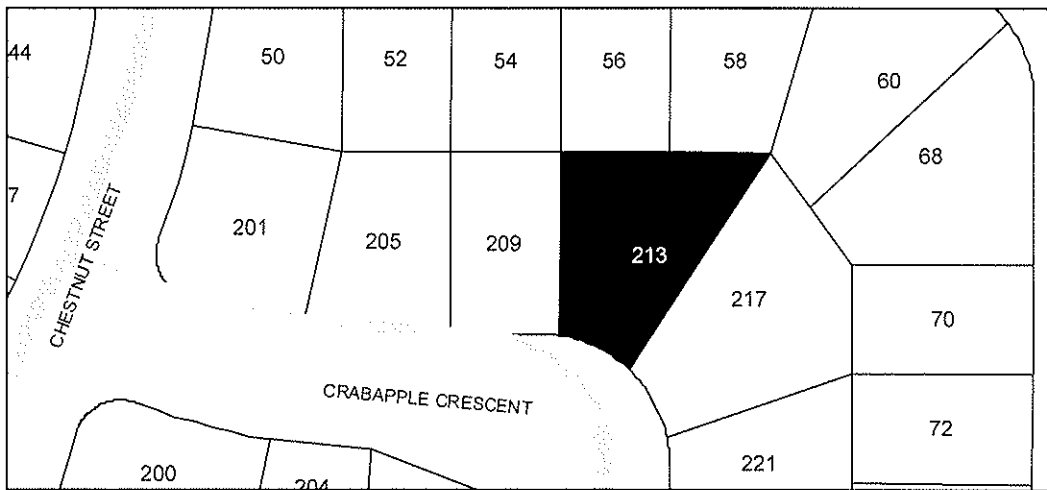
AGENDA
COUNCIL
JUL 21 2008
DATE

July 07, 2008

REPORT TO: F.C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER

FROM: A. DAWSON, BYLAW COMPLIANCE OFFICER

SUBJECT: UNTIDY LOT – LOT 37, DISTRICT LOT 15, NANOOSE DISTRICT, PLAN
VIP55863 (213 CRABAPPLE CRESCENT)



Issue:

Consideration of enforcement options of Property Maintenance Bylaw, 2003, No. 1383.

Reference:

3 photos of property (Power point)

Background:

As a result of a complaint, the property was noted to be in contravention of the "Property Maintenance Bylaw, 2003, No. 1383", Section 5. It was noted that the property listed is of concern regarding overgrown and untended growth.

A letter was sent to the property owner to make them aware of the property condition and that the current condition was contrary to the Property Maintenance Bylaw. No work was done by the property owner to clear the lot prior to the deadline within the letter and the grass and weeds have continued to grow. An attempt was made to contact the property owner by telephone with no success as the phone was not answered and a machine did not pick up the call in order to leave a message.

This property was presented to Council for the same reason in June, 2005 and was ordered to be cleaned up under Council resolution 05-179. The property was subsequently cleared by a contractor and an invoice was sent to and paid for by the property owner.

As a result of no response to these two inquiries, a second letter has been sent to the property owners requesting the clearing of the above noted items, giving the property owner or agent a period of ten (10) days to comply. It was also noted in the letter that failure to comply would result in this matter being forwarded to Council for deliberation and a recommendation to Council that the City undertake clearing of this property and the expense of such clearing, including a \$500.00 processing fee, be applied to property taxes as of December 31, 2008.

Options:

Council may:

1. Do nothing.
2. Direct Staff to proceed with direct enforcement further to Property Maintenance Policy No. 3.14.

Analysis:

1. Doing nothing may send a message that it is permissible to contravene a City Bylaw. Complaints will continue from residents and the risk of a possible grass fire will increase with uncontrolled growth and dry weather.
2. Council could decide to direct Staff to take direct enforcement action which will send a clear message that compliance with City Bylaws is expected and that there is a standard for property maintenance in the City.

As of July 18, 2008, the owners of the property listed below have not yet complied with the terms of the letter.

Civic: 213 Crabapple Crescent
Legal: Lot 37, District Lot 15, Nanoose District, Plan VIP55863
Issue: Overgrown and untended growth

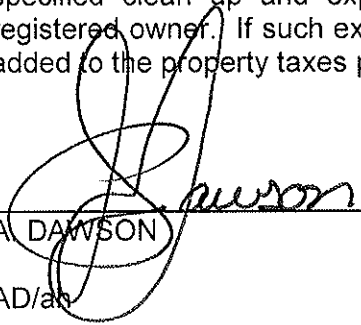
Financial Implications:

There are no financial implications to the City. Any work undertaken by the City will be billed to the property owner and any amount unpaid at the end of the year will be added to the property taxes pursuant to Sections 64 and 258 of the *Community Charter*.

Recommendation:

THAT if Council is not satisfied with the explanation, or if there is no explanation from the above property owners, Council may direct Staff to proceed with direct enforcement by giving the owner and/or occupier written notice of ten (10) days from the date of this Council meeting to clean up the property themselves;

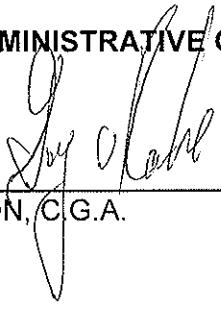
AND THAT the notice advises of specific clean up requirements, indicate the specific area requested to be cleaned up, and the consequences if the requested work is not completed; AND FURTHER THAT at the expiration of the ten (10) days following delivery of the notice, if clean up has not been completed, either City Staff or a private contractor shall undertake the specified clean up and expenses incurred shall be listed with an invoice directed to the registered owner. If such expenses are not paid by the end of the current year, the cost will be added to the property taxes pursuant to Sections 64 and 258 of the *Community Charter*.


A. DAWSON
AD/as


G.A. JACKSON

Bylaw Compliance/4020-20 Unsightly/2008/Agenda/Report-1 213 Crabapple Crescent.doc

CHIEF ADMINISTRATIVE OFFICER COMMENTS:


F. MANSON, C.G.A.

**CITY OF PARKSVILLE
BUILDING INSPECTOR'S MONTHLY REPORT
June-08**

**AGENDA
COUNCIL
JUL 21 2008
DATE**

June-08

PERMIT TYPE	Jun-08	Units	VALUE OF PERMITS	2008 YTD NO OF PRMTS	2008 YTD Units	2008 RUNNING TOTAL
RESIDENTIAL - Single Family Dwelling	2	2	395,505	32	32	6,605,045
- Alterations/Additions SFD	1		45,645	24	0	357,650
- Multi Family Dwelling:						
-Single townhouse unit				4	4	554,580
-Apartment building				0	0	0
- Alterations/Additions MF:						
-Single townhouse unit				1	0	39,800
-Apartment building				0	0	0
COMMERCIAL - Permits				1	0	8,000
- Alterations/Additions	1		8,000	8	0	302,200
- Residential				0	0	0
INDUSTRIAL - Permits				3	3	634,000
- Alterations/Additions				2	0	1,500
- Residential				0	0	0
INSTITUTIONAL - Permits				0	0	0
- Alterations/Additions				0	0	0
MOVING				1	0	0
ACCESS				0	0	0
DEMOLITION	1		0	3	0	0
SIGNS	4		6,450	12	0	25,740
Irrigation Permits (backflow protection)				0	0	0
Service Connections				1	0	0
TOTALS:	9	2	455,600	92	39	8,528,515

TOTAL NUMBER AND VALUE
OF PERMITS MONTHLY

9	2	455,600
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June-07

PERMIT TYPE	Jun-07	Units	VALUE OF PERMITS	2007 YTD NO OF PRMTS	2007 YTD Units	2007 RUNNING TOTALS
RESIDENTIAL - Single Family Dwelling	1	0	5,000	10	0	2,034,944
- Alterations/Additions SFD	7	0	94,720	26	0	532,016
- Multi Family Dwelling	0	0	0	14	69	13,152,210
- Alterations/Additions MF	0	0	0	0	0	0
COMMERCIAL - Permits	9	0	2,012,800	19	8	3,212,915
- Alterations/Additions	4	0	5,500	11	0	179,000
- Residential	0	0	0	0	0	0
INDUSTRIAL - Permits	0	0	0	0	0	0
- Alterations/Additions	1	0	550,000	1	0	550,000
- Residential	0	0	0	0	0	0
INSTITUTIONAL - Permits	0	0	0	2	0	22,984,800
- Alterations/Additions	0	0	0	2	0	30,000
MOVING	0	0	0	0	0	0
Access	0	0	0	0	0	0
DEMOLITION	4	0	4,000	6	0	4,000
SIGNS	5	0	5,150	25	0	41,969
Irrigation Permits (backflow protection)	0	0	0	2	0	1,000
Service Connections	0	0	0	3	0	0
TOTALS:	31	0	2,677,170	121	77	42,722,854

TOTAL NUMBER AND VALUE
OF PERMITS MONTHLY
PREVIOUS YEAR

31	0	2,677,170
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**PAGE
13**

**PARKSVILLE FIRE DEPARTMENT
MONTHLY INCIDENT REPORT
JUNE 2008**



Incident Type Description	Reponse Time (Avg)	Incident Duration (Avg)	Total Loss (Sum)	Total Saved (Sum)	Total Manpower (Avg)	Total Manhours (Sum)
9 Alarms (accidental)	3 min 29 sec	27 min 30 sec	\$0.00	\$0.00	8.2	49.30
2 Alarms (malicious)	3 min 17 sec	6 min 54 sec	\$0.00	\$0.00	1.0	0.50
1 Ambulance assist	6 min 46 sec	32 min 1 sec	\$0.00	\$0.00	16.0	16.00
1 Bark mulch	6 min 24 sec	49 min 37 sec	\$0.00	\$0.00	16.0	16.00
1 Boat fire	2 min 11 sec	59 min 20 sec	\$0.00	\$0.00	13.0	13.00
11 Burning complaints	8 min 4 sec	23 min 33 sec	\$0.00	\$0.00	0.8	4.30
1 Bush fire	3 min 50 sec	46 min 0 sec	\$0.00	\$0.00	12.0	9.00
1 Dumpster fire	3 min 55 sec	44 min 13 sec	\$0.00	\$0.00	15.0	11.30
5 Equipt. Maintenance	-	2 hrs	\$0.00	\$0.00	4.0	40.00
5 First response	4 min 33 sec	22 mins 46 sec	\$0.00	\$0.00	7.4	14.00
2 Gas leak (Natural gas)	5 min 9 sec	54 min 55 sec	\$0.00	\$0.00	11.0	22.50
5 Motor Vehicle Incident	2 min 35 sec	21 min 27 sec	\$0.00	\$0.00	0.8	1.00
3 Public Education	-	1 hr. 12 mins	\$0.00	\$0.00	4.7	16.30
4 Public service	6 min 1 sec	32 min 13 sec	\$0.00	\$0.00	1.3	3.20
2 Rescue (inside FPA)	6 min 50 sec	40 min 20 saec	\$0.00	\$0.00	14.0	18.00
<i>Training</i>						
						421.25
53	4 min 24 sec	40 min 20 sec	\$0.00	\$0.00	5.3	647.75



Parksville Volunteer Fire Department

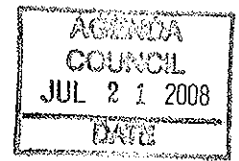
160 W. Jensen Avenue, P.O. Box 1390, Parksville, B.C. V9P2H3 - Phone: (250) 248-3242 Fax: (250) 248-3925

Visit us on the WEB @ www.pvfd.ca

MONTHLY INSPECTION REPORT, June 2008

<u>OCCUPANCY</u>	JUN	YTD TOTAL
MERCANTILE	4	57
OFFICE	0	16
DRYCLEANERS	0	0
SERVICE STATION	3	9
RESTAURANTS	1	11
ASSEMBLY	0	14
HOTEL/MOTEL	1	16
SCHOOLS	0	1
DAYCARE/PRESCHOOL	0	2
VACANT AT INSP	0	0
APARTMENTS	0	6
INDUSTRIAL	0	4
F.S. PLAN REVIEW	0	1
COMMUNITY CARE	0	0
REINSPECTIONS	12	30
SPECIAL EVENTS	1	1
<u>MONTHLY TOTAL</u>	23	169

FIRE PREVENTION SAVES LIVES AND REDUCES PROPERTY LOSS!



July 16, 2008

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

**FROM: PAMELA LOVEGROVE, MANAGER OF BUDGETS AND
SPECIAL PROJECTS**

SUBJECT: ROAD, STORM, WATER AND SANITARY SEWER DCC BYLAW

Issue

To introduce Bylaw No. 1437, a bylaw to impose Development Cost Charges for Water, Sanitary Sewer, Storm Drainage, Highway Facilities and Parkland

Executive Summary

City staff has presented Council with proposed revisions to the DCC program and was instructed by them to prepare the appropriate DCC Bylaw.

The process has been following legislative and best practices guidelines and is now ready for Council to give readings to the revised DCC Bylaw for Water, Sanitary Sewer, Storm Drainage, Highway Facilities and Parkland.

Council has an option of a further consultation meeting between Council and the public prior to the 3rd reading of the Bylaw or can elect to proceed with the Bylaw and Ministerial approval.

Reference

June 4, 2008, Development Cost Charge Program Revisions Report from Pamela Lovegrove, Manager, Budgets and Special Projects.

Background

Staff conducted public information and consultation meetings on January 24, 2008 and February 21, 2008 which was attended by several members of the ODCA and other members of the public.

The revised DCC program was presented to the June 9, 2008 Committee of the Whole meeting. At that subsequent Council meeting, the staff was requested to prepare the relevant bylaws to revise the DCC program.

As outlined to Council at the June 9, 2008 committee meeting, the remaining steps to be followed before the bylaw could be adopted were;

- First reading of the bylaw by Council
- A public information meeting for Council to receive non technical stakeholder input regarding the impact if the proposed new rates (this meeting is at Councils discretion).
- Make any revisions Council deems appropriate resulting from the stakeholder input.
- Second and third readings by Council.
- Submission of the DCC Bylaw and Supporting Documentation for Ministerial Approval.
- Adoption of the Bylaw.

Options

1. Give three readings to the Bylaw 1437.
2. Give first reading to Bylaw 1437 and direct staff to arrange for their public consultation meeting , as outlined in the remaining steps.

Analysis

Proceeding with all three readings of the bylaw will advance the process for obtaining Ministerial Approval and allow for the new rates to come into affect quicker.

Having one more meeting between Council and the public will slow the process down and further delay the DCC rate increases. It will however, provide Council one more opportunity to hear what the general public and development community have to say about the revised DCC program.

Recommendation

Staff have provided the following alternative recommendations, as the decision to provide an opportunity for additional non technical input from the public regarding the impact of the new DCC rates is entirely at Council's discretion.

Note: Should Council wish to hold an Open House the bylaw may only receive first reading.


Option 1:

THAT Development Cost Charges Bylaw, 2008, No. 1437 be advanced for first three readings consideration by Council


Option 2:

THAT staff be directed to arrange an Open House on the Development Cost Charges Bylaw, 2008, No. 1437 to allow Council an opportunity to receive public input on the proposed increases to the development cost charges;

AND THAT Development Cost Charges Bylaw, 2008, No. 1437 be advanced for first reading consideration by Council

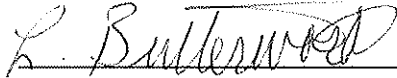


Pamela Lovegrove, CMA
Manager, Budgets & Special Projects



Laurie Taylor,
Director of Administrative Services

DIRECTOR OF FINANCE – COMMENTS



G. Lucky Butterworth, CGA
Director of Finance

CHIEF ADMINISTRATIVE OFFICER - COMMENTS

Fred Manson, CGA
Chief Administrative Officer



July 14, 2008

MEMO TO: F.C. MANSON, CHIEF ADMINISTRATIVE OFFICER
FROM: L. TAYLOR, DIRECTOR OF ADMINISTRATIVE SERVICES
SUBJECT: Elector Approval – Fire Hall Borrowing
Bylaw No. 1443

ISSUE:

Seek Council's direction for seeking elector approval for the Firehall Addition Loan Authorization Bylaw, 2008, No. 1443

EXECUTIVE SUMMARY

In order to proceed with consideration of the adoption of the Firehall Addition Local Authorization Bylaw, 2008, No. 1443, Council must first seek elector approval. Council has two options for seeking the approval – "Alternative Approval Process" or "Other Voting (Referendum)".

REFERENCES:

Community Charter Sections 84 to 86

BACKGROUND:

Steps in Adoption of a Loan Authorization Bylaw

1. Approval of project and amount of borrowing set by Council (done)
2. Loan Authorization Bylaw prepared (done)
3. Bylaw given Three Readings (done)
4. Sent to Inspector of Municipalities for Approval (done)
5. Inspector Approval Received (done)
6. Council set deadline date and approve petition forms for AAP
7. 30 Day Petition Period
8. Preparation of Certificate of Sufficiency by staff
9. Receipt of certificate of sufficiency by Council and adoption of Bylaw
10. 30 Day Quashing Period
11. Apply to Inspector for Certificate of Approval
12. Certificate of Approval Granted
13. Council adopt security issuing resolution
14. Security issuing resolution sent to RDN for borrowing through Municipal Finance Authority.

At the meeting held June 2, 2008, three readings were given to "Fire Hall Addition Loan Authorization Bylaw, 2008, No. 1443". This bylaw authorizes the borrowing of up to five million four hundred thousand dollars (\$5,400,000.00) for the purpose of construction of an addition to the Fire Hall. The maximum term of the borrowing is 25 years.

Under the provisions of the *Community Charter*, a loan authorization bylaw may only be adopted with the approval of the Inspector of Municipalities, and that approval must be received *after* third reading and *before* adoption. As required the bylaw was sent to the Ministry for approval after third reading on June 3, 2008. The Inspector's approval was given on July 14, 2008.

A further requirement of the *Community Charter* is that loan authorizations may only be adopted with the approval of the electors. This elector approval may be sought in one of two ways: Alternative Approval Process (AAP) or a majority vote of the electors ("Other Voting").

A. ALTERNATIVE APPROVAL PROCESS (AAP)

Through the AAP Council may proceed with the adoption of the bylaw, unless by the deadline date set by Council for the responses, at least 10% of the electors indicate that Council must obtain the assent of electors before proceeding. If necessary, the assent of the electors is obtained by receiving a majority of votes in favour of the bylaw (by referendum).

10% of Electors

The City does not maintain a municipal voters list. For the purpose of determining the number of electors we refer to the 2006 Statistics Canada figures which indicated the number of Canadian citizens age 18 and over as 8,865, 10% is 887.

Notice

The *Community Charter* requires that notice of the AAP must be published in a weekly newspaper, once each week for two consecutive weeks and must be published at the public notice posting place (PCTC bulletin board outside the Forum). We will also publish notice on our website.

Deadline Date

The deadline date for elector response must be *at least* 30 days after the second publication of the notice in the newspaper. It is recommended that the first notice be published in the Oceanside Star on July 25, 2008 and the second notice on July 29, 2008. The deadline date for responses would then be set at 4:00 p.m. on **Friday, August 29, 2008**.

The *Charter* requires that the deadline date be set by resolution of Council.

Elector Response Forms

The *Charter* clearly sets out the procedures for the AAP. The AAP requires that electors respond on elector response forms that have been established by Council. Staff would suggest that a single elector response form be used. The single form allows for only one elector response on each form, rather than a multiple form which can have many responses on one form. Staff prefers the single response form as it is easy to determine valid electors and count the number of responses. A sample single response form is attached to this report.

The forms must be available to the public at City Hall from the time of the first publication of notice of the AAP until the deadline. Only those who are eligible resident or non-resident property electors within the City can sign a form. A person must not sign more than one elector form. Responses may only be submitted on the approved form and only original signatures will be accepted.

Certificate of Sufficiency

Completed elector response forms must be received by the Director of Administrative Services prior to the deadline date. After the deadline date the Director of Administrative Services must determine and certify whether elector approval has been obtained. (i.e. the number of valid responses received is less than 887). The determination by the Director is final and conclusive and a report on the sufficiency must be submitted to Council. If elector approval is obtained Council may consider the bylaw for adoption at the same council meeting at which the sufficiency report is received.

B. REFERENDUM (OTHER VOTING)

If it is determined, after all the responses have been verified, that 887 or more electors requested that Council obtain the assent of the electors before adopting the bylaw, a referendum **must** be held if Council wishes to proceed with the project. Under the provisions of the *Community Charter* this referendum must be held not more than 80 days after the deadline for receiving elector responses (by no later than November 19, 2008), it could be held in conjunction with the general election.

Alternatively Council may wish to bypass the AAP process and proceed directly to a referendum. If this is the preferred option the vote must be held not more than 80 days after the date of the Inspector's approval. Given the fact that this is an election year, the Ministry of Community Development has indicated that should any Council wish to bypass the AAP process and take a bylaw directly to referendum, the Ministry would adjust the date of the Inspector's approval so that the referendum could be held in conjunction with the general election.

Notice

The *Community Charter* requires that notice of the referendum must be published in a weekly newspaper, once each week for two consecutive weeks and must be published at the public notice posting place (PCTC bulletin board outside the Forum). We would also publish notice on our website.

Question

The question put to the voters must be able to be answered "yes" or "no". The question must be clear and concise and provide the elector a full opportunity to understand the implications of a yes or no vote. *Should* a referendum become necessary the following question is proposed:

Are you in favor of Parksville City Council adopting Bylaw 1443 which would authorize the borrowing of not more than Five Million Four Hundred Thousand Dollars (\$5,400,000.00) over a maximum term of 25 years, for the purpose of constructing of an addition to the existing firehall?

C. AFTER ELECTOR APPROVAL

If elector approval is obtained either through the AAP or Referendum, Council may adopt the borrowing bylaw. Under the *Community Charter*, the City cannot borrow money under a loan authorization bylaw unless:

- a. the financing is undertaken by the Regional District of Nanaimo through the Municipal Financing Authority of BC; and
- b. the RDN agrees to undertake the borrowing

Therefore once the bylaw has been adopted, the 30 day quashing period has been completed, and the Inspector's certificate has been received, Council must adopt a security issuing resolution and forward it to the RDN to start the actual borrowing process.