



City of PARKSVILLE

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COMMITTEE OF THE WHOLE AGENDA

MONDAY, AUGUST 11, 2008 – 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the July 28, 2008 minutes of the Committee of the Whole meeting – Pages 1 to 5

2. PUBLIC PRESENTATIONS

3. CORRESPONDENCE

4. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

5. STAFF PRESENTATIONS

- a) Fire Chief – Quarterly Report (verbal)
For July, August and September 2008
- b) Manager of Budgets and Special Projects – Water Rate Structure and Rate Review – Pages 6 to 7
In order to conserve our water resources, the City of Parksville is reviewing its rates to implement fair and equitable charges that encourages water conservation but meets the financial needs of the City's Water Utility fund.
Staff has reviewed a number of block rate billing models with progressively increasing rates using City of Parksville historical consumptions. These models have worked well for single family residential properties but have proven very inequitable when applied to multi-family, institutional and commercial properties. Staff now has determined that a more complex model with separate rate structures for each of at least these four classes of properties will be necessary.
Staff would like to have more time to research the concerns more thoroughly so that a new rate structure will promote conservation and is equitable for everyone.

Recommendation: THAT the report dated August 1, 2008 from the Manager of Budgets and Special Projects regarding the Water Rate Structure and Water rate review be received for information.

- c) Director of Finance – Fees and Charges Update – Pages 8 to 13
Many of the City's fees and charges are set out in various City bylaws. These fees are periodically updated if a fee is determined to be too low for the level of service supplied. Several fees charged by the Finance department and RCMP have been determined to be too low and require adjusting.

Recommendation: THAT staff be instructed to prepare the appropriate amendments to Fees and Charges Bylaw, 2006, No. 1421 and the Dog Licence and Pound Bylaw, 1997, No. 1284 to reflect the fee increases outlined in Schedules B, C and E attached to the report from the Director of Finance entitled Fees and Charges Update dated July 28, 2008; AND THAT the amending bylaws be forwarded to Council for reading consideration.

- d) Planner – Resignation of Advisory Design Panel Member and Consideration of the Appointment of New Panel Member – Pages 14 to 15
One Advisory Design Panel member has tendered their resignation and a replacement is needed.

Recommendation: THAT the report from the Planner dated August 5, 2008 for Council notification of the resignation of a Panel member and consideration of the appointment of a new panel member be received; AND THAT Ruben Galdames be appointed to the Advisory Design Panel for the remainder of the current term of Council; AND FURTHER THAT Michael Chriss be thanked for his valuable services rendered during his term of office as a member of the Advisory Design Panel.

- e) Director of Community Planning – Consideration of Development Variance Permit [280 Island Highway East and 182, 174 and 160 Corfield Street] – Pages 16 to 23
A proposed expansion of the Thrifty Foods store and construction of another building in the same complex trigger the City's Works and Services Bylaw requirements. The developer is seeking a relaxation from some of the perceived requirements. Sufficient information has not been provided to allow for an identification of what those works would be.

Recommendation: THAT the report dated July 31, 2008 from the Director of Community Planning for the issuance of a Development Variance Permit at 280 Island Highway East and 182, 174 and 160 Corfield Street be received; AND THAT the Development Variance Permit to Park Island Properties Ltd., to permit the removal of all engineering requirements relating to the Island Highway and Bagshaw Street to permit the expansion of the Thrifty Foods store, a new retail outlet with 3 residential dwellings on the second floor on Lot A, District Lot 4, Nanoose District, Plan VIP76612, Lot 1 and 2, District Lot 4, Nanoose District, Plan 32401 and Lot 1, District Lot 4, Nanoose District, Plan VIP75740 (280 Island Highway East and 182, 174 and 160 Corfield Street), be denied.

- f) Director of Community Planning – Consideration of Amendment to RS-2 and RS-3 Zone to Make the Bonus Provision for Affordable Housing More Effective – Pages 24 to 33

Council has discussed finding a method to ensure that "already zoned" multiple family sites contain affordable housing. Staff has done a draft amendment to both the RS-2 and RS-3 Zone to illustrate how this may be accomplished.

Recommendation: THAT the report from the Director of Community Planning dated August 1, 2008 entitled "Consideration of Amendment to RS-2 and RS-3 Zone to make the bonus provision for affordable housing more effective" be received;

AND THAT Staff amend the base densities of the RS-2 and RS-3 Zones by 50%;

AND THAT Staff amend the percentage of affordable units necessary to obtain the bonus provision for RS-2 to 5%;

AND FURTHER THAT Staff amend the percentage of affordable units necessary to obtain the bonus provision for RS-3 to 10%.

- g) Chief Administrative Officer – Lease Agreement [183 McVickers Street] – Pages 34 to 36

The building at 183 McVickers Street was purchased by the City in 2006 and is currently not being used. Two groups have expressed an interest in renting the building for a one year term, which will allow the City time to finalize the subdivision process so that the building can be sold.

Recommendation: THAT the report dated August 5, 2008 from the Chief Administrative Officer regarding the lease agreement for 183 McVickers Street, be received;

AND THAT the Mayor and Director of Administrative Services be authorized to execute the Lease Agreement, on behalf of the City, with German Ju Jutsu Systems and Family Resource Association, for the property legally described as East Half of Lot 11, District Lot 4 Nanoose District Plan 6725 (183 McVickers Street) for the period September 1, 2008 to and including August 31, 2009 at an annual rent of six thousand (\$6,000.00) dollars.

- h) Director of Administrative Services – Lease Agreement Renewal with Parksville Chrysler Ltd. – Pages 37 to 48

Renewal of a lease agreement with Parksville Chrysler Ltd. for an area of land abutting the south boundary of their property. Lease was originally entered into in 1998. Lease renewal would run until 2013.

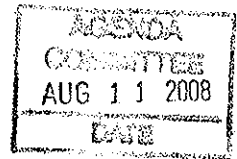
Recommendation: THAT the report dated July 31, 2008 from the Director of Administrative Services regarding the Parksville Chrysler Ltd. Lease Agreement, be received;

AND THAT the Mayor and Director of Administrative Services be authorized to execute the Lease Agreement, on behalf of the City, with Parksville Chrysler Ltd. for a 33 ft. x 198.8 ft. portion of the unopened roadway abutting the south property line of Lot A, District Lot 3, Nanoose District, Plan VIP73833 (230 Shelly Road) for the period September 1, 2008 to and including August 31, 2013 with an option to renew for a further term.

6. NEW BUSINESS

7. ADJOURNMENT

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TO BE ADOPTED

CITY OF PARKSVILLE

July 28, 2008

Minutes of the Committee of the Whole meeting held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, July 28, 2008 at 6:00 p.m.

PRESENT: Her Worship Mayor S. R. Herle

Councillors: C. R. Burger
M. Lefebvre
T. C. Patterson
S. E. Powell
C. Robinson

Staff: F. Manson, Chief Administrative Officer
L. Taylor, Director of Administrative Services
L. Butterworth, Director of Finance
G. Jackson, Director of Community Planning
D. Banks, Fire Chief
B. Russell, Manager of Current Planning

1. **MINUTES**

Lefebvre - Burger

THAT the minutes of the Committee of the Whole meeting held July 14, 2008 be adopted.

CARRIED.

2. **PUBLIC PRESENTATIONS** – Nil

3. **CORRESPONDENCE** – Nil

4. **DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE** – Nil

5. **STAFF PRESENTATIONS**

Mayor Herle noted that all recommendations adopted by the Committee at this meeting will be forwarded to Council for consideration at their August 6, 2008 meeting.

RECOMMENDATIONS:

a) **Director of Finance – 2008 Quarterly Budget Update (verbal)**

Director of Finance gave a 2008 Quarterly Budget Update for the months of April, May and June 2008

b) **Director of Administrative Services – Quarterly Report (verbal)**

Director of Administrative Services gave a Quarterly Report for the months of July, August and September 2008

c) **Planner – Recommendation to Rescind the Current Advisory Design Panel Bylaw to be Replaced with an Updated Terms of Reference**

Patterson - Lefebvre

THAT the report from the Planner dated July 8, 2008 entitled "Recommendation to Rescind the Current Advisory Design Panel Bylaw to be Replaced with an Updated Terms of Reference" be received;

AND THAT Council adopt a formal Terms of Reference for the Advisory Design Panel.

CARRIED.

d) **Planner – Application for a Development Permit [500 Corfield Street]**

Powell - Burger

THAT the report from the Planner dated July 16, 2008 for the issuance of a Development Permit at 500 Corfield Street be received;

AND THAT a development permit be issued to Corfield Glades Development Limited, to permit 58 townhouse units, 2 indoor recreation units and overall site improvements on Lots 30 and 31, Block 1438, Nanoose District, Plan VIP66125 (500 Corfield Street);

AND THAT where the Qualified Environmental Professional's (QEP) report dated April 10, 2008, prepared by Toth and Associates, describes an area designated as Streamside Protection and Enhancement Area (SPEA), that development activities within the SPEA shall be conducted in accordance with the QEP's assessment report;

AND THAT a landscaping bond in the amount of \$264,212.50 be received prior to the issuance of the permit;

AND FURTHER THAT proof of lot consolidation be received prior to the issuance of the permit.

CARRIED.

e) **Manager of Current Planning – Application for a Development Permit [352 Hirst Avenue]**

Lefebvre - Powell

THAT the report from the Manager of Current Planning dated July 17, 2008 for the issuance of a Development Permit at 352 Hirst Avenue be received;

AND THAT a development permit be issued to Carel Properties Ltd., to facilitate the overall site plan and construction of a three storey, 18 unit apartment building on Lot 5, District Lot 14, Nanoose District, Plan 5797 (352 Hirst Avenue) with the following variances:

- Relaxation of the required number of off-street parking stalls from 1.5 stalls per dwelling unit (27 stalls) to 1 stall per dwelling unit (18 stalls);
- Relaxation of the front yard setback from 6.0 metres to 4.0 metres; and,
- Relaxation of the outdoor recreation space requirement from 396 m² to 214 m².

AND THAT an amendment to Development Permit No. 07-07 be issued to Carel Properties Ltd., to facilitate the inclusion of additional landscape screening on Lot B, District Lot 14, Nanoose District, Plan 5797 (344 Hirst Avenue);

AND FURTHER THAT a landscaping bond in the amount of \$46,770.49 be received prior to the issuance of the permit.

CARRIED.

f) **Manager of Current Planning – Zoning Bylaw Text Amendment to Permit Miniature Golf Course Use in the Resort Area Tourist Accommodation RA-2A Zone**

Powell - Patterson

THAT the report from the Manager of Current Planning dated July 17, 2008, entitled "Zoning Bylaw Text Amendment to Permit Miniature Golf Course Use in the Resort Area Tourist Accommodation RA-2A Zone" be received;

AND THAT a zoning text amendment bylaw be drafted to add miniature golf course as a permitted use to the Resort Area Tourist Accommodation RA-2A zone and that the bylaw be advanced for reading consideration.

CARRIED.

g) **Director of Community Planning – Information Regarding Zoning Amendment Bylaw for Carriage Houses
Director of Community Planning – Information Regarding Zoning Amendment Bylaw for Carriage Houses – ADDENDUM**

Lefebvre - Patterson

THAT the report from the Director of Community Planning dated July 8, 2008 pertaining to information regarding a zoning amendment bylaw for carriage houses be received;

AND THAT the addendum report from the Director of Community Planning dated July 28, 2008 pertaining to additional information regarding a zoning amendment bylaw for carriage houses be received;

AND FURTHER THAT the "Zoning and Development Amendment Bylaw, 2008, No. 2000.69" be advanced for reading consideration.

CARRIED.

h) **Director of Community Planning – Consideration of How to Amend All Existing Multiple Family Zoning Categories to Include a Requirement for Affordable Housing in all Future Developments**

Burger - Lefebvre

THAT the report of the Director of Community Planning dated July 15, 2008 for consideration of how to amend all existing multiple family zoning categories to include a requirement for affordable housing in all future developments be received;

AND THAT the report be referred back to staff for further information to be received by no later than mid-September.

CARRIED.

i) **Director of Administrative Services - Co-Ed Ortho Softball Beer Garden Event Application**

Powell - Burger

THAT the report from the Director of Administrative Services dated July 18, 2008 entitled "Co-Ed Ortho Softball Beer Garden Event Application" be received;

AND THAT the Co-Ed Ortho Softball League be permitted to conduct a beer garden on August 30, 31 and September 1, 2008, between the hours of noon and 6:00 p.m. in the Community Park Lacrosse Box as outlined on the map attached to the report from the Director of Administrative Services dated July 18, 2008 entitled "Co-Ed Ortho Softball Beer Garden Event Application";

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 be granted on condition that the organizers adhere to the signed Terms and Conditions form dated July 9, 2008 attached to the report from the Director of Administrative Services dated July 18, 2008 entitled "Co-Ed Ortho Softball Beer Garden Event Application".

CARRIED.

j) **Director of Administrative Services - Parksville & District 25th Annual SOS Bikers Toy Run**

Lefebvre - Patterson

THAT the report from the Director of Administrative Services dated July 18, 2008 entitled "Parksville & District 25th Annual SOS Bikers Toy Run" be received;

AND THAT the SOS be permitted to hold the Parksville & District 25th Annual SOS Bikers Toy Run Event on Sunday, September 21, 2008 between the hours of 9:00 a.m. and 3:00 p.m., utilizing the picnic shelter, parking areas of the Community Park as indicated on the map attached to Park Use Application Form (1) with the motorcycles following a designated route through City streets as indicated on the map attached to Event Application Form (1B) which are attached to the report from the Director of Administrative Services dated July 18, 2008 entitled "Parksville & District 25th Annual SOS Bikers Toy Run";

AND THAT the approval be granted on condition that the organizers adhere to the signed Terms and Conditions form dated July 14, 2008 attached to the report from the Director of Administrative Services dated July 18, 2008 entitled "Parksville & District 25th Annual SOS Bikers Toy Run".

CARRIED.

6. **NEW BUSINESS**

a) **Bard to Broadway Theatre Society – Signage Request**

Burger - Powell

THAT the Bard to Broadway Theatre Society be permitted to place special events signage under the Sign Regulation Bylaw, 1997, No. 1276, advertising the Bard to Broadway productions, on the City-owned property located at 140 Jensen Avenue and on the City-owned park property located between 100 Jensen Avenue and 225 Corfield at the McCarter Street/Jensen Avenue intersection;

AND THAT staff be instructed to prepare a letter of understanding with the Bard to Broadway Theatre Society outlining the conditions of the placement of the signage under the Sign Regulation Bylaw, 1997, No. 1276;

AND FURTHER THAT the Mayor and Corporate Officer be authorized to sign the letter of understanding on behalf of the City of Parksville with the Bard to Broadway Theatre Society regarding the placement of the signage.

CARRIED.

7. ADJOURNMENT

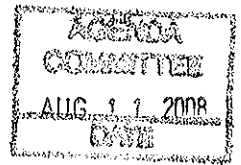
Lefebvre - Robinson
Rise and Report to Council at their August 6, 2008 meeting.

The meeting ended at 7:45 p.m.



Mayor

August 1, 2008



MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: PAMELA LOVEGROVE, MANAGER, BUDGETS & SPECIAL PROJECTS

SUBJECT: WATER RATE STRUCTURE AND RATE REVIEW

Issue

Water rate structure review

Executive Summary

In order to conserve our water resources, the City of Parksville is reviewing its rates to implement fair and equitable charges that encourages water conservation but meets the financial needs of the City's Water Utility fund.

Staff has reviewed a number of block rate billing models with progressively increasing rates using City of Parksville historical consumptions. These models have worked well for single family residential properties but have proven very inequitable when applied to multi-family, institutional and commercial properties. Staff now has determined that a more complex model with separate rate structures for each of at least these four classes of properties will be necessary.

Staff would like to have more time to research the concerns more thoroughly so that a new rate structure will promote conservation and is equitable for everyone.

Background

The City of Parksville reads water meters and issues water bills twice a year, once at the end of March which covers the October to March (winter) period and once in September which covers the April to March (summer) period.

The rates are based on a minimum consumption of 112 m³ for the 6 month period at a current charge of \$110.50 (.987 cent per m³) and any overages are also charged at .987 cents per m³. The same rate is used regardless of the volume of water consumed.

Staff have been reviewing water usage patterns for the previous 4 year period in order to determine trends and usage to help in determining a rate that encourages conservation and maintains a revenue level that sustains water utility operations.

Staff has reviewed a number of block rate billing models which included a flat rate minimum and an increasing block rate per cubic meter as consumptions increased. These models worked well for single family residential homes but quickly proved to be very inequitable for multi-family, institutional and accommodation industry properties. For instance, applying the single family block rate structure to a 50 unit apartment would mean that the apartment would almost certainly be paying in the high rate blocks, which is not equitable for the individual apartment owners/renters. This was not an issue with the current single rate system but is a significant issue what a block rate system and as such is much more complex than was originally

envisioned. The main stumbling block at this time is that the City does not have the required data (number of units/apartments/beds/commercial averages) needed to evaluate separate rate structures for these other classes.

Staff is currently gathering the required data and is also doing additional research on alternate billing methods currently in use in other municipalities.

This report is being brought forward at this time simply to inform Council on the status of this initiative.

Financial Implications:

There are no financial implications if we maintain our current billing methods while further research is being done. The 2008 has been approved with a 10.5% increase in water rates.

Recommendation:

That the report dated August 1, 2008 from the Manager of Budgets and Special Projects regarding the Water Rate Structure and Water rate review be received for information.

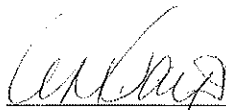


Pamela Lovegrove, CMA
Manager of Budget & Special Projects

Director of Finance comments:

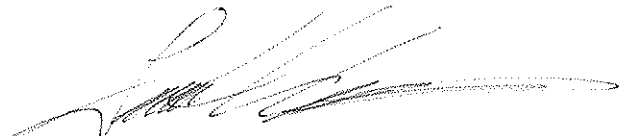
G. Lucky Butterworth, CGA.
Director of Finance

Director of Administrative Services comments:

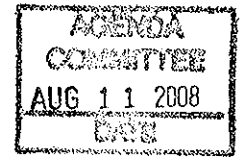


Laurie Taylor
Director of Administrative Services

Chief Administrative Officer comments:



Fred Manson, CGA
Chief Administrative Officer



July 28, 2008

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: LUCKY BUTTERWORTH, DIRECTOR OF FINANCE

SUBJECT: FEES AND CHARGES UPDATE

Issue

Adjustment to several fees and charges.

Executive Summary

Many of the City's fees and charges are set out in various City bylaws. These fees are periodically updated if a fee is determined to be too low for the level of service supplied. Several fees charged by the Finance department and RCMP have been determined to be too low and require adjusting.

Reference

Community Charter Section 194

Background

The Community Charter allows for the imposition of fees in respect of all or part of the services provided by the municipality. Council has established such fees in various bylaws, but many are included in our Fees and Charges Bylaw No. 1421.

This bylaw was last updated in January 2007 primarily to adjust the fees in the Planning department as a result of a detailed report prepared by that department.

A review of the Finance fees included in Schedule B of the bylaw revealed that such fees have not been adjusted since 1993 or prior. A survey done in 2006 by another municipality reveals that we are behind other municipalities on some of our fees. A review of our staff time to provide the services also indicates increases are warranted. Also, several services provided were not on the Schedule and have been added (items d and e on Schedule B).

Springwood lighting tokens are not included in the Engineering and Operations section of the bylaw (Schedule C) and should be added.

The RCMP fees were introduced into the fees and charges bylaw as Schedule E in 2004. Since then the heightened security measures being put in place in North America has increased the

time it takes to complete a Security records check. A fee increase is necessary to cover the effort required in producing the document. Other police fees are also low for the level of service supplied such as fingerprinting and field diagrams for accident/crime scenes. It was also noted that Police certificates is missing from our bylaw.

Dog License fees are \$10 (after discount) and have not been increased since the 1980's. The costs of services relating to dogs have increased substantially with the city providing doggy doo bags, a dog park, bylaw services, and funding provided for SPCA services. It is proposed that the fee increase to \$20 (after discount) for fixed dogs and \$30 (after discount) for unfixed dogs.

The 2009-13 Financial Plan has been prepared assuming the fee increases proposed have been implemented.

Options

- 1) Approve the recommended fee increases
- 2) Adjust the fee increases
- 3) Keep the fees the same

Analysis

Option 1: The fee increases proposed are directly related to the amount of work or costs involved in providing the service. Some fees have not been increased to fully recover the costs (ie Dog licenses) as the increase would be too great. Increasing the discounted fee for a dog license to \$20 for fixed dogs and \$30 (from \$20) for unfixed dogs will almost double our revenues but not come close to covering the service costs. However, increasing the license fee more than double in a single year is not considered appropriate, so a \$10 increase is proposed. The fee increases proposed by this option will add approximately \$22,000 per year to City revenues.

Option 2: The fees could be increased more to more fully reflect costs, or could be decreased, in which case costs would not be recovered from the service and the general taxpayer will fund the service. There will be a budget impact depending on the change.

Option 3: If the fees are kept the same, there will be a loss of approximately \$110,000 over the next 5 years and the 2009-13 budget will need to be revised and a new source of revenue found to cover the reduction.

If we use the premise that costs of most optional city services should be recovered from those using the service then Option 1 would be the best choice. If we want the general taxpayer to bear costs of optional services, then Option 2 or 3 should be selected.

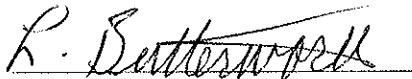
Financial Considerations:

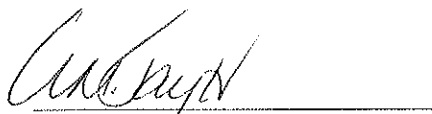
The financial considerations have been outlined above in the analysis. The proposed revenue increases have already been included in the 2009-13 Provisional Financial Plan.

Recommendation:

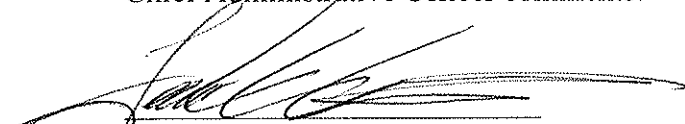
THAT staff be instructed to prepare the appropriate amendments to Fees and Charges Bylaw, 2006, No. 1421 and the Dog Licence and Pound Bylaw, 1997, No. 1284 to reflect the fee increases outlined in Schedules B, C and E attached to the report from the Director of Finance entitled Fees and Charges Update dated July 28, 2008;

AND THAT the amending bylaws be forwarded to Council for reading consideration.


G. Lucky Butterworth, CGA.
Director of Finance


Laurie Taylor
Director of Administrative Services

Chief Administrative Officer comments:


Fred Manson, CGA
Chief Administrative Officer

SCHEDULE "B"

FINANCE

ITEM	FEE
a) Tax Demand Notice for any previous year (at counter) Tax Notice for any previous year (by mail)	\$40.00 -\$5.00 \$10.00
b) Certificate of Taxes and Outstanding Charges	\$40.00 \$20.00
c) Returned Item	\$25.00 \$30.00
d) Mortgage listings (of taxes owing)	\$2.00 \$5.00 per item
e) Refunds of overpayments and transfers between utility and tax accounts	\$25.00

SCHEDULE "C"

ENGINEERING AND OPERATIONS

ITEM	FEE
a) Engineering Standards and Specifications Manual	\$75.00 per copy
b) 1:7500 maps	\$15.00 per page
c) Blue printing	\$10.00 per page
d) Micro-fiche printing	\$3.00 per page
e) Works and Services Administration and Inspection Fees (Based on Certified Engineer's Estimate for Construction) First \$100,000 of estimate Next \$299,000 of estimate (\$100,001 to \$400,000) Next 349,999 of estimate ((\$400,001 to \$750,000) Balance of estimate (Over \$750,000)	3.0% 2.5% 2.0% 1.5%

f) *Springwood Field Lighting tokens (1 hour token)* \$10.00

SCHEDULE "E"

POLICE SERVICES

ITEM		FEE
a)	Security Checks <i>Criminal Records Check</i>	\$20.00 <i>\$40.00</i>
b)	Local Driving Record Checks <i>Police Certificates</i>	\$15.00 <i>\$40.00</i>
c)	Fingerprinting	\$15.00 <i>\$40.00</i>
d)	Background checks for Chauffeur's permit (not needed, included in above)	\$20.00
e)	Miscellaneous photocopies (includes court orders for documents) <i>Photocopy of entire file (ie. court order)</i> <i>Photographs (35mm or digital)</i>	\$0.25 per page (black & white) \$0.50 per page (colour) <i>\$30.00</i> <i>\$1.00</i>
f)	Accident/Crime Scene i) Field diagram ii) Scale drawing iii) Mechanical inspections report iv) Photographs	\$20.00 <i>\$25.00</i> <i>\$40.00</i> <i>\$25.00</i> As established in the RCMP Operations Manual
g)	Motor vehicle accidents reports (<i>MV 6020</i>)	\$20.00 <i>\$25.00</i>
h)	Reports i) Investigation (primary investigator) <i>Traffic Analyst Report</i> ii) Technical (i.e. traffic analyst) <i>Traffic analyst report with photo disk</i>	\$40.00 <i>\$30.00</i> <i>\$50.00</i>
i)	Insurance Letters (certification)	<i>\$25.00</i>

COMMITTEE OF THE WHOLE

August 5, 2008



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

FROM: N. GRAY, MBCSLA, PLANNER

SUBJECT: RESIGNATION OF ADVISORY DESIGN PANEL MEMBER AND
CONSIDERATION OF THE APPOINTMENT OF NEW PANEL MEMBER

ISSUE:

Council notification of the resignation of a Panel member and consideration of the appointment of a new Panel member.

EXECUTIVE SUMMARY:

One Advisory Design Panel member has tendered their resignation and a replacement is needed.

BACKGROUND:

Advisory Panel member Michael Chriss has tendered his resignation from the panel for private reasons. This resignation will reduce the panel to three voting members. As panel members are active professionals, scheduling is at times problematic with a reduced membership.

Ruben Galdames, of Robert Boyle Architecture Inc. (Nanaimo, BC), has expressed an interest in serving on the panel. The candidate meets the educational qualifications under the Terms of Reference. The candidate does not reside within City boundaries. Given the background of current design panel members, the composition requirements based on Advisory Design Panel Terms of Reference can be met with the appointment of this candidate.

OPTIONS:

Council may:

1. Appoint Ruben Galdames as a Design panel member.
2. Re-advertise for additional candidates to consider.

ANALYSIS:

1. As there is an appropriate, experienced candidate to appoint consideration of other options does not appear warranted.

2. Re-advertising for additional candidates will take time and Staff resources. During this process timeline the panel would be operating at minimum levels. Full panel attendance has been an issue for several months.

FINANCIAL CONSIDERATIONS:


The Advisory Design Panel is an unpaid group of volunteers. There is the cost of the advertisements should Council decide advertising is warranted.

RECOMMENDATION:

That the report from the Planner dated August 5, 2008 for Council notification of the resignation of a Panel member and consideration of the appointment of a new panel member be received;
And That Ruben Galdames be appointed to the Advisory Design Panel for the remainder of the current term of Council;
And Further That Michael Chriss be thanked for his valuable services rendered during his term of office as a member of the Advisory Design Panel.



N. GRAY, MBCSLA




G. JACKSON

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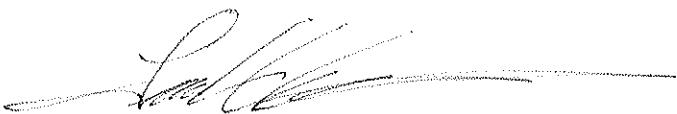
Planning/0540-20/ADVISORY DESIGN PANEL/2008/Agenda/Report-2.

DIRECTOR OF ADMINISTRATIVE SERVICES' COMMENTS:



L. TAYLOR

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



F. MANSON, C.G.A.

COMMITTEE OF THE WHOLE REPORT

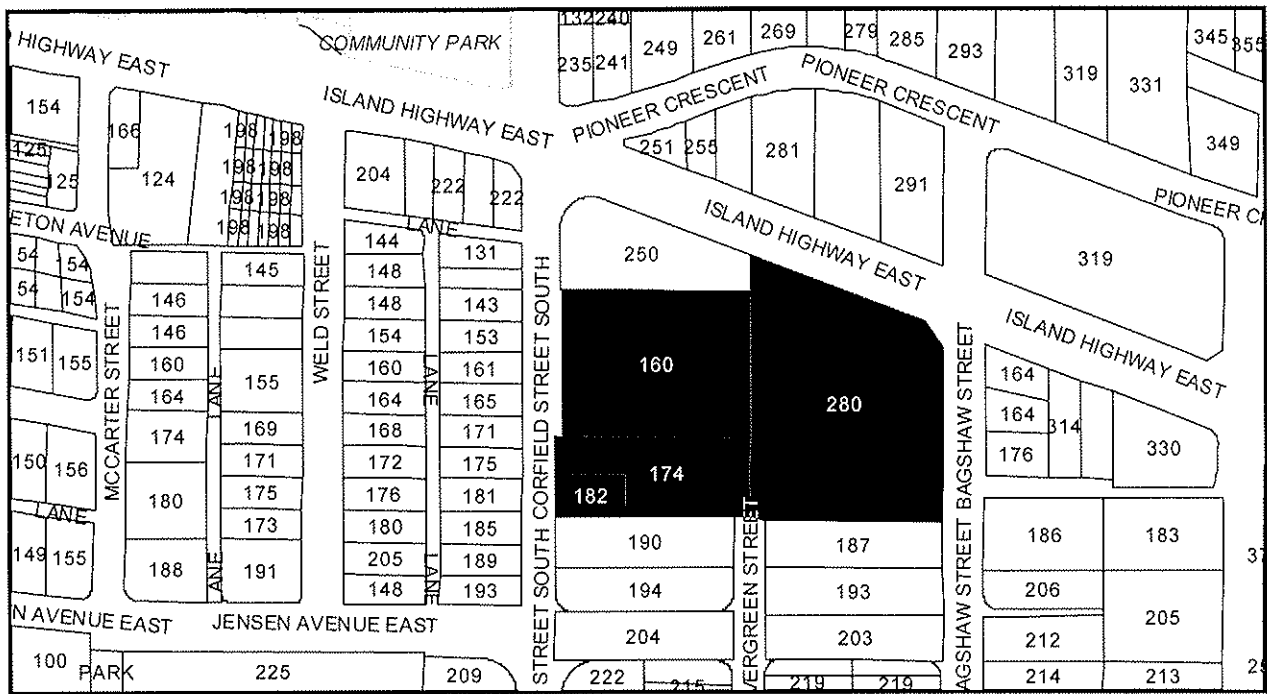


July 31, 2008

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

FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING

SUBJECT: CONSIDERATION OF DEVELOPMENT VARIANCE PERMIT ON LOT A, DISTRICT LOT 4, NANOOSE DISTRICT, PLAN VIP76612, LOT 1 AND 2, DISTRICT LOT 4, NANOOSE DISTRICT, PLAN 32401 AND LOT 1, DISTRICT LOT 4, NANOOSE DISTRICT, PLAN VIP75740 (280 ISLAND HIGHWAY EAST AND 182, 174 AND 160 CORFIELD STREET) REGISTERED OWNER AND APPLICANT: PARK ISLAND PROPERTIES LTD., INC. NO. 407559 FILE 3090-08-01



Issue:

Consideration of development variance permit.

References:

- July 24, 2008 letter to applicant.
July 29, 2008 letter from Park Island Properties Ltd.
Bylaw No. 1235, Sections 2 and 3, [Works and Services Bylaw]

Executive Summary:

A proposed expansion of the Thrifty's store and construction of another building in the same complex trigger the city's Works and Services Bylaw requirements. The developer is seeking a relaxation from some of the perceived requirements. Sufficient information has not been provided to allow for an identification of what those works would be.

Background:

The applicant is proposing an expansion to the store and construction of another building on the site. The expansion will involve a 1,016 sq. m. addition to the Thrifty's Food Store and also a 376.2 sq. m. building to be added to an existing free standing building which fronts Corfield. The overall site is comprised of four separate fee simple lots. Since the development now involves all of these lots as an integrated unit it is necessary for the applicant to consolidate them into one parcel. The provisions of the Works and Services Bylaw, 1995, No. 1235 are triggered by both the requirement for building permits and the consolidation of the parcels.

The impact of this is that the applicant must address all road frontages to ascertain upgrading requirements. This does not necessarily mean that physical work will be required on all those frontages but it does mean that the developer and/or his engineer must establish and identify any disparity between the existing works and their condition and the current standards. Part of this due diligence is a determination of whether or not the existing infrastructure is capable of meeting the added requirements of the new development. It should be noted that in this context works and services include both underground works as well as the visible above ground works. For the underground works due diligence may be an examination of the capacity of pipes and their age and condition.

In this particular circumstance the applicant has expressed a willingness to undertake the required works on Corfield Street (as per his itemized list) but has not undertaken the due diligence with respect to either the portion of the highway to which the development fronts, or Bagshaw Street. The applicant appears to believe that based on the appearance of these two street frontages that there should be no requirement to undertake any further examination. In this regard, the application is deficient in the provision of the basic required information. The applicant is seeking a variance to undertaking any work or due diligence with respect to the Island Highway and Bagshaw Street.

Options:

Council may:

1. Grant the variance.
2. Deny the variance.
3. Table the application until additional information is required.

Analysis:

1. Granting the variance based on the amount of information provided does not permit Council or Staff to know the condition of any of the underground works, as an example. To grant a variance in the absence of this information could result in the City being required to replace or upgrade infrastructure rather than the developer.

The expectation for an applicant to undertake this due diligence, rather than Staff, has been a long-standing one and is based on the premise that the general taxpayer should not be subsidizing work associated with development.

- 2. Denial of the variance is an option based on having inadequate information to evaluate whether the variance is warranted.
- 3. Staff believe that the applicant understands the purpose of the City requesting additional information but is not prepared to provide it. Therefore, tabling the application and requesting additional information is unlikely to receive results.

Sustainability/Environmental Analysis:

There are no environmentally significant features on the development parcel. This is an infill development adding to services within walking distance of the designated downtown core area.

Financial Implications:

If conventional process is followed the only implication is the cost of processing the application which would be covered by the application fee. If added Staff time is assigned to identification of specific requirements for this project additional costs would be incurred. There may also be financial requirements (by the City) to replace and/or upgrade services that would be the usual responsibility of the developer under current bylaw requirements.

Recommendation:

That the report dated July 31, 2008 from the Director of Community Planning for the issuance of a Development Variance Permit at 280 Island Highway East and 182, 174 and 160 Corfield Street be received;

And That a Development Variance Permit not be issued to Park Island Properties Ltd., Inc. No. 407559 to permit the removal of all engineering requirements relating to the Island Highway and Bagshaw Street to permit the expansion of the Thrifty Foods store, a new retail outlet with 3 residential dwellings on the second floor on Lot A, District Lot 4, Nanoose District, Plan VIP76612, Lot 1 and 2, District Lot 4, Nanoose District, Plan 32401 and Lot 1, District Lot 4, Nanoose District, Plan VIP75740 (280 Island Highway East and 182, 174 and 160 Corfield Street).




GAYLE A. JACKSON

GAJ/sh
Attachments

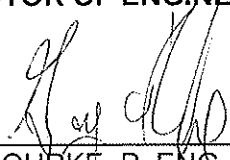
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CORPORATE ADMINISTRATOR'S COMMENTS:



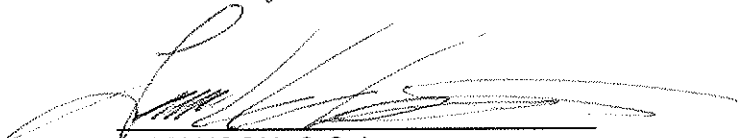
L. TAYLOR

DIRECTOR OF ENGINEERING AND OPERATIONS COMMENTS:



G. O'ROURKE, P. ENG.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.

July 24, 2008

Park Island Properties Ltd.
#202 – 2736 Quadra Street
Victoria, BC V8T 4E6

ATTENTION: KEN HENDERSON

Dear Sirs:

**SUBJECT: LEGAL: LOT A, DISTRICT LOT R, NANOOSE DISTRICT, PLAN VIP76612, LOTS 1 AND 3, DISTRICT LOT 4, NANOOSE DISTRICT, PLAN 32401 AND LOT 1, DISTRICT LOT 4, NANOOSE DISTRICT, PLAN VIP75740
CIVIC: 280 ISLAND HIGHWAY EAST, 182, 174 AND 160 CORFIELD STREET
APPLICATION FOR DEVELOPMENT VARIANCE PERMIT FOR REMOVAL OF ALL ENGINEERING REQUIREMENTS RELATING TO THE ISLAND HIGHWAY AND BAGSHAW STREET BEING DROPPED COMPLETELY TO ALLOW FOR THE EXPANSION OF THE THRIFTY FOODS STORE, AND A NEW RETAIL OUTLET WITH 3 RESIDENTIAL DWELLINGS ON THE 2ND FLOOR.
OUR FILE NO: 3090-08-01**

We acknowledge receipt of your July 18th submission, which included a fee payment of \$2000.00 and explanatory letter.

While we understand conceptually what you are seeking, you have not provided the customary detail which allows for an in-depth evaluation. We have gone back and forth on this topic. I would like to take another opportunity to explain the submission requirements for this type of item. Right now there is a requirement under the City's Works and Services Bylaw for provision of works and services to be provided as a development requirement. The expectation is that these works [being the ones abutting the site; both above ground and underground] be brought up to the standard of the day.

In order to know the scope of these works the City practice is to have the developer review in detail the existing works and identify how they may deviate from the City's current day standards. This review would be undertaken also to consider the established needs of the development (i.e. does the development require different pipe sizes than presently exist) and, the condition of the works (is the age of the infrastructure such that replacement is necessary). While it is sometimes difficult to explain this situation to lay people, who would assume that the City should know what its infrastructure is, it is the last two points that are noteworthy. The review of existing infrastructure, simply put, is in part to determine if it is failing in some way (i.e. age) or if it is adequate to meet the demands of the development (which can vary depending on the scope of the development).

Mr. K. Henderson
July 24, 2008
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As a matter of general philosophy and practice it was determined sometime ago (pre-dating the decade I have been a City employee) that it would be the developer who undertook this due diligence to investigate and confirm whether the City infrastructure was adequate for the proposal, rather than having this work, in effect, subsidized by the general taxpayer if City Staff undertakes it. There is also some liability protection for a City if this approach is taken. A practical and specific example in the scenario you are dealing with is that there may be some question about the age and longevity of one of the servicing pipes. With this rationale in mind, I believe it becomes clear that some additional information is required to support your application. We have attempted to convey to you previously that it is this information that provides a basis for evaluation of what is required. Reasonable judgement is then applied to establish the upgrading requirements.

Without you providing the above described information neither Staff nor Council will be able to evaluate the scope of the relaxation request. Staff is prepared to advance your application as is, but would not be in a position to support the application without this detail. Please let me know you would like to proceed.

Yours truly,



GAYLE A. JACKSON
Director of Community Planning

/sh
Attachment

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cc F. Manson, Chief Administrative Officer
G. O'Rourke, P. Eng., Director of Engineering and Operations

bcc D. Smith, Economic Development Officer

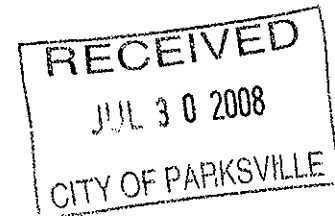


Park Island Properties Ltd.

C/o 202 -- 2736 Quadra Street
Victoria, B C V8T 4E6
Ph: 250-385-9741
FAX: 250-385-9040

July 29, 2008

City Of Parksville
P O Box 1390, 100 Jensen Ave East
Parksville, B C
V9P 2H3



Attn: Gayle A. Jackson, Director of Community Planning

Re: Your File No. 3090-08-01

Dear Ms Jackson,

Thank you for your letter of July 24, 2008. We are very clear as to your position relative to the developer's responsibility to detail the existing works (above ground and below ground) and how they may deviate from the City's current standards.

However our position has not changed either; in that this expansion cannot support any of the works on the Island Highway or Bagshaw. Therefore we do not see the need to undertake more costly studies. We have also been advised (verbally) by B.C. Hydro that they do not wish anyone fooling with their highway works and certainly do not want the wires moved underground.

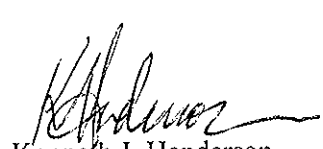
In addition your own staff have indicated that applying the *downtown* standard as to sidewalks, etc. to our property makes no sense as it would not match anything in the area (indeed the Post Office next door), and would require removing the mature trees currently fronting the highway.

We feel the bylaw is poorly worded in that it applies to new and existing properties alike. We have already done significant upgrading of services on Bagshaw and the Island Highway. You have indicated the bylaw threshold is \$50,000 – so that even if we were to build a small garden shop for example costing \$50,000 we could be subject to over \$1,000,000 worth of offsite costs. Surely this makes no common sense whatsoever. Our planned expansion has virtually no impact on sewers, storm drains, water, schools or hospitals.

It appears that only Council can resolve this matter in an expedient manner. Please forward our application to Council without your endorsement. If it fails we think the City will be the poorer for it.

Yours truly,


Russell D. Stubbs


Kenneth J. Henderson

Copy: Fred Manson, City of Parksville Chief Administrative Officer
Gary O'Rourke, Director of Engineering and Operations
Mayor Sandra Herle and Council, City of Parksville
Vaughan Roberts, Park City Engineering
Ray Bourbonnais, Thrifty Foods