



# City of PARKSVILLE

PO Box 1390, 100 E. Jensen Avenue, Parksville, BC V9P 2H3  
Telephone: (250) 248-6144 Fax: (250) 248-6650  
www.parksville.ca

## COUNCIL MEETING AGENDA

MONDAY, DECEMBER 1, 2008 - 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the regular meeting of Council held November 17, 2008 - Pages 1 to 3

**Recommendation: THAT the minutes of the regular meeting of Council held November 17, 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) Director of Administrative Services - 2008 Local Election Results - Pages 4 to 9  
*Under the provisions of the Local Government Act within 30 days after the declaration of the official election results, the chief election officer must submit a report of the results to Council.*

**Recommendation: THAT the Determination of Election Results and the Declaration of Official Election Results by the Chief Election Officer for the 2008 General Local Elections, be received.**

- b) Director of Administrative Services - Lease Agreement Renewal with Parksville and District Historical Society - Pages 10 to 15  
*Renewal of a lease, for an additional five years, with Parksville & District Historical Society for property at 1245 E. Island Highway.*

**Recommendation: THAT the report dated November 20, 2008 from the Director of Administrative Services regarding the Parksville & District Historical Society Lease, 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 & District**

**Historical Society for the property located at 1245 East Island Highway, Lot 8, Block 564, Nanoose District, Plan 33339, except Part in Plan VIP60816 and VIP62488 (PID 000-234-907) for the period December 18, 2008 to and including December 17, 2013 with an option to renew for a further term.**

- c) Director of Administrative Services - Amendment to City of Parksville Dog Licence and Pound Bylaw - Pages 16 to 18

*An amendment to the Dog Licence and Pound Bylaw is required to address the use of volunteer dog teams to control wild birds and to provide for "off leash areas" as currently the bylaw has a complete prohibition on dogs at large within the municipality.*

**Recommendation: THAT the report dated November 25, 2008 from the Director of Administrative Services entitled "Amendment to City of Parksville Dog Licence and Pound Bylaw " be received for information.**

**AND THAT the "City of Parksville Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2" be advanced to Council for reading consideration.**

9. BYLAWS

- a) "Development Application Procedures and Fees Amendment Bylaw, 2008, No. 1422.2"  
*Amendment to change the time limit that is required for amending (zoning) bylaws to be finalized after third reading has been granted from 12 months to 2 years*

(i) **Recommendation: THAT "Development Application Procedures and Fees Amendment Bylaw, 2008, No. 1422.2" be adopted.**

- b) "Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2" - Page 18  
*An amendment to the Dog Licence and Pound Bylaw is required to address the use of volunteer dog teams to control wild birds and to provide for "off leash areas" as currently the bylaw has a complete prohibition on dogs at large within the municipality.*

(i) **Recommendation: THAT "Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2" be read a first time.**

(ii) **Recommendation: THAT "Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2" be read a second and third time.**

10. NEW BUSINESS

11. NOTICE OF MOTION

12. SPECIAL BUSINESS (Closed/In Camera)

13. ADJOURNMENT

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# TO BE ADOPTED

CITY OF PARKSVILLE

November 17, 2008

Minutes of the regular meeting of Council held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, November 17, 2008 at 6:00 p.m.

**PRESENT:** Her Worship Mayor S. R. Herte

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

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

**1. ADOPTION OF MINUTES**

08-323 Lefebvre - Patterson  
THAT the minutes of the regular meeting of Council held November 3, 2008 be adopted. CARRIED.

**2. APPROVAL OF AGENDA**

08-324 Powell - Lefebvre  
THAT the November 17, 2008 Council meeting agenda be approved. CARRIED.

**3. PRESENTATIONS - Nil**

**4. DELEGATIONS - Nil**

**5. UNFINISHED BUSINESS**

**a) Parksville Community and Conference Centre – 2009 Budget**

08-325 Burger - Powell  
THAT the 2009 budget for the Parksville Community and Conference Centre showing a total revenue of \$304,757.54 be approved. CARRIED.

**6. CORRESPONDENCE - Nil**

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

**8. REPORTS**

a) **Director of Finance – Home Based Medical Equipment**

Lefebvre - Powell  
08-326 THAT the report dated October 31, 2008 from the Director of Finance regarding home based medical equipment be received for information;  
AND THAT assistance in the amount of a maximum of \$350 for water and \$175 for sewer per annum be provided to residential users of home based medical equipment upon satisfactory proof that medical equipment has been requested by a medical doctor;  
AND THAT staff be directed to amend the appropriate water and sewer rates bylaws and bring them forward to Council for reading consideration;  
AND FURTHER THAT staff be directed to contact the Regional District of Nanaimo and request similar relief be provided for the garbage rates. CARRIED.

b) **Building Inspector – Summary of Permit Types October 2008**

Burger - Powell  
08-327 THAT the Building Inspector's summary of permit type report for October 2008 showing a cumulative year to date value of \$18,484,101, be received. CARRIED.

c) **Fire Chief – Monthly Incident and Inspection Reports October 2008**

Lefebvre - Powell  
08-328 THAT the Fire Chief's summary of incident type report for October 2008 showing a total of 56 calls and the monthly inspection report for October 2008 showing 65 inspections, be received. CARRIED.

d) **Manager of Current Planning – Consideration of amendment to Development Application Procedures & Fees Bylaw, 2007 No. 1422**

Patterson - Lefebvre  
08-329 THAT the report from the Manager of Current Planning dated November 12, 2008 regarding consideration of an amendment to the "Development Application Procedures & Fees Bylaw, 2007, No. 1422" to amend Section 9(d) Time Limit, Extension and Reapplication, be received;  
AND THAT the bylaw to amend "Development Application Procedures & Fees Bylaw, 2007, No. 1422" be advanced for reading consideration by Council. CARRIED.

**9. BYLAWS**

a) **"Works and Services Amendment Bylaw, 2008, No. 1235.2"**

*Amendment to change the threshold value that triggers works and services from \$50,000 to \$200,000; provide exemptions for subdivisions where only one additional single family lot is created; and to exempt sustainability retrofits.*

Lefebvre - Powell  
08-330 THAT "Works and Services Amendment Bylaw, 2008, No. 1235.2" be adopted. CARRIED.

- b) **"Subdivision Servicing Amendment Bylaw, 2008, No. 1261.9"**  
*Amendment related to the amendment of the Works and Services Bylaw to provide exemptions for subdivisions where only one additional single family lot is created.*

08-331 Lefebvre - Burger  
THAT "Subdivision Servicing Amendment Bylaw, 2008, No. 1261.9" be adopted.  
CARRIED.

- c) **"Development Application Procedures and Fees Amendment Bylaw, 2008, No. 1422.2"**  
*Amendment to change the time limit that is required for amending (zoning) bylaws to be finalized after third reading has been granted from 12 months to 2 years*

08-332 Lefebvre - Powell  
THAT "Development Application Procedures and Fees Amendment Bylaw, 2008, No. 1422.2" be read a first time. CARRIED.

08-333 Lefebvre - Powell  
THAT "Development Application Procedures and Fees Amendment Bylaw, 2008, No. 1422.2" be read a second and third time. CARRIED.

10. **NEW BUSINESS** - Nil

11. **NOTICE OF MOTION**

08-334 Robinson – Lefebvre  
THAT the November 24, 2008 regularly scheduled Committee of the Whole meeting be cancelled. CARRIED.

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 6:26 p.m.

Certified Correct.

\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Director of Administrative Services

November 18, 2008

AGENDA  
COUNCIL  
DEC 01 2008  
DATE

**MEMO TO:** F.C. MANSON, CHIEF ADMINISTRATIVE OFFICER

**FROM:** L. TAYLOR, CHIEF ELECTION OFFICER/DIRECTOR OF ADMINISTRATIVE SERVICES

**SUBJECT:** 2008 Local Election Results

**ISSUE:**

Report on Local Election Results

**EXECUTIVE SUMMARY**

Under the provisions of the *Local Government Act* within 30 days after the declaration of the official election results, the chief election officer must submit a report of the results to Council.

**REFERENCES:**

*Local Government Act section 148*

Determination of Election Results for the General Local Elections on November 15, 2008.

**BACKGROUND:**

On November 15, 2008, general local elections were held for the Mayor and six Councillors for the City of Parksville, four School Trustees for School District No. 69 (Qualicum) Area G and other voting was held regarding the Fire Hall Loan Authorization Bylaw, 2008, No. 1442. Following the close of voting on November 15 the Chief Election Officer released the preliminary election results. On November 17, 2008, the determination of official election results was done by the Chief Election Officer and the official election results were declared.

Section 148.(1) of the *Local Government Act* requires the Chief Election Officer to submit a report of the election results to the local government within 30 days after the declaration of the official results. As required under the *Act*, the election results are attached to this report.

**RECOMMENDATION**

THAT the Determination of Election Results and the Declaration of Official Election Results by the Chief Election Officer for the 2008 General Local Elections, be received.

Respectfully submitted,



LAURIE TAYLOR

Director of Administrative Services

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**




FRED C. MANSON, CGA

Chief Administrative Officer

City of Parksville  
 Official Election Results  
 General Local Elections - November 15, 2008

MAYOR		COUNCILLORS	
MAYNE, Ed	<b>1,616</b>	BURGER, Chris	<b>2,172</b>
BURDEN, Kim	<b>1,033</b>	GREIR, AI	<b>2,151</b>
HERLE, Sandy	<b>779</b>	POWELL-DAVIDSON, Carrie	<b>1,816</b>
COLLIS, Dallas	<b>404</b>	PATTERSON, Teresa	<b>1,716</b>
		POWELL, Sue	<b>1,678</b>
<b>FIREHALL</b>	<b>REFERENDUM</b>	LEFEBVRE, Marc	<b>1,637</b>
No	<b>2,313</b>	ROBINSON, Charles	<b>1,601</b>
Yes	<b>1,473</b>	ROUND, Duane	<b>1,581</b>
		LAPLANTE Murray	<b>1,463</b>
		MILLER, Stan	<b>986</b>
<b>SCHOOL TRUSTEES</b>			
WILLIAMS, E. Jane	<b>1,731</b>		
COWNDEN, Bruce	<b>985</b>		
KUPKEE, Joe	<b>793</b>		
ROY, William	<b>766</b>		

This determination of official election results was made by the Chief Election Officer on Monday, November 17, 2008 at 10:30 a.m. and is based on ballot accounts as prepared by the Chief Election Officer.


  
 Laurie Taylor  
 Chief Election Officer

**City of Parksville  
 Official Election Results  
 General Local Elections - November 15, 2008**

**FIRE HALL ADDITION LOAN AUTHORIZATION BYLAW, 2008, NO. 1443**

VOTING LOCATION	YES	NO		TOTAL Ballots
Advance Voting - November 5, 2008 - PCCC	79	147		226
Special Advance Voting - November 7, 2008 - Trillium Lodge	0	3		3
Special Advance Voting - November 7, 2008 - Stanford Place	5	1		6
Special Advance Voting - November 10, 2008 - Arrowsmith Lodge	7	6		13
Advance Voting - November 12, 2008 - PCCC	177	283		460
Special Advance Voting - November 13, 2008 - Halliday House	2	1		3
General Voting - November 15, 2008 - PCCC	708	1,095		1,803
General Voting - November 15, 2008 - Baptist Church	495	777		1,272
Total Number of Valid Votes Cast	1,473	2,313	0	3,786
% of Valid Votes	38.91%	61.09%	0.00%	100.00%

This determination of official election results was made by the Chief Election Officer on Monday, November 17, 2008 at 10:30 a.m. and is based on ballot accounts as prepared by the Chief Election Officer.

  
 Laurie Taylor  
 Chief Election Officer

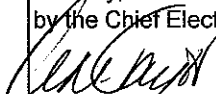


**City of Parksville  
Official Election Results  
General Local Elections - November 15, 2008**

**MAYOR**

<b>Voting Location</b>	<b>BURDEN, Kim</b>	<b>COLLIS, Dallas</b>	<b>HERLE, Sandy</b>	<b>MAYNE, Ed</b>	<b>TOTAL Ballots</b>
Advance Voting - November 5, 2008 - PCCC	72	18	39	100	<b>229</b>
Special Advance Voting - November 7, 2008 - Trillium Lodge	0	0	2	1	<b>3</b>
Special Advance Voting - November 7, 2008 - Stanford Place	0	0	3	3	<b>6</b>
Special Advance Voting - November 10, 2008 - Arrowsmith Lodge	4	3	3	3	<b>13</b>
Advance Voting - November 12, 2008 - PCCC	120	36	81	228	<b>465</b>
Special Advance Voting - November 13, 2008 - Halliday House	0	0	3	0	<b>3</b>
General Voting - November 15, 2008 - PCCC	519	184	389	739	<b>1,831</b>
General Voting - November 15, 2008 - Baptist Church	318	163	259	542	<b>1,282</b>
<b>Total Number of Valid Votes Cast</b>	<b>1,033</b>	<b>404</b>	<b>779</b>	<b>1,616</b>	<b>3,832</b>
<b>% of Valid Votes</b>	<b>26.96%</b>	<b>10.54%</b>	<b>20.33%</b>	<b>42.17%</b>	<b>100.00%</b>

This determination of official election results was made by the Chief Election Officer on Monday, November 17, 2008 at 10:30 a.m. and is based on ballot accounts as prepared by the Chief Election Officer.


  
Laurie Taylor  
Chief Election Officer

City of Parksville  
 Official Election Results  
 General Local Elections - November 15, 2008

COUNCILLORS

Voting Location	BURGER, Chris	GREIR, Al	LAPLANTE Murray	LEFEBVRE, Marc	MILLER, Stan	PATTERSON Teresa	POWELL, Sue	POWELL- DAVIDSON, Carrie	ROBINSON, Charles	ROUND, Duane	TOTAL Votes
Advance Voting - November 5, 2008 - PCCC	138	129	117	102	53	108	86	121	117	86	1,057
Special Advance Voting - November 7, 2008 - Trillium Lodge	2	1	2	0	0	1	1	1	0	1	9
Special Advance Voting - November 7, 2008 - Stanford Place	5	2	0	3	2	2	0	4	1	4	23
Special Advance Voting - November 10, 2008 - Arrowsmith Lodge	8	4	6	7	4	7	4	6	5	6	57
Advance Voting - November 12, 2008 - PCCC	276	249	196	203	117	191	223	187	204	204	2,050
Special Advance Voting - November 13, 2008 - Holliday House	1	0	1	0	1	2	2	1	0	1	9
General Voting - November 15, 2008 - PCCC	1,038	996	699	785	477	815	794	904	739	750	7,997
General Voting - November 15, 2008 - Baptist Church	704	770	442	537	332	590	568	592	535	529	5,599
Total Number of Valid Votes Cast	2,172	2,151	1,463	1,637	986	1,716	1,678	1,816	1,601	1,581	16,801
% of Valid Votes	12.93%	12.80%	8.71%	9.74%	5.87%	10.21%	9.95%	10.81%	9.53%	9.41%	100.00%

This determination of official election results was made by the Chief Election Officer on  
 Monday, November 17, 2008 at 10:30 a.m. and is based on ballot accounts as prepared  
 by the Chief Election Officer.

  
 Laurie Taylor  
 Chief Election Officer

**City of Parksville  
 Official Election Results  
 General Local Elections - November 15, 2008**

**SCHOOL TRUSTEE**

<b>Voting Location</b>	<b>COWNDEN, Bruce</b>	<b>KUPKEE, Joe</b>	<b>ROY, William</b>	<b>WILLIAMS, E. Jane</b>	<b>TOTAL Ballots</b>
Advance Voting - November 5, 2008 - PCCC	64	39	46	107	256
Special Advance Voting - November 7, 2008 - Trillium Lodge	0	0	0	0	0
Special Advance Voting - November 7, 2008 - Stanford Place	1	1	1	2	5
Special Advance Voting - November 10, 2008 - Arrowsmith Lodge	1	2	2	6	11
Advance Voting - November 12, 2008 - PCCC	145	95	93	204	537
Special Advance Voting - November 13, 2008 - Halliday House	0	0	1	2	3
General Voting - November 15, 2008 - PCCC	466	368	362	828	2,024
General Voting - November 15, 2008 - Baptist Church	308	288	261	582	1,439
<b>Total Number of Valid Votes Cast</b>	<b>985</b>	<b>793</b>	<b>766</b>	<b>1,731</b>	<b>4,275</b>
<b>% of Valid Votes</b>	<b>23.04%</b>	<b>18.55%</b>	<b>17.92%</b>	<b>40.49%</b>	<b>100.00%</b>

This determination of official election results was made by the Chief Election Officer on Monday, November 17, 2008 at 10:30 a.m. and is based on ballot accounts as prepared by the Chief Election Officer.



Laurie Taylor  
 Chief Election Officer

## REPORT TO COUNCIL

November 20, 2008

**MEMO TO: FRED MANSON, CHIEF ADMINISTRATION OFFICER**  
**FROM: LAURIE TAYLOR, DIRECTOR OF ADMINISTRATIVE SERVICES**  
**SUBJECT: LEASE AGREEMENT RENEWAL WITH PARKSVILLE & DISTRICT HISTORICAL SOCIETY (0870-DI)**

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### ISSUE

Lease renewal with Parksville & District Historical Society.

### EXECUTIVE SUMMARY

Renewal of a lease, for an additional five years, with Parksville & District Historical Society for property at 1245 E. Island Highway.

### REFERENCE

Proposed draft 2008 – 2013 Parksville & District Historical Society Sections 26(3) and 94(2) of the *Community Charter*

### BACKGROUND

Since 1981 the Parksville & District Historical Society has leased the City-owned land at 1245 E. Island Highway as a site for the Craig Heritage Park buildings and artifacts. The Society owns the buildings and their contents and is responsible for all maintenance, utilities, insurance, landscaping and general upkeep of the facility and grounds. The current five year lease expires on December 17, 2008.

Under the provisions of the *Community Charter* notice of intention to lease the property must be published once a week for two consecutive weeks. This has been done and as of the date of this report no comments had been received regarding the proposed lease.

The Society has not requested any changes be made to the lease agreement. Different conditions imposed by the City for the use of the land could have significant impact on the Society's ability to maintain and operate the facility.

### OPTIONS

1. Renew the lease in accordance with renewal section of the current lease for the renewal period of 5 years, with the increase of liability insurance from Two million dollars (\$2,000,000) to Five million dollars (\$5,000,000).
2. Refer the lease back to staff with specific direction regarding renewal, termination and/or any other changes.

**ANALYSIS**

Council's options are relatively limited in that the current agreement includes an option for renewal. While the agreement does not generate any revenue, there has been no cost to the municipality in terms of maintenance of the area. As well the lease generates social value to the community in that it enables the Society to display the history of the area.

**FINANCIAL IMPLICATIONS**

There are no financial implications other than the staff time for preparation of the lease and advertizing costs.

**ENVIRONMENTAL SUSTAINABILITY**

Nil

**STAFF RECOMMENDATION**

**THAT** the report dated November 20, 2008 from the Director of Administrative Services regarding the Parksville & District Historical Society Lease, 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 & District Historical Society for the property located at 1245 East Island Highway, Lot 8, Block 564, Nanoose District, Plan 33339, except Part in Plan VIP60816 and VIP62488 (PID 000-234-907) for the period December 18, 2008 to and including December 17, 2013 with an option to renew for a further term.

Respectfully submitted,



\_\_\_\_\_  
**LAURIE TAYLOR**  
Director of Administrative Services

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

\_\_\_\_\_  
**FRED C. MANSON, CGA**  
Chief Administrative Officer

**THIS AGREEMENT** made the.

**BETWEEN:**

**CITY OF PARKSVILLE**  
100 E. JENSEN AVENUE  
PO BOX 1390  
PARKSVILLE, BC V9P 2H3  
(hereinafter called the "City")  
OF THE FIRST PART

**AND**

**PARKSVILLE & DISTRICT HISTORICAL SOCIETY**  
1245 E. ISLAND HIGHWAY  
PARKSVILLE, BC V9P 2E5  
(hereinafter called the "Society")  
OF THE SECOND PART

**WHEREAS**

- A. The City is the registered owner of those lands and premises located at 1245 East Island Highway, Lot 8, Block 564, Nanoose District, Plan 33339, except Part in Plan VIP60816 and VIP62488 (PID 000-234-907) shown outlined in heavy black on the sketch plan attached as Schedule "A" (the "lands")
- B. The Society wishes to lease the lands for purpose of operation of Craig Heritage Park Museum and Archives.
- 1.

**NOW THEREFORE** in consideration of the rents, covenants and conditions set out below, the parties agree as follows:

1.01. TERM

The City leases the lands to the Society for a five year terms commencing on the 18<sup>th</sup> day of December, 2008 and ending on the 17<sup>th</sup> day of December, 2013 (the "term")

2.01. RENT

The Society shall pay to the City rent of the annual sum of ONE (\$1.00) DOLLAR payable upon execution of this agreement.

3.01 CITY'S COVENANTS

The City covenants with the Society:

- a) quiet enjoyment.
- b) access to and use of the adjacent motor vehicle parking area.

#### 4.01. SOCIETY'S COVENANTS

The Society covenants with the City:

- a) to pay to the City the rent outlined in section 2.01;
- b) to maintain all building and improvements at its own cost and to permit the City and its agents to enter, at all reasonable times, the lands to view the state of repair thereof;
- c) to maintain all landscaping at its own cost;
- d) not to do or suffer any act in contravention of any statute, bylaw, rule or regulation of any governmental authority;
- e) the Society hereby indemnifies the City from any claims, causes of action suits or demands whatsoever which any person can or may have against the City for any loss or damage or injury that any person may sustain or suffer arising out of the Society's occupation of the lands or the operation by the Society of the site;
- f) not to assign or sublet the term hereby granted without the consent of the City being first had and obtained, such consent, however, not to be unreasonably withheld;
- g) the Society shall supply to the City on the 17<sup>th</sup> day of December of each year of the term, a copy of the public liability insurance policy insuring the Society and the City in an amount of at least FIVE MILLION (\$5,000,000.00) DOLLARS for any liability whatsoever arising out of the Society's occupation of the lands;
- h) the Society is solely responsible for and will promptly pay all charges for gas, electricity, janitor service, window cleaning and any other utility or service used or consumed with respect to the lands. The City will not be liable to the Society in damages or otherwise for an interruption or failure in the supply of utilities or services to the lands unless caused by the gross negligence of the City or another person for whose negligence the City is responsible in law.
- i) to present to Council an annual report on or before the anniversary date of the Lease, outlining the work undertaken in the past year and work contemplated in the next succeeding year;
- j) to present for the approval of Council, work contemplated in the next succeeding year and to only undertake the works approved in the annual report unless expressly authorized by Council.

#### 5.01 MUTUAL COVENANTS

The City and the Society mutually covenant, one with the other as follows:

- a) in the event of any default in the payment of rent or of a breach of any other covenant on the part of the Society herein, then the City may, at its option, if the breach is not corrected within SIXTY (60) DAYS of the receipt by the Society of a Notice requiring the Society to correct the breach, and upon written Notice of Termination of this Lease, enter and repossess the demised premises and, in this case, the lease shall immediately cease;

- b) if the Society performs all provisos and agreements herein on the part of the Society to be performed, the City will, at the expiration of the term and on written request by the Society, delivered or mailed to the City not later than THREE (3) MONTHS before the expiration of the term, grant to the Society a renewal lease of the premises for a further term of FIVE (5) YEARS from the end of the term hereby granted at a yearly rent of ONE (\$1.00) DOLLAR;
- c) any notices required to be given under this agreement shall be deemed to be sufficiently given:
  - (i) if delivered, at the time of delivery, and
  - (ii) if mailed from any government Post Office in the Province of BC by prepaid, registered mail addressed as follows:

If to the City:

Director of Administrative Services  
 City of Parksville  
 100 E. Jensen Avenue  
 P.O. Box 1390  
 Parksville, BC V9P 2H3

If to the Society

Parksville & District Historical Society  
 1245 E. Island Highway  
 Parksville, BC V9P 2E5

- d) this agreement binds and benefits the parties and their respective heirs, executors, administrators, successors and assigns. No rights, however, benefit an assignee of the Society unless under paragraph 4.02(f) the assignment was consented to in writing by the City.

**IN WITNESS WHEREOF** the authorized signatories of the City and the Society have executed this agreement on the day and year first written above.

**PARKSVILLE & DISTRICT HISTORICAL SOCIETY)**

\_\_\_\_\_  
 Authorized Signatory

\_\_\_\_\_  
 Authorized Signatory

**CITY OF PARKSVILLE**

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 Director of Administrative Services



LOT 1 PLAN 28271

LOT 1  
PLAN  
9457

LOT 2  
PLAN 28271

SEAMAY  
DRIVE

SEE DETAIL A

FRANKLIN'S  
GULL ROAD

LOT 8  
PLAN 33339

NORTHWEST

District 69 Historical Society

Chamber of Commerce

PLAN 36490

LOT 1  
PLAN  
41257

INDUSTRIAL  
WAY

PARK  
0.924 ha

BAY ROAD

ISLAND

LOT 6  
PLAN  
33339

E&N LAND  
BLK. 564  
D.L. 40

7  
4.06 ha

PLAN 33967  
HIGHWAY

PAGE  
15

LOT

November 25, 2008

**MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER**  
**FROM: LAURIE TAYLOR, DIRECTOR OF ADMINISTRATIVE SERVICES**  
**SUBJECT: Amendment to City of Parksville Dog Licence and Pound Bylaw**

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**ISSUE:**

Amend the Dog Licence and Pound Bylaw is required to address the use of volunteer dog teams to control wild birds and to provide for "off leash areas".

**EXECUTIVE SUMMARY**

An amendment to the Dog Licence and Pound Bylaw is required to address the use of volunteer dog teams to control wild birds and to provide for "off leash areas" as currently the bylaw has a complete prohibition on dogs at large within the municipality.

**REFERENCES:**

*Draft City of Parksville Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2*

**BACKGROUND:**

On November 3, 2008 Council considered a report from the Manager of Operations regarding the control of Canada geese in our parks and adopted the following resolution:

THAT Council direct staff to pursue the option of using volunteer dog teams to chase geese away from the PCTC Park on a trial period, subject to confirmation of permitting requirements from regulatory agencies.

The City's Dog Licence and Pound Regulation Bylaw currently prohibits dogs at large within city limits. In order to permit the control of geese in this manner it is necessary to amend the bylaw to make an exception for persons under contract with the City for the purpose of controlling wild birds.

It is also recommended that the bylaw be amended to "legalize" the current off leash area in Springwood Park on Despard Avenue. This area has been in existence for a number of years and is appreciated and highly utilized by dog owners. Currently there is no provision in the bylaw for this type of area.

**OPTIONS:**

1. Forward the amendment to the Dog Licence and Pound Regulation Bylaw for reading consideration.
2. Not amend the bylaw and operate the proposed goose control method either in contravention of the bylaw, or not use volunteer dog teams as a method of control.

Staff recommends Option 1.

**ANALYSIS**

Amendment of the bylaw is required if the City wants to implement the control of wild birds by using volunteer dog teams. As well the existing off-leash dog park must be sanctioned, or the off leash area shut down.

**SUSTAINABILITY/ENVIROMENTAL IMPLICATIONS**

None

**FINANCIAL IMPACT**

None

**STAFF RECOMMENDATION:**

**THAT** the report dated November 25, 2008 from the Director of Administrative Services entitled "Amendment to City of Parksville Dog Licence and Pound Bylaw " be received for information.

**AND THAT** the "City of Parksville Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2" be advanced to Council for reading consideration.

Respectfully submitted,



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**LAURIE TAYLOR**  
Director of Administrative Services

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**



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**FRED C. MANSON, CGA**  
Chief Administrative Officer

# CITY OF PARKSVILLE

## BYLAW NO. 1284.2

### A BYLAW TO AMEND THE "DOG LICENCE AND POUND BYLAW, 1997, NO. 1284".

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The Municipal Council of the City of Parksville in open meeting assembled enacts as follows:

1. THAT "City of Parksville Dog Licence and Pound Bylaw, 1997, No. 1284", be amended by:
    - a) Amending Section 1 by adding the definition for Off Leash Area as follows:

""OFF LEASH AREA" means those areas as designated and signed by the municipality as an off leash area where dogs may be at large".
    - a) Renumbering paragraphs (a) and (b) of Section 21 of Part III Control of Dogs to Section 21.1.
    - b) Deleting Section 21 of Part III Control of Dogs in its entirety and replacing it with the following:

"21. No person who is the owner of a dog shall permit, suffer or allow such dog to be at large within the municipality with the following exceptions:
      - (a) the owner of the dog has entered into a valid contract with the Municipality for the purpose of controlling wild birds, provided such dog shall at all times be under the supervision and control of their owner; or
      - (b) within a designated off leash area, provided that such dog shall at all times be under the supervision and control of their owner."
2. This bylaw may be cited for all purposes as "City of Parksville Dog Licence and Pound Amendment Bylaw, 2008, No. 1284.2".

**READ A FIRST TIME** this

**READ A SECOND TIME** this

**READ A THIRD TIME** this

**ADOPTED** this

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Mayor

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Director of Administrative Services