

City of
Parksville

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COUNCIL MEETING AGENDA

MONDAY, DECEMBER 7, 2009

Immediately following the adjournment of the Committee of the Whole Meeting

1. ADOPTION OF MINUTES

- a) of the Public Hearing held November 16, 2009 - Pages 1 to 2
"Zoning and Development Amendment Bylaw, 2009, No. 2000.76" - Update the home occupations (home based business) regulations.

Recommendation: THAT the minutes of the Public Hearing held November 16, 2009 be adopted.

- b) of the Council meeting held November 16, 2009 - Pages 3 to 7

Recommendation: THAT the minutes of the meeting of Council held November 16, 2009 be adopted.

2. APPROVAL OF AGENDA

Mayor - 2010 Committee Appointments - Pages 8 to 12

Each year at the first Council meeting in December the Mayor makes annual voting and liaison appointments to Boards, Commissions and Associations, and required appointments to the Parcel Tax Review Panel. Acting Mayor appointments to December 4, 2011 were approved at the December 8, 2008 Council meeting.

3. COUNCIL APPOINTMENTS (by Mayor)

THAT Mayor E. F. Mayne and Councillor C. R. Burger be appointed to the Audit Committee for the period of December 7, 2009 to December 5, 2010 inclusive.

4. PARCEL TAX REVIEW PANEL

THAT Mayor E. F. Mayne and Councillors C. R. Burger, A. R. Greir, M. Lefebvre, T. C. Patterson, S. E. Powell, and C. J. Powell-Davidson be appointed to the 2010 Parcel Tax Roll Review Panel.

5. APPOINTMENTS TO BOARDS, COMMISSIONS & ASSOCIATIONS (VOTING)

THAT the following Council voting appointments be made to Boards, Commissions and Associations for the period of December 7, 2009 to December 5, 2010 inclusive:

- a) **THAT** Councillor M. Lefebvre be appointed to the Arrowsmith Water Service Management Committee.
- b) **THAT** Councillor T. C. Patterson be appointed to the District #69 Recreation Commission.
- c) **THAT** Mayor E. F. Mayne be appointed to the Municipal Insurance Association.
- d) **THAT** Mayor E. F. Mayne be appointed to the Regional District of Nanaimo Board of Directors;
AND THAT Councillor C. R. Burger be appointed alternate.
- e) **THAT** Councillor S. E. Powell be appointed to the Vancouver Island Regional Library Board;
AND THAT Councillor C. J. Powell-Davidson be appointed alternate.

6. APPOINTMENTS TO BOARDS, COMMISSIONS & ASSOCIATIONS (LIAISONS)

THAT the following Council liaison appointments be made to Boards, Commissions and Associations for the period December 7, 2009 to December 5, 2010 inclusive;
AND THAT the role of liaison be to facilitate cooperation and communications between the City and the Boards, Commissions and Associations:

- a) **THAT** Councillor T. C. Patterson be appointed to the Advisory Planning Commission.
- b) **THAT** Councillor C. R. Burger be appointed to the Communities in Bloom Committee.
- c) **THAT** Councillor M. Lefebvre be appointed to the Island Corridor Foundation.
- d) **THAT** Councillor C. R. Burger be appointed to the Mount Arrowsmith Biosphere Reserve.
- e) **THAT** Councillor S. E. Powell be appointed to the Oceanside Community Arts Council.
- f) **THAT** Councillor A. R. Greir be appointed to the Oceanside Development and Construction Association.
- g) **THAT** Councillor C. J. Powell-Davidson be appointed to the Oceanside Tourism Association.
- h) **THAT** Councillor M. Lefebvre be appointed to the Old Age Pensioners Association.
- i) **THAT** Councillor A. R. Greir be appointed to the Parksville Beach Festival Society.
- j) **THAT** Councillor C. J. Powell-Davidson be appointed to the Parksville Community and Conference Centre Society.

- k) **THAT** Councillor C. R. Burger be appointed to the Parksville & District Chamber of Commerce.
- l) **THAT** Councillor A. R. Greir be appointed to the Parksville and District Historical Society.
- m) **THAT** Councillor C. R. Burger be appointed to the Parksville Downtown Business Association.
- n) **THAT** Councillor A. R. Greir be appointed to the Ripple Effect Program (GJJS);
AND THAT Councillor S. E. Powell be appointed alternate.

7. **2010 MEETING DATES**

- a) Deputy Corporate Administrator - 2010 Meeting Dates - Pages 13 to 15
Under the provisions of the Community Charter once a year a meeting schedule must be made available to the public. Council Procedure Bylaw No. 1386 requires that this be done prior to January 1, 2010.

***Recommendation: THAT the report from the Deputy Corporate Administrator dated November 20, 2009 entitled "2010 Meeting Dates" be received;
AND THAT the Council meeting scheduled for January 4, 2010 be cancelled.***

8. **PRESENTATIONS**

9. **DELEGATIONS**

10. **UNFINISHED BUSINESS**

11. **CORRESPONDENCE**

- a) Parksville and District Chamber of Commerce - Request to Establish an Outdoor Food Vendor Service - Page 16

***Recommendation: THAT the correspondence from the Parksville and District Chamber of Commerce dated November 16, 2009, be received;
AND THAT the request to establish an outdoor food vendor service on Part of Lot 8, District Lot 40, Nanoose District, Plan 33339 [1275 Island Highway East] be referred to staff for review and recommendation.***

- b) Joan Hasell - Community Park Concession Contract - Pages 17 to 20

Recommendation: THAT the letter from Joan Hasell dated December 1, 2009 regarding the Community Park concession contract and proposed policy amendment, be received for information.

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

13. REPORTS

a) Committee of the Whole - November 16, 2009 - Page 21

- (1) Deputy Corporate Administrator - Community Park Concession Policy No. 3.18
Each year the City awards a lease agreement to provide a food concession service from the City owned building in the Community Park. However, at the same time a lease agreement exists for the concession building, other temporary food concessions are erected periodically in conjunction with designated special events taking place in the Community Park. As special event concessions are not static and do change for very worthwhile causes, it is necessary to address the topic to provide the City more flexibility in allowing temporary food concessions at the same time a concession building lease is in place.

**Recommendation: THAT the report from the Deputy Corporate Administrator dated October 30, 2009 entitled "Community Park Concession Policy", be received;
AND THAT "Food Concessions in the Community Park Policy No. 3.18" be amended by approving the draft policy attached to the Deputy Corporate Administrator's report dated October 30, 2009, allowing for other food concessions in the Community Park, not specifically named in the policy.**

- (2) Deputy Corporate Administrator - Filming Guidelines and Policy
To develop a policy, guidelines and procedures that will allow filming activity on City owned properties while protecting these assets, operations and maintenance activities, and normal use and enjoyment of residents, visitors and businesses from unacceptable disruption, potential liability and adverse impact on resources.

**Recommendation: THAT the draft "Filming Policy" attached to the Deputy Corporate Administrator's report dated November 2, 2009, be approved;
AND THAT the Vancouver Island North Film Commission, Greater Victoria Film Commission and BC Film Commission be advised of the City's Filming Policy.**

- (3) Chief Administrative Officer - Parksville & District Chamber of Commerce 2010 Fee for Services Agreement
The City and the Chamber of Commerce negotiate an annual Fee for Services Contract. The purpose of the document is to formalize requirements the City establishes for performance by the Chamber, provides for a means of evaluating the efforts of the Chamber, and confirms amounts and timing for payments made by the City.

Recommendation: THAT the Mayor and Corporate Officer be authorized to sign the 2010 Fee for Services Agreement with the Parksville and District Chamber of Commerce for the annual amount of \$40,000.00.

b) Special Committee of the Whole - November 30, 2009 - Page 22

- (1) Budget

Recommendation: THAT Staff be directed to prepare the 2009 - 2013 Revised Financial Plan Bylaw reflecting the changes presented to Council at the November 25 and November 30, 2009 Special Committee of the Whole Meetings by the Manager of Budgets and Special Projects.

c) Director of Community Planning - Development Variance Permit [205 Jensen Avenue East - Pages 23 to 34

An application has been received from CitySpaces Consulting Ltd. on behalf of the Parksville Lions Senior Citizens Housing Society for the purpose of seeking a zoning bylaw relaxation to permit a reduction in the total number of required parking spaces from 22 to 10 stalls. This variance request is necessary to allow the separate development permit application proposal to proceed. The development permit will include terms and conditions requiring that the development variance permit is completed prior to development permit issuance.

Recommendation: THAT the report from the Director of Community Planning dated November 18, 2009 for a development variance permit application for Lots 29 and 30, District Lot 13, Nanoose District, Plan 1565 (205 Jensen Avenue East) be received;

AND THAT Staff commence the statutory notification process required as Council intends to consider granting a Development Variance Permit to the Parksville Lions Senior Citizens Housing Society, (Inc. No. S11231) for the purpose of granting a Zoning Bylaw relaxation which would permit a reduction in the total number of required parking spaces from 22 to 10 stalls on Lots 29 and 30, District Lot 13, Nanoose District, Plan 1565 (205 Jensen Avenue East).

d) Chief Administrative Officer - Oceanside Tourism Association Fee for Service Agreement - Pages 35 to 43

During the negotiations of the 2009 Oceanside Tourism Agreement there may have been a desire amongst Council that the business license fee be reduced by the \$20 surcharge and that the 2009 fee for service agreement would not be renewed for 2010. To date Council has not formally debated this issue and staff needs direction regarding the 2010 business license fees prior to mailing the 2010 business license renewal notices.

Recommendation: THAT the report from the Chief Administrative Officer dated December 3, 2009 entitled "Oceanside Tourism Association Fee for Service Agreement", be received.

14. BYLAWS

a) "Zoning and Development Amendment Bylaw, 2009, No. 2000.75"

To facilitate bumper cars and to allow for other future amusement activities such as a games room [Riptide Lagoon Adventure Golf - 1000 Resort Drive]. Prior to bylaw adoption the property owner, at their expense, were to prepare and register a restrictive covenant on the property title prohibiting the use of internal combustion engine powered amusements or rides on the subject property. This registration has been completed.

(i) Recommendation: THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.75" be adopted.

b) "Land Reserve Fund Expenditure Bylaw, 2009, No. 1457"

Purchase, clean up, removal of houses and incidentals of 114 and 120 Jensen Avenue.

(i) Recommendation: THAT "Land Reserve Fund Expenditure Bylaw, 2009, No. 1457" be adopted.

- c) "Zoning and Development Amendment Bylaw, 2009, No. 2000.76"
'Housekeeping amendments' to the home occupations regulations in order to keep the regulations current and provide greater clarity.
- (i) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.76" be read a third time.**
- (ii) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.76" be adopted.**

15. NEW BUSINESS

16. NOTICE OF MOTION

17. SPECIAL BUSINESS (Closed/In Camera)

Pursuant to Sections 90 (1) (c) of the *Community Charter* Council proceed to a closed meeting to consider an item relating to personnel.

18. ADJOURNMENT

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TO BE ADOPTED



CITY OF PARKSVILLE

NOVEMBER 16, 2009

Minutes of the Public Hearing held in the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Monday, November 16, 2009 at 6:00 pm

PRESENT: His Worship Acting Mayor C. R. Burger

Councillors: A. R. Greir
M. Lefebvre
C. J. Powell-Davidson

Staff: G. Jackson, Director of Community Planning
L. Kitchen, Deputy Corporate Administrator
L. Butterworth, Director of Finance
D. Banks, Fire Chief
A. Metcalf, Manager of Operations
B. Russell, Manager of Current Planning

1. Acting Mayor Burger called the Hearing to order at 6:00 p.m.
2. Acting Mayor Burger advised the purpose of the Public Hearing was to consider a certain bylaw which, if adopted, will amend the "Zoning and Development Bylaw, 1994, No. 2000", and all submissions either in writing or verbally, will be taken into consideration by the Municipal Council when the proposed bylaw is presented for third reading at a future date. The Chair introduced the bylaw on the Public Hearing agenda that will be considered.
3. **ZONING AND DEVELOPMENT AMENDMENT BYLAW, 2009, NO. 2000.76**

To update the home occupations (home based business) regulations in order to keep the regulations current and provide greater clarity.

The Deputy Corporate Administrator advised notice of this Public Hearing was advertised by being posted on the notice board at the Parksville Civic and Technology Centre on November 6, 2009 and by being in *The News* issues of November 6th and November 10th, 2009. As proposed Zoning and Development Amendment Bylaw, 2009, No. 2000.76 is a bylaw amendment affecting ten or more parcels owned by ten or more persons that would be subject to the bylaw alteration, Section 892(7) of the *Local Government Act* does not require the mailing or hand delivering of individual Public Hearing notices to any property owners or tenants.

The Deputy Corporate Administrator advised that as of November 16, 2009 no correspondence regarding the proposed bylaw had been received.

The Chair invited views and comments from persons present in the gallery who would be affected by proposed Zoning and Development Amendment Bylaw, 2009, No. 2000.76.

Zoning and Development Amendment Bylaw, 2009, No. 2000.76

The Chair invited views and comments from the gallery a second time.

The Chair invited views and comments from the gallery a third time.

4. Before declaring the hearing adjourned, Acting Mayor Burger advised that Council cannot entertain further submissions or correspondence from the public on the proposed bylaw.

5. ADJOURNMENT

Acting Mayor Burger declared the Hearing adjourned at 6:05 p.m.

Certified Correct.

Chair



Deputy Corporate Administrator

TO BE ADOPTED

CITY OF PARKSVILLE

November 16, 2009

Minutes of the meeting of Council held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, November 16, 2009 at 6:00 p.m.

PRESENT: His Worship Acting Mayor C. R. Burger

Councillors: A. R. Greir
M. Lefebvre
C. J. Powell-Davidson

Staff: G. Jackson, A/Corporate Officer
L. Kitchen, Deputy Corporate Administrator
L. Butterworth, Director of Finance
A. Metcalf, Manager of Operations
B. Russell, Manager of Current Planning

1. **PUBLIC HEARING**

09-276 Lefebvre - Greir
That Council resolve into a Public Hearing for "Zoning and Development Amendment Bylaw, 2009, No. 2000.76" the purpose of which is to update the home occupations (home based business) regulations in order to keep the regulations current and provide greater clarity. CARRIED.

Time 6:00 p.m.

The Council meeting reconvened at 6:54 p.m.

2. **ADOPTION OF MINUTES**

09-277 Greir - Lefebvre
THAT the minutes of the meeting of Council held November 2, 2009 be adopted. CARRIED.

3. **APPROVAL OF AGENDA**

09-278 Powell-Davidson - Greir
THAT the November 16, 2009 Council meeting agenda be approved. CARRIED.

4. **PRESENTATIONS** - Nil

5. **DELEGATIONS** - Nil

6. **UNFINISHED BUSINESS** - Nil

7. CORRESPONDENCE

- a) Regional District of Nanaimo - Northern Community Sewer SA Boundary Amendment Bylaw No. 889.53

09-279 Lefebvre – Powell-Davidson
 THAT the Council of the City of Parksville consents to the adoption of "Northern Community Sewer SA Boundary Amendment Bylaw No. 889.53", and the Regional District be notified accordingly. CARRIED.

8. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE - Nil

9. REPORTS

- a) Committee of the Whole - November 2, 2009

09-280 THAT the report of the Committee of the Whole meeting held November 2, 2009 be received and the following recommendations considered:

- (1) **Director of Community Planning - OCP and Zoning Bylaw Amendment Application - Chew Excavating Ltd. - Off Tuan Road**

Greir - Lefebvre
 THAT the report from the Director of Community Planning dated October 22, 2009 entitled "Consideration of an Official Community Plan and Zoning Bylaw Amendment Application for Lot 1, Block 564, Nanoose District, Plan 21736 (off Tuan Road)", be received;
 AND THAT the topic of changing the Industrial designation to Residential for Lot 1, Block 564, Nanoose District, Plan 21736 (off Tuan Road) be considered during the upcoming Official Community Plan review;
 AND FURTHER THAT subsequent to the Official Community Plan review that the application be returned to Council for deliberation.

OPPOSED UNANIMOUSLY.

Lefebvre – Greir
 THAT the report from the Director of Community Planning dated October 22, 2009 entitled "Consideration of an Official Community Plan and Zoning Bylaw Amendment Application for Lot 1, Block 564, Nanoose District, Plan 21736 (off Tuan Road)", be received;
 AND THAT the Official Community Plan and Zoning Bylaw Amendment application received from Ventana Projects Inc. on behalf of Chew Excavating Ltd. to rezone industrial property from Industrial I-1 to a new Modular Home Residential Zone for a development to facilitate a 132 bare land strata modular home park on Lot 1, Block 564, Nanoose District, Plan 21736 (off Tuan Road) be denied. CARRIED.

(2) Director of Community Planning - Zoning Amendment Application - 161 Island Highway West

Lefebvre - Greir

THAT the report from the Director of Community Planning dated October 20, 2009 entitled "Zoning Amendment Application - Parksville Beach Development Inc. - 161 Island Highway West", be received;
AND THAT Staff be directed to find options for Council to consider to replace Council Resolution #06-304 as part of the Transportation Study to make access to the property located at 161 Island Highway West clearer;
AND FURTHER THAT the processing of the Zoning Amendment Application for the Parksville Beach Development Inc. - 161 Island Highway West be suspended until the access issue has been resolved.
CARRIED.

(3) Director of Community Planning - Investigation into Possibility of Including Accessibility Standards within the City's Building Bylaw

Lefebvre - Powell-Davidson

THAT the report from the Director of Community Planning dated October 8, 2009 entitled "Investigation into Possibility of Including Accessibility Standards Within the City's Building Bylaw", be received;
AND THAT "Building Bylaw, 2003, No. 1387" and any amendments there to be maintained in their current form;
AND FURTHER THAT input be provided on the matter of accessibility during the next Provincial review of the British Columbia Building Code.
CARRIED.

b) Executive Assistant - Parksville and District Chamber of Commerce Outdoor Market and Santa Claus Parade - December 4, 2009

09-281

Greir - Lefebvre

THAT the report from the Executive Assistant dated November 2, 2009 entitled "Parksville and District Chamber of Commerce - Outdoor Market and Santa Claus Parade" be received;
AND THAT the Parksville and District Chamber of Commerce be permitted use of Morison Avenue (from Home Hardware to McMillan Street) for their outdoor market event between the hours of 5:00 p.m. and 9:00 p.m. on Friday, December 4, 2009;
AND THAT the Parksville and District Chamber of Commerce be permitted use of City streets for the "Santa Claus Parade" event commencing at 6:00 p.m. on Friday, December 4, 2009 using the provided designated route attached to the report from the Executive Assistant dated November 2, 2009 entitled "Parksville and District Chamber of Commerce - Outdoor Market and Santa Claus Parade";
AND FURTHER THAT the approval be granted on condition that the organizers adhere to the Terms and Conditions form signed October 21, 2009 attached to the report from the Executive Assistant dated November 2, 2009 entitled "Parksville and District Chamber of Commerce - Outdoor Market and Santa Claus Parade". CARRIED.

c) **Manager of Engineering - Wright Road Watermain Improvements - Temple Street to Sunray Road**

09-282 Greir - Powell-Davidson
THAT the report from the Manager of Engineering dated November 5, 2009 entitled "Wright Road Watermain Improvements - Temple Street to Sunray Road", be received;
AND THAT the tender for the "Wright Road Watermain Improvements (Temple Street to Sunray Road) in the amount of \$107,782.50 (including GST) be awarded to Knappett Industries (2006) Ltd. CARRIED.

d) **Director of Finance - 2009 Land Sale Reserve Fund Appropriations**

09-283 Powell-Davidson - Lefebvre
THAT the report from the Director of Finance dated November 10, 2009 entitled "2009 Land Sale Reserve Fund Appropriations", be received;
AND THAT "Land Reserve Fund Expenditure Bylaw, 2009, No. 1457" be advanced for reading consideration. CARRIED.

10. BYLAWS

a) **"Land Reserve Fund Expenditure Bylaw, 2009, No. 1457"**

09-284 Greir - Lefebvre
THAT "Land Reserve Fund Expenditure Bylaw, 2009, No. 1457" be read a first time. CARRIED.

09-285 Powell-Davidson - Lefebvre
THAT "Land Reserve Fund Expenditure Bylaw, 2009, No. 1457" be read a second and third time. CARRIED.

11. NEW BUSINESS

09-286 Lefebvre - Greir
THAT the City provide a \$1,500.00 contribution from the Community Tourism Program (Phase 1) Grant to the Parksville and District Chamber of Commerce for the initiative to replace the entrance sign at Exit 46 into Parksville. CARRIED.

12. NOTICE OF MOTION

a) **Councillor Lefebvre - Water & Sewer Connection for Carriage Houses** - *From November 2, 2009 Regular Meeting of Council*

09-287 Lefebvre - Powell-Davidson
THAT staff review the option of a bylaw amendment to permit two water and sewer connections on properties with carriages houses. CARRIED.

- b) **Councillor Lefebvre - Cosmetic Pesticides** - *From November 2, 2009 Regular Meeting of Council*

09-288 Lefebvre - Greir
THAT staff investigate with the Regional District of Nanaimo the possibility of banning cosmetic pesticide. CARRIED.

13. SPECIAL BUSINESS - Nil

14. ADJOURNMENT

It was moved by Councillor Powell-Davidson and seconded by Councillor Lefebvre that the meeting adjourn. CARRIED.

The meeting adjourned at 7:20 p.m.

Certified Correct.

A / Mayor



A / Corporate Officer

Report to Council

November 20, 2009

MEMO TO: MEMBERS OF COUNCIL

FROM: MAYOR ED MAYNE

SUBJECT: 2010 COUNCIL APPOINTMENTS

ISSUE:

Council appointments for the period December 7, 2009 to and including December 5, 2010.

EXECUTIVE SUMMARY:

Each year at the first Council meeting in December the Mayor makes annual voting and liaison appointments to Boards, Commissions and Associations, and required appointments to the Parcel Tax Review Panel. Acting Mayor appointments to December 4, 2011 were approved at the December 8, 2008 Council meeting.

REFERENCES:

Community Charter Part 5 – Municipal Government and Procedures

BACKGROUND:

At the December 8, 2008 meeting of Council the following Acting Mayor Appointments were made:

December 8, 2008 to June 7, 2009 (inclusive)	Councillor C.R. Burger
June 8, 2009 to December 6, 2009 (inclusive)	Councillor T.C. Patterson
December 7, 2009 to June 6, 2010 (inclusive)	Councillor S.E. Powell
June 7, 2010 to December 5, 2010 (inclusive)	Councillor M. Lefebvre
December 6, 2010 to June 5, 2011 (inclusive)	Councillor A. R. Greir
June 6, 2011 to December 4, 2011 (inclusive)	Councillor C.J. Powell-Davidson

2010 APPOINTMENT RECOMMENDATIONS:

a) Appointments made by Mayor

Audit Committee

Mayor Ed Mayne & Councillor
Councillor C. R. Burger

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b) Parcel Tax Review Panel

THAT Mayor Ed Mayne, and Councillors C.R. Burger, A. Greir, M. Lefebvre, T.C. Patterson, S.E. Powell and C. Powell-Davidson be appointed to the 2010 Parcel Tax Roll Review Panel.

c) Council Liaison Appointments to Boards, Commissions and Associations (Voting)

THAT the following Council voting appointments be made to Boards, Commissions and Associations for the period December 7, 2009 to December 6, 2010 inclusive:

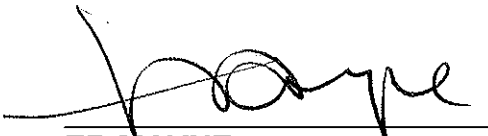
Arrowsmith Water Service Management Committee	Councillor M. Lefebvre
District #69 Recreation Commission	Councillor T. C. Patterson
Municipal Insurance Association of B.C.	Mayor E. F. Mayne
Regional District of Nanaimo Board of Directors Alternate	Mayor E. F. Mayne Councillor C. R. Burger
Vancouver Island Regional Library Board Alternate	Councillor S. E. Powell Councillor C. J. Powell-Davidson

d) Appointments to Boards, Commissions and Associations (Liaisons)

THAT the following Council liaison appointments be made to Boards, Commissions and Associations for the period December 7, 2009 to December 5, 2010 inclusive:

Advisory Planning Commission	Councillor Teresa Patterson
Communities in Bloom	Councillor C. R. Burger
Island Corridor Foundation	Councillor M. Lefebvre
Mount Arrowsmith Biosphere Reserve	Councillor C. R. Burger
Oceanside Community Arts Council	Councillor S. E. Powell

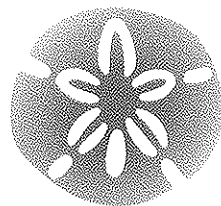
Oceanside Development & Construction Association	Councillor A. R. Greir
Oceanside Tourism Association	Councillor C. J. Powell-Davidson
Old Age Pensioners Association	Councillor M. Lefebvre
Parksville Beach Festival Society	Councillor A. R. Greir
Parksville Community & Conference Centre Society	Councillor C. J. Powell-Davidson
Parksville and District Chamber of Commerce	Councillor C. R. Burger
Parksville and District Historical Society	Councillor A. R. Greir
Parksville Downtown Business Association	Councillor C. R. Burger
Ripple Effect Program (GJJS) Alternate	Councillor A. R. Greir Councillor S. E. Powell



ED MAYNE
Mayor

Attachment

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City of Parksville

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COUNCIL APPOINTMENTS

DECEMBER 7, 2009 - DECEMBER 5, 2010

ACTING MAYOR APPOINTMENTS

December 7, 2009 to June 6, 2010 (inclusive)	Councillor S.E. Powell
June 7, 2010 to December 5, 2010 (inclusive)	Councillor M. Lefebvre
December 6, 2010 to June 5, 2011 (inclusive)	Councillor A. R. Greir
June 6, 2011 to December 4, 2011 (inclusive)	Councillor C.J. Powell-Davidson

AUDIT COMMITTEE

Audit Committee	Mayor E. F. Mayne
	Councillor C.R. Burger

PARCEL TAX ROLL REVIEW PANEL

Community Charter Section 203 (1)	All Members of Council
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APPOINTMENTS TO BOARDS, COMMISSIONS AND ASSOCIATIONS (VOTING)

Arrowsmith Water Service Management Committee	Councillor M. Lefebvre
District #69 Recreation Commission	Councillor T.C. Patterson
Municipal Insurance Association of BC	Mayor E.F. Mayne
Regional District of Nanaimo Board of Directors Alternate:	Mayor E.F. Mayne Councillor C.R. Burger
Vancouver Island Regional Library Board Alternate:	Councillor S.E. Powell Councillor C.J. Powell-Davidson

APPOINTMENTS TO BOARDS, COMMISSIONS AND ASSOCIATIONS (LIAISONS)

Role of liaison is to keep lines of communication open between Council and the respective committees, societies and groups. Liaison is not a voting member.

Advisory Planning Commission	Councillor T. C. Patterson
Communities in Bloom Committee	Councillor C.R. Burger
Island Corridor Foundation	Councillor M. Lefebvre
Mount Arrowsmith Biosphere Reserve	Councillor C.R. Burger
Oceanside Community Arts Council	Councillor S.E. Powell
Oceanside Development & Construction Association	Councillor A.R. Greir
Oceanside Tourism Association	Councillor C.J. Powell-Davidson
Old Age Pensioners Association	Councillor M. Lefebvre
Parksville Beach Festival Society	Councillor A.R. Greir
Parksville Community & Conference Centre Society	Councillor C.J. Powell-Davidson
Parksville and District Chamber of Commerce	Councillor C.R. Burger
Parksville and District Historical Society	Councillor A.R. Greir
Parksville Downtown Business Association	Councillor C.J. Powell-Davidson
Ripple Effect Program (GJJS) Alternate:	Councillor A.R. Greir Councillor S.E. Powell

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Report to Council

November 20, 2009

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: LYNN KITCHEN, DEPUTY CORPORATE ADMINISTRATOR

SUBJECT: 2010 MEETING DATES

ISSUE:

Council and Committee of the Whole meeting dates for 2010.

EXECUTIVE SUMMARY:

Under the provisions of the *Community Charter*, once a year a meeting schedule must be made available to the public. Council Procedure Bylaw No. 1386 requires that this be done prior to January 1, 2010.

REFERENCES:

Community Charter s. 127
Council Procedure Bylaw, 2003, No. 1386

BACKGROUND:

Under the provisions of the *Community Charter* the Council meeting schedule for the upcoming year must be made available to the public prior to January 1st. To satisfy the publication requirement the schedule must be published at least once a year in a weekly newspaper for two consecutive weeks. This publication is done in December of each year. As well the notice is placed on the City's website and posted on the Parksville Civic and Technology Centre meeting bulletin board.

The City's Council Procedure Bylaw sets the Council meetings as the 1st and 3rd Mondays of the month at 6:00 p.m. except if a meeting falls on a statutory holiday then it is held on the Wednesday of the same week. The Procedure bylaw does not set the schedule for Committee of the Whole meetings but does set the notice required of meetings. In September 2009 Council made the decision to hold Committee of the Whole meetings, if required, at 6:00 p.m. on the same days as scheduled Council meetings. To this point in time this schedule appears to be satisfactory to Council, City staff and the general public.

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Due to the traditional holiday season and anticipated Council Members' and City staff absences, it is recommended that the first meeting in January 2010 be cancelled. However, when looking at the overall proposed schedule of Council and (if required) Committee of the Whole meetings for 2010, there are currently no operational requirements that will impact the normal schedule. Convention dates in 2010 do not impact the normal Council meeting schedule.

Attached is a list of meeting dates proposed for 2010.

RECOMMENDATION:

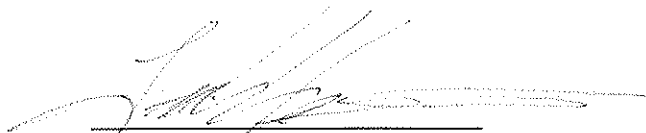
THAT the report from the Deputy Corporate Administrator dated November 20, 2009 entitled "2010 Meeting Dates" be received;
AND THAT the Council meeting scheduled for January 4, 2010 be cancelled.



LYNN KITCHEN
Deputy Corporate Administrator

Attachment

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



FRED C. MANSON, C.G.A.
Chief Administrative Officer

2010 MEETING DATES

All meetings start at 6:00 p..

All meetings held in the Forum at the Parksville Civic & Technology Centre, 100 E. Jensen Avenue, Parksville, BC

COMMITTEE OF THE WHOLE MEETINGS

(if required)

Monday, January 18, 2010
Monday, February 1, 2010
Monday, February 15, 2010
Monday, March 1, 2010
Monday, March 15, 2010
Wednesday, April 7, 2010
Monday, April 19, 2010
Monday, May 3, 2010
Monday, May 17, 2010
Monday, June 7, 2010
Monday, June 21, 2010
Monday, July 5, 2010
Monday, July 19, 2010
Wednesday, August 4, 2010
Monday, August 16, 2010
Wednesday, September 8, 2010
Monday, September 20, 2010
Monday, October 4, 2010
Monday, October 18, 2010
Monday, November 1, 2010
Monday, November 15, 2010
Monday, December 6, 2010
Monday, December 20, 2010

COUNCIL MEETINGS

Monday, January 18, 2010
Monday, February 1, 2010
Monday, February 15, 2010
Monday, March 1, 2010
Monday, March 15, 2010
Wednesday, April 7, 2010
Monday, April 19, 2010
Monday, May 3, 2010
Monday, May 17, 2010
Monday, June 7, 2010
Monday, June 21, 2010
Monday, July 5, 2010
Monday, July 19, 2010
Monday, August 4, 2010
Monday, August 16, 2010
Wednesday, September 8, 2010
Monday, September 20, 2010
Monday, October 4, 2010
Monday, October 18, 2010
Monday, November 1, 2010
Monday, November 15, 2010
Monday, December 6, 2010
Monday, December 20, 2010



LEADING THE WAY...

Parksville & District
Chamber of Commerce

AGENDA
COUNCIL
DEC 07 2009
DATE

PO Box 99 Parksville, BC V9P 2G3
1275 East Island Highway
PHONE: 250 248 3613
info@parkvillechamber.com

November 16th, 2009

Mayor & Council
City of Parksville
100 East Jensen Avenue
PO Box 1390
Parksville, BC V9P 2H3

RECEIVED
NOV 19 2009
CITY OF PARKSVILLE

Re: Visitor Centre

Over the past month we have been looking at Revenue Generation ideas to decrease our dependence on outside revenues. One of the concepts presented is the operation of an outdoor food vendor service (Hot Dog stand) during the summer months. The current zoning precludes food services and we would like to have the allowable uses changed for this property. When examining the ideas presented we have established an evaluation criteria as follows:

- Enhancement of the visitor experience
- Enhancement of Visitor Centre
- Positive revenue to Visitor Centre
- No competition with existing businesses

This concept meets all of these criteria and we would like to move forward with this idea.

We are aware there are some statutory processes required for this change and would like to start that process early to allow for a start date of this service by June 2010.

Sincerely

Kim Burden
Interim Manager of Operations

CC: Gayle Jackson, Director of Community Planning
Fred Manson, Chief Administrative Officer

RECOMMENDATION

THAT the correspondence from the Parksville and District Chamber of Commerce dated November 16, 2009, be received;
AND THAT the request to establish an outdoor food vendor service on Part of Lot 8, District Lot 40, Nanoose District, Plan 33339 [1275 Island Highway East] be referred to staff for review and recommendation.

Fred C. Manson, C.G.A.
Chief Administrative Officer

PAGE

16

December 1st, 2009

1491 Sunrise Drive
Parksville, BC V9P 1X6

City of Parksville
100 E. Jenson Avenue
PO Box 1390
Parksville, BC V9P 2H3

ATTENTION: Mayor and Council

REFERENCE: Community Park Concession Contract

In response to your letter sent to me in October, 2009 and the recent report to council presented November 20th, I would like to offer the following comments and recommendations to come to a compromise.

1. The City granted us a contract with a renewable clause which was stated as being from May 15th, 2009 until November 19th, 2011, upon mutual agreement between both parties.
2. Part of the contract the City presented to us was abiding by Policy 3.18 limiting the days other vendors could sell food items down in the park. It also stated that no vendors at any time (even on the special events) were to be allowed to sell items which were in direct conflict with our business.

We followed our contract to the letter and were open every single day of our contract.

The City violated its contract with us on every event. No one was delegated to oversee what the organizers were allowing their vendors to sell or to ensure that the proper health regulations were followed. Kid's Fest were the only ones who asked us for a copy of our liability insurance and copies of our food safe certificates and health permit. The Parksville Beach Festival did not have vendors selling but did have vendors giving out free items.

We had health permits for every event that wasn't covered under our regular permit and also put out a large sum of capital for a proper enclosure and to build a proper outdoor floor. We also purchased an outdoor kitchen with hot and cold running water.

We worked with groups to try and obtain a list of vendors they had coming in. It was too late to stop certain vendors from coming in so we adapted the best that we could. We needed some of this information so that we could plan for the proper amount of stock and staff. Did you realize that we were the only vendor except for a mini-doughnut stand that DID NOT RUN OUT OF SUPPLIES ON JULY 1st of this year?

.../2

There are always lineups on events; we would have a problem if there wasn't. We provided freshly prepared burgers and fries and that takes an average of 7 minutes. It is not a fast food establishment and if it was busy a person could wait 25-30 minutes for an order which is average in any restaurant. The majority of the customers did not mind the wait as it was fresh and delicious!

RESPONSE TO YOUR REPORT ON BACKGROUND

On the second page of the report submitted to the Committee of the Whole, the second written paragraph states that there problems revolving around the Parksville Beach Festival activities and the Cinema under the Stars. We worked with Douglas Smith(Cinema...Stars) to try and come to a reasonable solution; the Beach Festival did not to our knowledge want any vendors down to their event. We are a strong supporter of the Sandcastle event ; this year we were a "gold sponsor" and also provided several urns of beverages every day for the volunteers. For the record, there has never, ever been one single, negative incident with the Parksville Beach Festival in all the years that our family has had the contract.

RESPONSE TO YOUR ANALYSIS

Point 1

Event organizers and/or the City should had respected the legalities of the contract and at least have spoken to us ahead of time about what they were planning for these special events, instead of making us the ogres by having to phone and inquire about what was happening. It makes quite a difference to stock and staff control if there are other vendors coming down who sell the same products.

The vendors that come to these events pay an average of \$75.00 per day/event; it costs us approximately \$200.00 per day just to open our doors.

The concession is always going to have lineups; it is just too small.

Point 2

To my knowledge there has never been any policing before or during these events by the City, except sometimes by the Health Authority.

Point 5

The City will lose a considerable amount of revenue by changing this policy; my estimation would be that you will lose approximately 55% of your revenue. Because of the huge cost of setup including paperwork, inspections and equipment needed to operate the concession, and also if the contract is only valid for one year is going to discourage anyone to invest a lot of capital into running the concession. Based on my own extensive volunteer experiences, it would not be feasible to operate it on

.../3

a volunteer basis for non-profit organizations. There would not be the commitment or consistency required to operate the concession properly. I can think of countless problems revolving around issues which would be a detriment to running the kiosk efficiently.

We cannot control any changes you feel you have to make to Policy No. 3.18; if that is what the City feels they have to do in order to appease user groups, it is beyond our control. We sincerely hope that you do ensure that health standards and liability issues are met for the protection of everyone.

OUR RECOMMENDATIONS:

1. We followed the contract to the letter. If we questioned certain areas, it was only to try and protect our contract and have it enforced as any business owner would do.
2. The City did not adhere to the contract they presented us with to sign. Policy 3.18 was violated during the majority of the events during the summer.
3. Enlarge that facility; 130 sq. feet is just too small for the amount of people that are coming down and enjoying the park.
4. If you can't enlarge the facility, expand the hood/suppression system so that another fryer could be added.

My family will offer to work with you on a plan to do the above two points in lieu of rent for an agreed period of time.(Qualicum Beach entered into an agreement such as this with the operator of the kiosk on the water at Qualicum).

5. Change the season from May 1st – September 15th. Our family has operated the concession for a total of 6 years. It has NEVER been feasible to be open after this date. In fact, it is hard pressed to come up with the rent let alone the normal operating expenses. Once Labour Day weekend is over and school convenes, it is a done deal. The business just does not warrant staying open until Thanksgiving. We thought this year may be different because of the wonderful weather but it made very little difference and certainly not enough improvement in sales to warrant staying open until Thanksgiving.
6. Because the ONLY REASON the City is not renewing our contract is because they are changing Policy 3.18, we are proposing that the City renew our contract from May 1st, 2010 until September 15th, 2011 at a greatly reduced rent to compensate for the changing of the policy.

The impact of other vendors selling similar products during the majority of the peak season will seriously impact the sales of the kiosk. Even with the stupenduous weather this season, the concession sales were impeded this year with limited other vendor participation.

Just the impact of the Beach Festival being allowed to have vendors for the whole 21 days of the Sandcastle event will negatively impede the sales of the kiosk in a major way; it will be 21 days out of 31 days of the busiest part of the summer.

We purchased a brand new ice cream machine and other equipment this year as we were under the impression we had a three year contract to recoup some of our investment.

.../4

We have a glowing record of being "OPEN" rain or shine and this can be verified by the Public Works Department.

For a small business, our donations to the events held down at the community park over the years has been quite high.

We have a very good working relationship with the Public Works Department and have always worked with them to resolve any issues which have always been minor.

We have a very large circle of loyal customers who appreciate the time, effort, organizational skills and flexibility it takes to operate the kiosk as well as enjoying the fresh food and the variety of menu options.

Please contact some of our references:

Parksville Beach Society	Monica Mayhew (Past President)	248-4819
Parksville Beach Society	Joan LeMoine	954-1276
Parksville Lions Club	Clarence Eslinger	248-3796

- The Parksville Lions Club has informed me that they sent an email to you at the end of the season telling you how positive they felt about our family operating the concession.

We will be attending the council meeting on Monday, December 7th, if you wish to discuss any matter with us or if you have any questions.

Please let us know if you have any concerns or questions. I would appreciate a letter from the City informing us of your decision. Our phone number is 250-752-7300.

Thank you for your time and consideration in this matter.

Yours truly,

Joan Hasell & Matthew Doran

November 17, 2009

REPORT TO: MAYOR AND COUNCIL
FROM: COMMITTEE OF THE WHOLE
SUBJECT: NOVEMBER 16, 2009 MEETING RECOMMENDATION

The following items were considered by the Committee of the Whole at its special meeting held Monday, November 16, 2009:

RECOMMENDATIONS

(1) Deputy Corporate Administrator - Community Park Concession Policy No. 3.18

THAT the report from the Deputy Corporate Administrator dated October 30, 2009 entitled "Community Park Concession Policy", be received;

AND THAT "Food Concessions in the Community Park Policy No. 3.18" be amended by approving the draft policy attached to the Deputy Corporate Administrator's report dated October 30, 2009, allowing for other food concessions in the Community Park, not specifically named in the policy.

(2) Deputy Corporate Administrator - Filming Guidelines and Policy

THAT the draft "Filming Policy" attached to the Deputy Corporate Administrator's report dated November 2, 2009, be approved;

AND THAT the Vancouver Island North Film Commission, Greater Victoria Film Commission and BC Film Commission be advised of the City's Filming Policy.

(3) Chief Administrative Officer - Parksville & District Chamber of Commerce 2010 Fee for Services Agreement

THAT the Mayor and Corporate Officer be authorized to sign the 2010 Fee for Services Agreement with the Parksville and District Chamber of Commerce for the annual amount of \$40,000.00.



ACTING MAYOR CHRIS BURGER, Chair
COMMITTEE OF THE WHOLE

December 1, 2009

REPORT TO: MAYOR AND COUNCIL
FROM: COMMITTEE OF THE WHOLE
SUBJECT: NOVEMBER 30, 2009 MEETING RECOMMENDATION

The following items were considered by the Committee of the Whole at its special meeting held Monday, November 30, 2009:

RECOMMENDATIONS

(1) **Budget**

THAT Staff be directed to prepare the 2009 - 2013 Revised Financial Plan Bylaw reflecting the changes presented to Council at the November 25 and November 30, 2009 Special Committee of the Whole Meetings by the Manager of Budgets and Special Projects.



MAYOR ED MAYNE, Chair
COMMITTEE OF THE WHOLE

COUNCIL REPORT

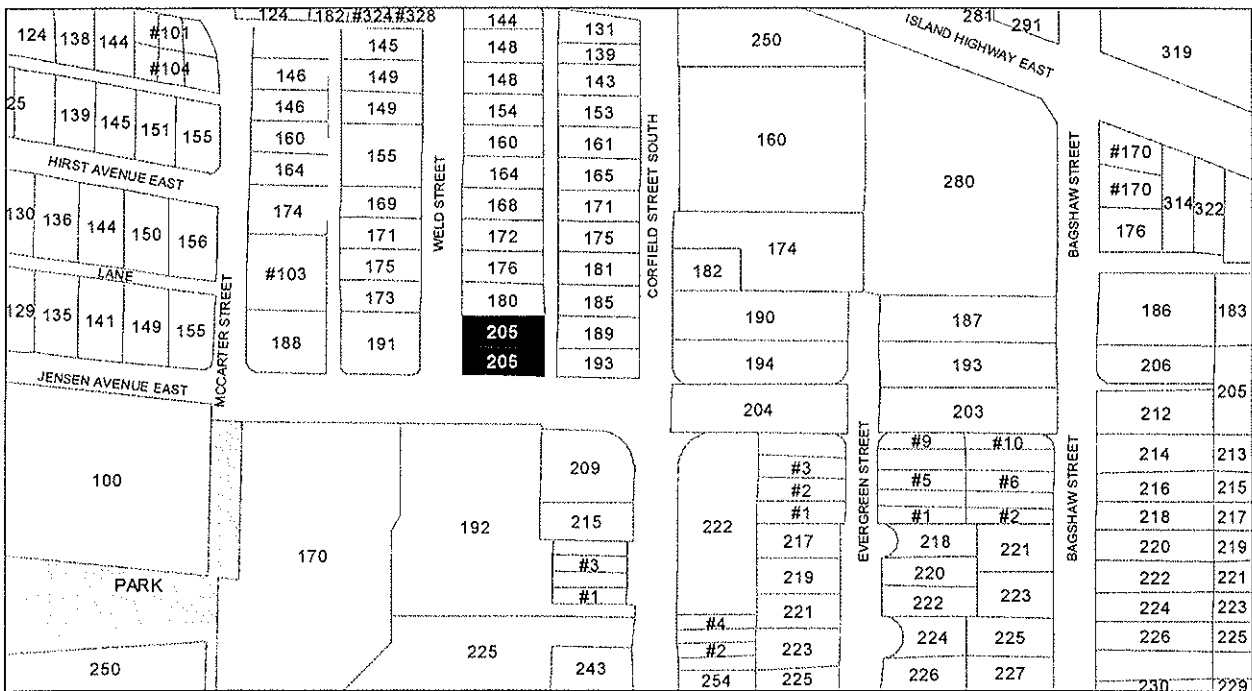
AGENDA
COUNCIL
DEC 07 2009
DATE

November 18, 2009

MEMO TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER
FROM: G. A. JACKSON, DIRECTOR OF PLANNING
SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION FOR LOTS 29 AND 30,
 DISTRICT LOT 13, NANOOSE DISTRICT, PLAN 1565
 (205 JENSEN AVENUE EAST).
 REGISTERED OWNER: PARKVILLE LIONS SENIOR CITIZENS HOUSING
 SOCIETY, (INC. NO. S11231)
 APPLICANT: CITYSPACES CONSULTING LTD.
 FILE: 3090-09-02

Issue:

Consideration of issuing a Development Variance Permit for the purpose of seeking a zoning bylaw relaxation to permit a reduction in the total number of required parking spaces from 22 to 10 stalls.



**APPLICATION FOR A DEVELOPMENT
VARIANCE PERMIT FOR 205 JENSEN
AVENUE EAST**

Executive Summary:

An application has been received from CitySpaces Consulting Ltd. on behalf of the Parksville Lions Senior Citizens Housing Society for the purpose of seeking a zoning bylaw relaxation to permit a reduction in the total number of required parking spaces from 22 to 10 stalls. This variance request is necessary to allow the separate development permit application proposal to proceed. The development permit will include terms and conditions requiring that the development variance permit is completed prior to development permit issuance.

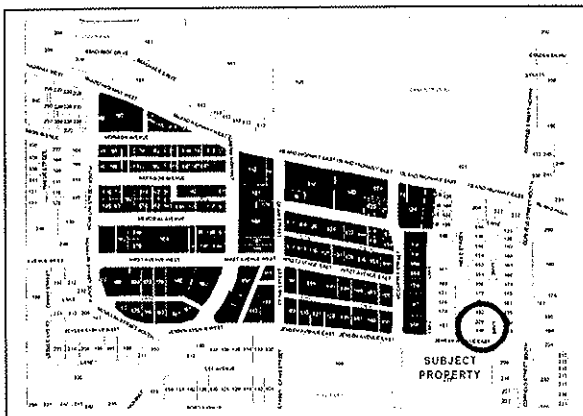
References:

Official Community Plan Bylaw 2002, No. 1370 excerpt – Development Permit Area No. 1 (Downtown Zone IV, Downtown Master Plan and Development Guidelines – Amendment Bylaw No. 1050.4);
Zoning and Development Bylaw, 1994, No. 2000, Division 400 (section 407 parking requirements);
Letter from CitySpaces Consulting Ltd, date stamp received November 18, 2009;
Core Area Parking Study, dated November 2009, as prepared by Boulevard transportation Group Ltd;
Development permit application Committee of the Whole report and plan reductions, dated November 18, 2009, as prepared by City of Parksville Staff.

Background:

On October 21, 2009, the City received a development permit application from CitySpaces Consulting Ltd. on behalf of the owners of the property. Parking and height variances were requested through the development permit process, however the parking variance requires a separate development variance permit. Please refer to the development permit report on this agenda. On November 18, 2009 the City received a development variance permit application from CitySpaces Consulting Ltd. on behalf of the owners of the property.

The intent of the Official Community Plan 2002, No. 1370 excerpt – Development Permit Area No. 1 appears to support the requested parking reductions for commercial spaces located on the associated map. Since this site is just outside the identified area a 100% reduction on the commercial parking requirement was not available through the Development Permit Process:



"d) Parking Variances: (AMENDMENT BYLAW NO. 1370.5)

Parking variances may be granted (up to 100%), for commercial uses on sites within the area shown on the map below, in cases where the character of the development, site utilization, and the streetscape are improved by having a site layout and streetscape uninterrupted by parking areas."

**APPLICATION FOR A DEVELOPMENT
VARIANCE PERMIT FOR 205 JENSEN
AVENUE EAST**

The current application represents a request to relax the parking requirement as follows:

Parking Calculations

The following calculations are based on the Parking Requirements (Division 400) in the Zoning and Development By-law:

Residential:	1 space for each seniors housing unit 1.0 x 33 units = 33 spaces
Commercial/Retail:	1 space for every 30 sq.m. floor area 307 sq.m. / 30 = 10.23 = 11 spaces
Total Required Parking:	33 + 11 *(50%) = 22 spaces
Proposed Parking:	10 spaces
Variance Requested:	12 spaces

The applicant's rationale is attached for reference.

The proposal was reviewed by the Advisory Design Panel on November 12, 2009. The Advisory Design Panel recommendation to Council is as follows:

"THAT Council accept the design proposal which includes a requested variance to reduce the parking requirement by 12 stalls and a variance to increase the maximum building height from 11 metres to 12.9 metres to accommodate a fourth floor, as presented at the Advisory Design Panel meeting, on November 12, 2009 for Lots 29 and 30, District Lot 13, Nanoose District, Plan 1565. **CARRIED**"

It should be noted that the height variance can be dealt with through the Development Permit process as it is design related and is intended to better meet the Development Permit Area guidelines.

Options:

Council may:

1. Give notice that it is willing to consider the zoning bylaw variance request to permit a reduction in the total number of required parking spaces from 22 to 10 stalls and direct Staff to commence the statutory notification process.
2. Deny the application.

Analysis:

It should be noted that two processes (development permit and development variance permit) are being dealt with simultaneously. The process of varying this zoning requirement has a statutory requirement for notification. It is not possible to approve this application in one step. The process requires that Council indicate its intent to consider the application. Subsequently, notification occurs and anyone willing to address Council on the topic is afforded an opportunity

**APPLICATION FOR A DEVELOPMENT
VARIANCE PERMIT FOR 205 JENSEN
AVENUE EAST**

to do so the next time the matter is presented to Council. If the variance is granted, then the concurrent development permit term will be met and would be issued at that time.

The intent of the Official Community Plan 2002, No. 1370 excerpt – Development Permit Area No. 1 appears to support the requested parking reductions for commercial spaces; however, this site is not located on the associated map as shown. There may be a need to consider expanding the 'Parking Variance Area Map' to cover the balance of the Downtown Core Area during the upcoming Official Community Plan review process.

Staff supports this specific application. This support is based on the apparent intent of the Development Permit Area Guidelines and Zoning and Development Bylaw, which is supportive of parking reductions in the downtown core. The current Draft Core Area Parking Study (November 2009) indicates that there is sufficient surface parking in the Downtown Core area to mitigate potential parking shortfalls for this site. As the building is primarily an affordable senior's housing facility with little need for extensive tenant parking, a reduced parking standard is appropriate.

Sustainability Analysis:

Environmental sustainability is increased by limiting the amount of impervious surface coverage on the site. Locating persons with mobility issues (and those who may no longer hold driving licenses) within the core area close to amenities, reduces dependence on greenhouse gas emissions for satellite transportation needs.

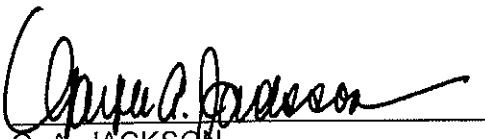
Financial Implications:

There are no implications other than that associated with processing the application. Statutory advertising will be a cost. No application fee was collected in accordance with prior Council direction.

Recommendation:

That the report from the Director of Community Planning dated November 18, 2009 for a development variance permit application for Lots 29 and 30, District Lot 13, Nanoose District, Plan 1565 (205 Jensen Avenue East) be received;

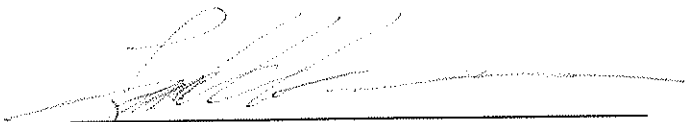
And That Staff commences the statutory notification based on the fact that Council intends to consider granting a Development Variance Permit to the Parksville Lions Senior Citizens Housing Society, (Inc. No. S11231) for the purpose of granting a Zoning Bylaw relaxation which would permit a reduction in the total number of required parking spaces from 22 to 10 stalls on Lots 29 and 30, District Lot 13, Nanoose District, Plan 1565 (205 Jensen Avenue East).


G. A. JACKSON

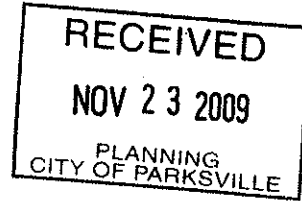
NG/sh
Attachments

APPLICATION FOR A DEVELOPMENT
VARIANCE PERMIT FOR 205 JENSEN
AVENUE EAST

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



F. MANSON, C.G.A.



Wednesday, November 18, 2009
(letter revised Monday, November 23, 2009)

City of Parksville
100 Jensen Avenue East
Parksville BC V9P 2H3
Attention: Nigel Gray, Planner

Re: Development Variance Permit Application (Parking) for a Proposed
Redevelopment Project at 205 Jensen Avenue East in Parksville

Dear Mr. Gray:

CitySpaces Consulting Ltd., acting as agent on behalf of the Parksville Lions
Housing Society, is pleased to submit the attached Development Variance
Permit application for the 205 Jensen Avenue East site.

The following letter provides an overview of the project and a summary and
rationale of the parking variance requested. For more detail about this project,
including drawings, please refer to the related Development Permit application
submitted on October 16, 2009.

Project Overview

The Society owns outright the subject property at 205 Jensen Avenue East in
Parksville, which currently contains six older single storey affordable housing
units for independent seniors. The tenants have temporarily relocated to other
housing, and the building is now unoccupied, and will be sold and relocated for
reuse. These tenants will return to the new development, once it is complete.

The site is zoned C-3, Downtown Commercial, which permits commercial on
the main floor and residential on the upper floors.

Having recently obtained funding approval to advance this project, with BC
Housing as the funding agency, the Society proposes redeveloping the site with
a rental housing project for low and moderate income seniors.

The four storey wood frame building will consist of 33 one-bedroom units on
the upper three floors, and commercial retail units and common amenity/
office space for the Society and tenants on the main floor. The commercial
retail units are geared primarily for use by health-related practitioners, serving
the seniors residing in the building, as well as seniors in the community.

CitySpaces
Consulting Ltd.

5th Floor
844 Courtney St.
Victoria BC
V8W 1C4
250.383.0304 Tel
250.383.7273 Fax
866.383.0304 Toll-free
www.cityspaces.ca



Victoria

Vancouver

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Parking Variance Requested

Below is a summary of and rationale for the parking variance requested in this application.

Parking Calculations

The following calculations are based on the Parking Requirements (Division 400) in the Zoning and Development By-law:

Residential:	1 space for each seniors housing unit 1.0 x 33 units = 33 spaces
Commercial/Retail:	1 space for every 30 sq.m. floor area 307 sq.m. / 30 = 10.23 = 11 spaces
Total Required Parking*:	(33 + 11) x 50% = 22 spaces
Proposed Parking:	10 spaces
Variance Requested:	12 spaces

* A 50% Downtown Core Area parking reduction is permitted per Schedule A (attached to the Parking Requirements).

Rationale to Support Variance Request

This variance request is supported by the following rationale:

- The subject property is within one block of the designated area in the downtown core where a variance may be granted to reduce commercial parking by up to 100%, per Amendment Bylaw No. 1370.5. This area was recently extended to McVickers Street and now encompasses the subject property;
- The residential tenants will be primarily low to moderate income seniors, and are not expected to own vehicles;
- For the few tenants who might own vehicles, the Parksville Lions Housing Society has the flexibility of housing them in the Parksville Lions Lodge on Moilliet Street;
- The site, located in the downtown core, is within walking or scooter distance of the full range of services and amenities.
- A scooter garage has been provided on the main floor for the tenants;
- The off-street parking spaces will be designated for use by the commercial tenants and the Society's Housing Manager;
- The intended use for the majority of the commercial retail units on the main floor is health-related, serving the residential tenants (as well as seniors in the community), and will reduce in part local vehicular traffic;
- The five on-street parking spaces along Weld Street and Jensen Avenue (2 hour parking) would be available for clients of the commercial space and tenant visitors with vehicles;



- The recent *Core Area Parking Study* (see attached), prepared by Boulevard Transportation Group and presented at the Community Meeting in Parksville last week, concluded that “in most areas, the existing parking supply is meeting parking demand”, and that “parking spaces on [Weld Street] are underutilized”; and
- The Society confirms that the proposed number of on-site parking spaces will more than adequately serve the needs of the project.

The project has been designed to minimize the visual impact of vehicles – the 10 off-street parking spaces are located behind the building, with access from the lane. A rain garden feature area is proposed in the area between the public sidewalk on Weld Street and the parking, which, combined with the proposed fence between the parking and the rain garden, will provide a visual screen of the parking from the sidewalk.

Conclusion

We trust you will find the attached Development Variance Permit application to be complete. However, please do not hesitate to contact the undersigned, or Deane Strongitharm (extension 22), to discuss this application.

Yours sincerely,



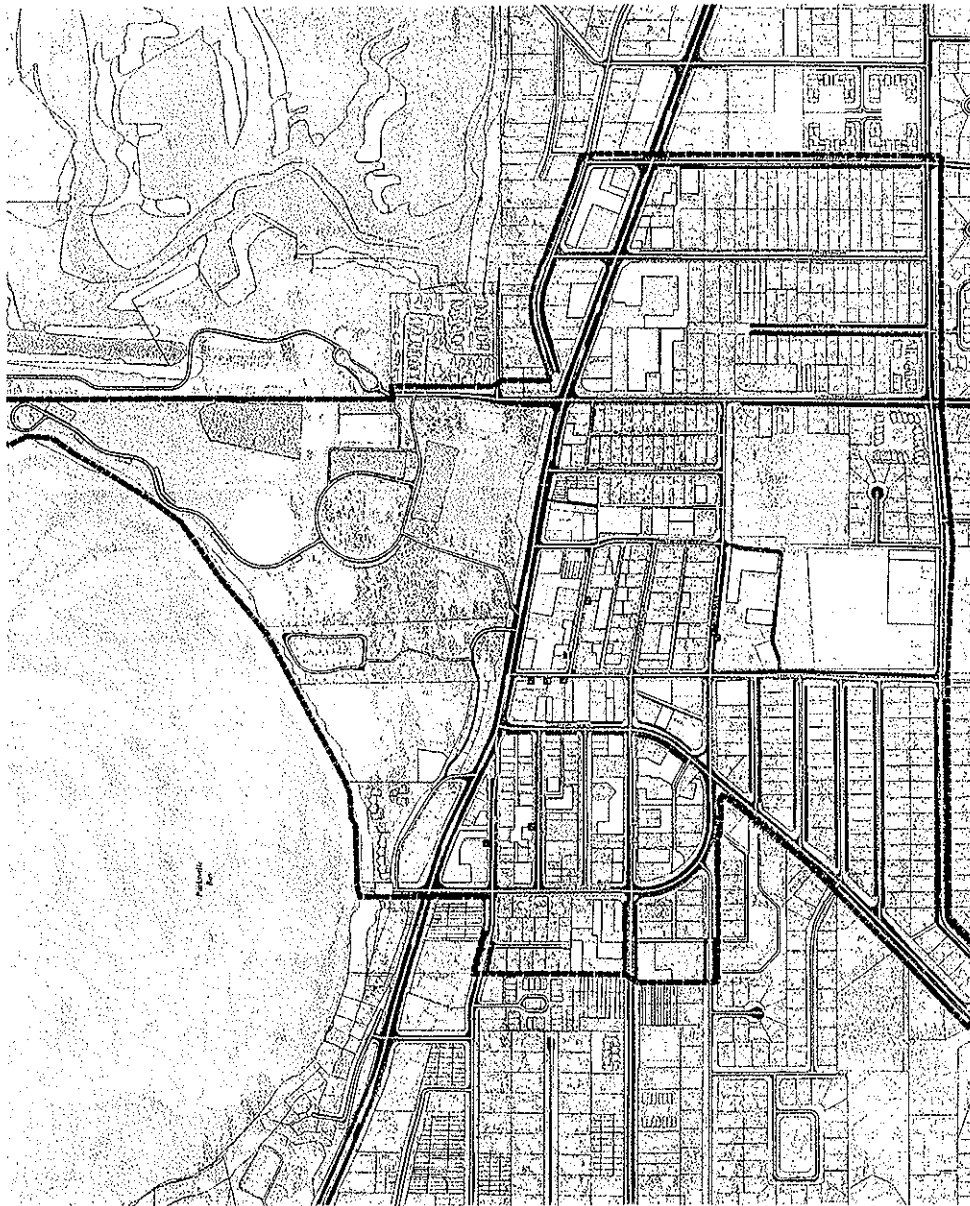
Deborah Gogela
CitySpaces Consulting Ltd.

Attach.

cc: Laurie Nickerson, Parksville Lions Housing Society
Joe Newell, Joe Newell Architect Inc.



PARKING INVENTORY



- On-Street Parking**
- 1 Hr Maximum
 - - - 2 Hr Maximum
 - Residential Only
 - Unrestricted
 - P 15 Min Zone
 - P Handicap Parking
 - P Loading Zone

- On-Street Parking**
- Public
 - Private

Study Area



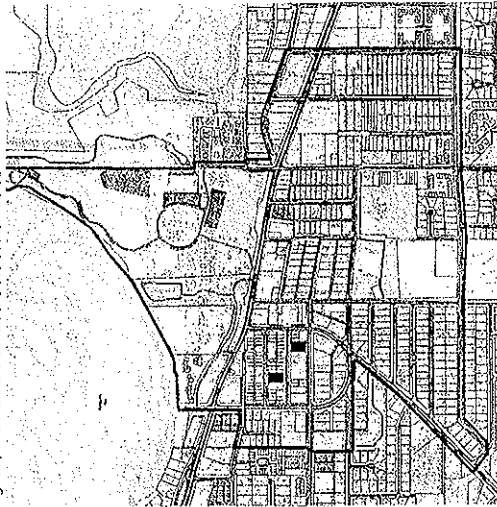
Prepared by: [unreadable] | [unreadable] | [unreadable]

EXISTING CONDITIONS

Occupancy

Occupancy refers to the portion of a parking supply occupied during a given period of time, typically measured in hours. Peak hour occupancy is often referenced as it represents the hour of the day when occupancy is highest, and therefore conditions are at their worst.

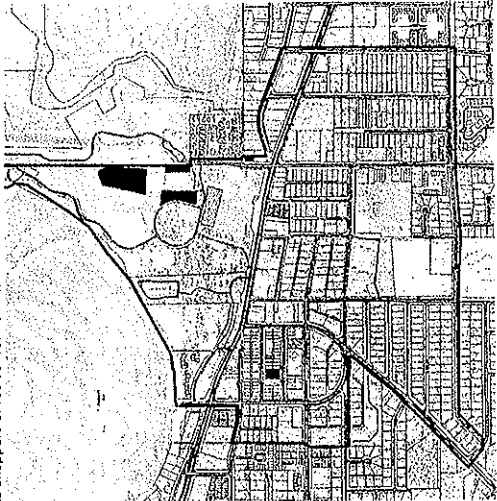
Peak Hour Occupancy
 High (> 85%)
 Moderate (70-85%)
 Low (50-70%)
 Very Low (< 50%)



Average Duration

Average duration refers to the average length of stay for vehicles parked in a group of spaces. Duration indicates the type of parking demand satisfied, where high duration suggests employee or resident parkers and low duration is shoppers or residential visitors.

Average Duration
 Very Short (< 1 hr)
 Short (1-2 hrs)
 Moderate (2-3 hrs)
 Long (3-4 hrs)
 Very Long (> 4 hrs)



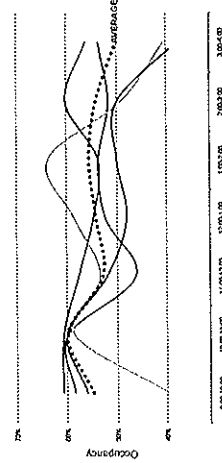
Conclusions

- > In most areas, the existing parking supply is meeting parking demand.
- > Certain segments of downtown are exceeding "practical capacity" (85% occupancy), including portions of Alberni Hwy, Morison Ave, McMillan St, McCarter St and the public lots on Memorial Ave. In each case there is a parking supply occupied at less than 50% within one (1) block.
- > Parking spaces on McMillan St, Weld St and Corfield St are underutilized.
- > City Park parking is underutilized outside of summer months, but is within walking distance of much of the core area and provides an opportunity to satisfy perceived short falls in downtown parking supply.
- > The desire to park directly outside a destination, because of weather and convenience, is creating a perception that there is a lack of parking.
- > Off-street private parking is occupied at 60-70% over the course of the day, which is actually higher than public parking occupancy rates.
- > On-street parking spaces are generally used by short-term parkers (retail customers). This is a desirable scenario.
- > Off-street lots on Memorial Ave are primarily used by long-term, downtown employees, as the lots do not have time restrictions. Having these parkers off-street is desirable, but the central location of these lots may be detracting from potential intensification of the core.
- > Portions of Alberni Hwy are restricted to 1-hour parking, yet the average duration exceeds the maximum time limit.
- > Parking enforcement does not appear to be sufficient to deter long-term parking in time-restricted spaces.

Downtown Zones



Occupancy by Zone



Average Duration by Zone



PARKING + CREATING A GREAT DOWNTOWN

ROLE OF DOWNTOWN PARKING

"The more downtown is broken up and interspersed with parking lots and garages, the duller and deadlier it becomes in appearance... the only reason people come downtown or set up business downtown at all is because downtown packs so much into such a compact area."

— Jane Jacobs, *Urban Theorist*

The eternal conflict in planning parking facilities in a downtown area is finding the happy medium between over-supply and under-supply...

> *Too little* parking can prove frustrating for retail customers attempting to park, making it more attractive to shop in remote locations where parking is plentiful. This is of great concern to downtown merchants as it puts them at a competitive disadvantage to suburban retailers. Too little parking can also result in spillover into adjacent residential areas and can restrict development opportunities, eliminating potential new, community-enriching development.



> *Too much* parking can be of equal concern. Oversupplying parking encourages vehicle travel, increasing the harmful environmental and land use impacts of automobile travel and adding to existing traffic problems. Plentiful parking results in a poor urban aesthetic and decreases the land available for public amenities. Land development becomes more costly when parking is plentiful, leaving less flexibility for developers to contribute public amenities.

URBAN DESIGN

Parking Facilities

Typically, parking facilities are designed to accommodate vehicle movements, maximize the number of parking spaces, and ensure ease of maintenance and servicing. Once these functional criteria are satisfied, the remaining areas may or may not be landscaped or dedicated for pedestrian use. As a result, there are often few landscaped areas within a parking lot and those that are provided tend to be insufficient in size and design to support healthy trees and vegetation. Pedestrians are also given low priority and may be left to navigate between parked cars and across wide driveways, which presents safety concerns and generally discourages walking.

There are opportunities through the careful design of parking facilities to create spaces that increase greenspace, facilitate pedestrian travel and improve the social, cultural and aesthetic performance of a downtown.

Bad...

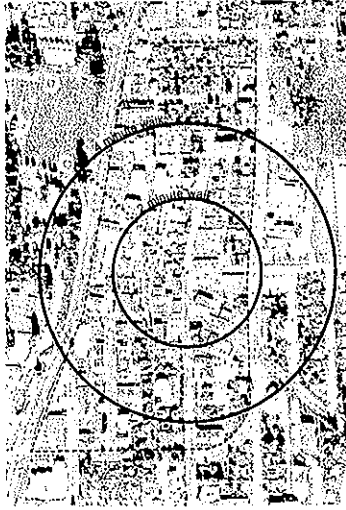


Good...



Pedestrian Facilities

In the same sense that parking design impacts urban aesthetics, urban aesthetics have an impact on parking conditions. Literature suggests that up to a 5 minute walk is an acceptable walking distance between a parking space and end destination, provided the pedestrian environment is comfortable and safe. Parksville's entire downtown can be walked in approximately 5 minutes, suggesting that with improved urban design and pedestrian amenities, people would be willing to walk further distances to access available parking.



Bad...



Good...



PARKING STRATEGIES

ZONING

The City's Zoning Bylaw presents an opportunity to ensure appropriate parking supply and improved parking management through future land development. There are a number of opportunities to improve downtown parking conditions through the Zoning Bylaw.

> The City may consider parking requirements that are specific to the downtown area, recognizing that land uses in rural areas exhibit different demand characteristics than those in urban areas. This will ensure future downtown development does not over-supply parking and encourage intensification of the downtown over continued suburban sprawl.

> Multi-family residential parking requirements may be altered to accurately reflect expected parking demand, considering a bachelor suite is likely to demand far less parking than a 2-bedroom suite. The City may consider establishing tiered multi-family residential requirements, as follows:

	Existing	Proposed
Bachelor	1 / unit	.75 / unit
1-bedroom	1 / unit	1 / unit
2-bedroom	1 / unit	1.25 / unit
3-bedroom	1 / unit	1.5 / unit



Examples of Class I parking (left) and Class II parking (right).

> Provincial legislation permits a local government to require bicycle parking in new development, both Class I and Class II parking. Including bicycle parking in new development will ensure appropriate end-point facilities are available to encourage cycling.

> Cash in-lieu of parking is a regulatory mechanism used by the City to leverage monies from new development where private parking spaces are not needed. Monetary contributions of \$9,800 per space are accepted in-lieu of required parking and are placed by the City in a reserve fund for the purposes of providing public parking in the area. More recent Provincial legislation allows the use of cash in-lieu funds to develop infrastructure for alternative travel modes, such as walking, cycling and transit.

DEMAND MANAGEMENT

Demand management refers to strategies that reduce parking demand by encouraging alternatives to single-occupant vehicle travel. These strategies encompass those presented on the Transportation Demand Management (TDM) poster, as well as priority parking options. Priority parking are spaces in the most desirable, central locations which are reserved for specific vehicles or travellers that exhibit characteristics that are desirable to the community, typically working toward increasing sustainable travel and decreasing congestion. Priority parking options include:



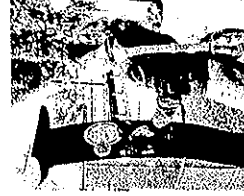
Example of an 'Eco Pass' used in Victoria.

> EcoVehicle parking spaces are intended for hybrid vehicles. Hybrid vehicles must be registered at City Hall and given an EcoVehicle sticker to display in their vehicle, allowing them to park in any public parking space without a time restriction.

> Carpool parking spaces are reserved for registered carpools until 10:30am each weekday, after which time they revert back to general parking.

> Micro vehicle parking spaces are significantly smaller than typical parking spaces and are intended for use by SmartCars and potentially Neighbourhood Zero Emissions Vehicles (NZEVs).

> Motorcycle / scooter parking, in certain locations, may be added with no net loss to existing parking. Motorcycles and scooters are more fuel efficient than a typical passenger vehicle and require smaller parking spaces.



PAY PARKING

Pay parking is an option that may be considered for Downtown Parksville as a method to make users pay for the privilege of parking in the most sought after parking, while leaving peripheral spaces free for those willing to walk a short distance. Pay parking generates revenue for streetscape and public parking infrastructure, while generally discouraging vehicle travel.

PARKING ENFORCEMENT

The parking survey revealed that the average parking duration exceeds the time restriction in a number of areas in the downtown, suggesting that enforcement has not been successful in upholding time restrictions. Enforcement should be increased in the downtown, with the objective of upholding the intention of time restrictions for the betterment of the downtown. Enforcement should not be seen as an opportunity to increase revenues. It is important that there is education and awareness of enforcement so it is not negatively received.



Increased parking enforcement in the downtown is needed to ensure parking restrictions are being followed.

SIGNAGE + WAYFINDING

Coordinated signage and wayfinding is needed to help ensure that public parking is utilized at a more constant rate, rather than focusing demand on preferred spaces. It is suggested that many downtown parkers perceive a parking shortage because they are unaware of alternative parking within walking distance. Signage and wayfinding, perhaps in conjunction with an overall urban design or theming plan, would address this concern.



December 3, 2009

MEMO TO: HIS WORSHIP THE MAYOR AND MEMBERS OF COUNCIL

FROM: FRED MANSON, CHIEF ADMINISTRATION OFFICER

SUBJECT: OCEANSIDE TOURISM ASSOCIATION FEE FOR SERVICE AGREEMENT

ISSUE:

Renewal of the 2009 Oceanside Tourism Association Fee For Service Agreement.

REFERENCE:

- April 14, 2009 Oceanside Tourism Association Fee for Services Agreement renewal report for the Chief Administrative Officer.
- 2009 Oceanside Tourism Association Fee for Service Agreement

BACKGROUND:

During the negotiations of the 2009 Oceanside Tourism Agreement, Council made several inferences regarding continuation of the fee for service agreement and continuation of the associated \$20 per business license surcharge past 2009.

At that time I believe that there may have been a desire amongst Council that the business license fee be reduced by the \$20 surcharge and that the 2009 fee for service agreement would not be renewed for 2010.

To date Council has not formally debated this issue and staff needs direction regarding the 2010 business license fees prior to mailing the 2010 business license renewal notices.

OPTIONS:

1. Direct staff to renew the 2009 Oceanside Fee for Service Agreement and continue the \$20 Business License Surcharge into 2010.
2. Provide staff with direction that the 2009 Oceanside Fee for Service Agreement will not be renewed and that the 2010 Business License Fees Bylaw be reduced to reflect the removal of the associated \$20 surcharge.
3. Refer the issue back to staff with specific direction regarding renewal, termination and/or any other changes.

ANALYSIS:


The fee for service agreement with the Oceanside Tourism Association is now limited to the items as outlined in Schedule A of the agreement which are paid for through the transfer of the \$20 per business license surcharge. Renewal of the agreement and continuation of the surcharge would provide for these services to continue.

FINANCIAL IMPLICATIONS:

Collection of the surcharge and subsequent transfer to the OTA effectively nets to zero.

RECOMMENDATION:

Council direction is required.



FRED C. MANSON, CGA
Chief Administrative Officer

I:\Users\Fred\Administration\Agreements\OTA\2010\OTA \$20 report.doc

April 14, 2009

MEMO TO: HIS WORSHIP THE MAYOR AND MEMBERS OF COUNCIL

FROM: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

SUBJECT: 2009 OCEANSIDE TOURISM ASSOCIATION FEE FOR SERVICES AGREEMENT

Issue

Renewal of the Oceanside Tourism Association (OTA) Annual Fee for Services Agreement.

Reference

Draft 2009 Oceanside Tourism Association Fee for Services Agreement.

Background

The City and the OTA negotiate an annual fee for services contract. The purpose of the document is to formalize requirements the City establishes for performance by the OTA, it also provides a means of evaluating the efforts of the OTA, and confirms amounts and timing for payments made by the City.

Staff has been negotiating the 2009 Fee for Service Agreement with the OTA's Executive Director.

As Council is aware since negotiations with the OTA regarding last years Fee for Service Agreement with Councils blessing the OTA has been recognized by the Provincial Government as an Eligible Entity for the purposes of the 2% Hotel Tax. As an Eligible Entity the OTA will now receive the RT 2% AHRT funds directly from the Province. This means that the City will no longer be acting as a conduit for their 2% AHRT funding and will no longer be accountable for those funds are spent. According, all references to the 2% Hotel Tax and associated reporting requirements have been removed from the agreement.

With the exception of the changes needed to remove the requirements for the 2% hotel tax and several small house keeping items regarding dates and minor wording, the 2009 Fee for Service Contract is the same as the 2008 contract.

Options

1. Support the adoption of the agreement as currently negotiated.

2. Provide staff with specific direction for continued negotiations.

Analysis

Option 1

With the exception of the requirements of the 2% Hotel Tax this option would maintain the status quo. For the \$20 per business licence transfer, the OTA would continue supply the services outlined in Schedule "A".

Option 2

At this point no direction other than option 1 has been provided by Council.

Financial Implications

The OTA becoming an Eligible Entity for the purposes of direct receipt of the 2% AHRT funds has removed the potential liability the City had as the entity being held "accountable" for the proper use of the 2% AHRT funds. The remaining \$20 per business licence fee transfer as compensation for the services provided by the OTA as outlined in Schedule A of the agreement has been included within both the 2009 provisional and final budgets as reviewed by Council.

RECOMMENDATION

That the report from the Chief Administrative Officer dated April 14, 2009 regarding the 2009 Oceanside Tourism Association Fee for Service agreement be received;

And that the Mayor and Corporate Officer be authorized to sign the 2009 Oceanside Tourism Association Fee for Service Contract.

FRED C. MANSON, C.G.A.
Chief Administrative Officer

THIS AGREEMENT made the day of .

BETWEEN:

**THE CITY OF PARKSVILLE
P.O. BOX 1390
PARKSVILLE, BC.
V9P 2H3**

(hereinafter called the "City")
OF THE FIRST PART

AND

**THE OCEANSIDE TOURISM ASSOCIATION
P.O. BOX 239
PARKSVILLE, BC.
V9P 2G4**

(hereinafter called the "OTA")
OF THE SECOND PART

WHEREAS the City of Parksville and the Oceanside Tourism Association share a common goal to promote and improve trade and commerce as well as to improve the economic and civic welfare of the community;

AND WHEREAS the Oceanside Tourism Association has in past years provided services to the City of Parksville in promoting and marketing the community and it's tourism assets;

AND WHEREAS the parties hereto desire to formally establish the terms and conditions and the dates for the advances of portions of the said Fee for Service;

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in consideration of the City of Parksville resolving to make the Fee for Service Contract with the Oceanside Tourism Association, as hereinbefore recited and in consideration of the mutual promises hereinafter appearing, the parties hereto covenant and agree each with the other as follows:

1. The OTA shall:
 - (a) Provide sufficient staff and resources to deliver the functions as outlined in Schedule "A";
 - (b) Arrange for the OTA Board to meet with City Council annually to discuss matters of mutual concern, and at such other times as necessary to address issues of a more urgent nature;
 - (c) Ensure that the Chair of the OTA presents an evaluation of the activities of the year covered by this agreement and presents the next year's programs to the City prior to December 1st of the year covered by this agreement;
 - (d) Not without the written consent of the City incur any expense for which the City shall be required to reimburse the OTA or for which the City in any other way shall become liable to any other person, company or governmental agency.

- (e) That the OTA Executive Director be the City's liaison for Tourism Vancouver Island (TVI). The OTA Executive Director shall provide to the City a Written Report annually on the activities of TVI.
- (f) With the exception of voting, the OTA shall provide all the rights and privileges to the City of Parksville Council appointed liaison as would be provided to a board member of the OTA.

2. The City shall:

In consideration for the OTA supplying the aforementioned services:

- i Pay to the OTA all per business licence surcharge amounts collected for the year covered by this agreement within 30 days of the following collection dates, :

March 31
 July 31
 December 1

- 3. Should a business licence fee received by the City be prorated, the fee payable to the OTA shall also be prorated.
- 4. This Agreement shall remain in force only during the calendar year 2009. Future agreements shall be subject to results of an annual review by the City.
- 5.. The OTA Executive Director and the Chief Administrative Officer shall meet on a regular basis to exchange information on current issues. The City will be supplied with a quarterly report on the OTA activities.
- 6. The City and the OTA agree that the provisions of this Agreement shall be given such reasonable interpretation as will facilitate a proper carrying out of the aforementioned services.

IN WITNESS WHEREOF the parties have hereunto caused their presents to be executed under the hands of their proper officers duly authorized in that behalf.

**SIGNED ON BEHALF OF THE
OCEANSIDE TOURISM ASSOCIATION**)

Authorized Signatory)

Authorized Signatory)

**THE CORPORATE SEAL OF THE
CITY OF PARKSVILLE**
was affixed in the presence of:)

Mayor)

Corporate Administrator

)
)
)

SCHEDULE "A"

1. *Tourism Marketing, Programs and Projects* –The OTA shall provide for Councils approval a budget outlining the proposed tourism marketing, programs and projects including accomplishment objectives for the year covered by this agreement in sufficient detail for the OTA to report to Council on the outcomes of the year's activities.
2. *Audited Financial Statements* –The OTA shall, within three months of the year end, provide the City with audited financial statements for the year covered by this agreement.
3. *Requests for Information* – The OTA shall prepare and distribute tourism information packages in response to requests. Other requests for information will be referred to the Parksville and District Chamber of Commerce.
4. *Guide* – The OTA shall prepare, publish and distribute the Oceanside Tourism Guide. Copies will be made available to the City for distribution.
5. *Web Site* – The OTA shall develop and maintain an up to date Web Site with linkages to other regional sites.
6. *Tourist Map* – The OTA shall prepare and distribute a local area map for tourist use. Copies will be made available to the City for distribution.
7. *Liaison* – The OTA shall be the conduit for information flows between the tourism community and the City, and shall liaise between the two parties as required. The OTA will provide information to the City on specific comments, desires and complaints from tourists to the area. The OTA will collect the information and provide reports to the City when applicable.
8. *General Support* – The OTA shall on request, provide advice and guidance to the City on matters related to tourism.
9. *Communities in Bloom* – The OTA shall work with the City and the Parksville and District Chamber of Commerce to promote Communities in Bloom activities.
10. *Sport Tourism* – The OTA will be responsible for marketing Oceanside as a meetings and group destination which includes 'Sports Tourism'. The OTA will continue to retain a Sales Manager responsible for marketing Oceanside as a meetings and group destination which includes Sports Tourism programs.
11. *Film Promotion* – The OTA will provide support to the City of Parksville's film promotion and development program. This may involve providing information concerning accommodation and other services available along with advising on potential locations for photo file shots.
12. *Web Cam* – The OTA will operate and maintain a Web Cam so as to showcase Parksville's beaches.

13. **Facilities** – The OTA shall undertake to promote the City's Facilities, including the Parksville Community and Conference Center.