



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

SPECIAL COMMITTEE OF THE WHOLE **AGENDA**

MONDAY, MARCH 30, 2009 - 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the March 9, 2009 minutes of the Committee of the Whole meeting - Pages 1 to 2

2. PUBLIC PRESENTATIONS

- a) Dallas Collis & Carolyn Jordan from Parksville Garden & Parkland Society - Pages 3 to 5
Parksville Garden & Parkland Society will be asking City Council to endorse the Parksville Food Charter.
- b) Dave Simpson, Architect from DYS Architecture and Keith Brown from Keith Brown Associates Ltd - Page 6
A presentation on the proposed comprehensive designed mixed use housing development. Will explain the project's integration and contribution the project provides to the community. Also, how the nature of the project will set a new bench mark for future projects to draw from.

3. CORRESPONDENCE

4. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

5. STAFF PRESENTATIONS

- a) Director of Community Planning - Development Permit to Permit the Layout for a Master Planned Development [422 Church Road & Renz Road Properties] - Pages 7 to 49
On July 4, 2008, the City received a development permit application from Keith Brown Associates Ltd. on behalf of the owners of the property. The 33.514 acre site is located southwest of the intersection of Renz Road and Humphrey Road. The applicant is requesting the issuance of a development permit to authorize the layout for a master planned development. The subject property is within Development Permit Area No. 16 – COMPREHENSIVE DEVELOPMENT AREAS. The development permit designation is under the Form and Character, Protection of the Natural Environment, Protection of Development from Hazardous Conditions categories.

Recommendation: THAT the report from the Director of Community Planning dated March 12, 2009 for the issuance of a development permit at 422 Church Road and Renz Road properties be received;
AND THAT a development permit be issued to Cedar Ridge Estates Inc., Inc. No. 617,113 to permit the layout for a master planned development with a requested variance to relax the RS-1 front yard setback from 7.5 metres to 4.5 metres on Lot 13, District Lot 21, Nanoose District, Plan 1902, except part in Plan VIP74752; Lot 1, District Lot 21, Nanoose District, Plan 34970, except part in Plan 45297; Lot "A", District Lot 21, Nanoose District, Plan 45297 (422 Church Road and Renz Road Properties);
AND THAT tree removal operations shall be limited to those works necessary for RS-1 zoned lots and that they be done on a phase by phase basis;
AND FURTHER THAT a landscaping letter of credit in the amount of \$175,000.00 be received prior to the issuance of the permit, for the purpose of assuring the completion of the linear trail and agricultural buffer.

- b) Director of Community Planning - Proposed Amendment to the Bridgewater Development Permit to add a Tree Management Regime - Pages 50 to 67
Council requested that Staff work with the Bridgewater Strata and its neighbours to achieve a collective recommendation regarding a new tree management regime. This report addresses the efforts made to do this and the results. Ultimately it was not possible to achieve consensus.

Recommendation: THAT the report from the Director of Community Planning dated March 23, 2009 for the amendment of the development permit to add a tree management regime on the Bridgewater development be received;
AND THAT Council deny an amendment to Development Permit No. 98-01 to the Bridgewater Strata Plan VIS4529 to amend the development permit and direct Staff to maintain the status quo with respect to tree retention on Strata Lots 1 – 30, District Lots 13 and 97, Nanoose District, Strata Plan VIS4529 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 (59, 61, 63, 65, 67, 69, 71, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 Bridgewater Lane).

- c) Director of Community Planning - Development Variance Permit [280 Island Highway East and 182, 174 and 160 Corfield Street] - Pages 68 to 78
A proposed expansion of the Thrifty's store and construction of another building in the same complex trigger the City's Works and Services Bylaw requirements. The developer is seeking a relaxation from some of the requirements.

Recommendation: THAT the report dated March 25, 2009 from the Director of Community Planning for the issuance of a Development Variance Permit at 280 Island Highway East and 182, 174 and 160 Corfield Street be received;
AND THAT a Development Variance Permit not be issued to Park Island Properties Ltd., Inc. No. 407559 to grant a development variance to permit the removal of the following works and services requirements; Upgrade of the existing 150 mm AC watermain along Bagshaw to 200PVC; Upgrade of the existing water service at Bagshaw with a new Fire Metre and Chamber; provision of a new Fire Hydrant near the south entrance on Bagshaw, and the replacement of a corrugated steel storm drain pipe to the current day standard to permit the expansion of the Thrifty Foods store, a new retail

outlet with 3 residential dwellings on the second floor on Lot A, District Lot 4, Nanoose District, Plan VIP76612, Lot 1 and 2, District Lot 4, Nanoose District, Plan 32401 and Lot 1, District Lot 4, Nanoose District, Plan VIP75740 (280 Island Highway East and 182, 174 and 160 Corfield Street).

- d) Director of Community Planning - Waiving or Delaying Payment of the Fee for Removal of Non-Complaint Signage from Public Land Pursuant to the Sign Regulation Bylaw - Pages 79 to 84

The City has received an appeal in writing from Mr. Mark Nagra of M & N Mattress Shop Ltd. that Council waive or delay the payment of the fee that is charged for the removal of signs from public land that are prohibited under the Sign Regulation Bylaw.

Recommendation: THAT the report from the Director of Community Planning dated March 24, 2009 for consideration of waiving the fines for a bylaw infraction against the Sign Regulation Bylaw, 1997, No. 1276 be received;

AND THAT Council denies the request to waive the sign removal fee;

AND FURTHER THAT "Sign Regulation Bylaw, 1997, No. 1276" be retained unaltered.

- e) Director of Community Planning - Proposal from the Mid Vancouver Island Habitat Enhancement Society Regarding a Rain Garden Near the Parksville Elementary School - Pages 85 to 90

The goal of this report is to provide Council with a review of the feasibility of a rain garden project near the Parksville Elementary School.

Recommendation: THAT the report from the Director of Community Planning dated February 20, 2009 proposal from the Mid Vancouver Island Habitat Enhancement Society regarding a rain garden near the Parksville Elementary School be received for information;

AND THAT Council support in principle the rain garden concept.

- f) Director of Community Planning - Renewal of the Advisory Design Panel - Pages 91 to 95

The Advisory Design Panel is an advisory committee established by Council. Members are appointed for a term specified at the time of appointment, but not to exceed the term of Council. The Advisory Design Panel membership requires a renewed Council mandate and formal re-appointment to continue in an advisory capacity.

Recommendation: THAT the report from the Director of Community Planning dated March 23, 2009 regarding the renewal of the Advisory Design Panel be received;

AND THAT the Advisory Design Panel mandate be renewed based on the current terms of reference for the current term of Council;

AND THAT Manley Lafoy MAIBC, Ruben Galdames, Lindsay H. Locke MAIBC, and Larrie Taylor MAIBC, be re-appointed to the Advisory Design Panel for the current term of Council;

AND FURTHER THAT Staff be directed to re-advertise for one new candidate to fill the current Advisory Design Panel vacancy.

6. **NEW BUSINESS**

7. **ADJOURNMENT**

TO BE ADOPTED



CITY OF PARKSVILLE

March 9, 2009

Minutes of the Committee of the Whole meeting held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, March 9, 2009 at 6:00 p.m.

PRESENT: His Worship Acting Mayor C. R. Burger

Councillors: A. R. Greir
M. Lefebvre
T. C. Patterson
S. E. Powell
C. J. Powell-Davidson

Staff: F. Manson, Chief Administrative Officer
A. Haywood, Recording Secretary

1. **MINUTES**

Lefebvre - Powell

THAT the minutes of the Committee of the Whole meeting held February 9, 2009 be adopted.

CARRIED.

2. **PUBLIC PRESENTATIONS** - Nil

3. **CORRESPONDENCE** - Nil

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

5. **STAFF PRESENTATIONS**

Acting Mayor Burger noted that all recommendations adopted by the Committee at this meeting will be forwarded to Council for consideration at their March 16, 2009 meeting.

RECOMMENDATIONS:

a) **Manager of Engineering - Quarterly Report (verbal report)**

Moved to the next Committee of the Whole Meeting.

b) **Director of Community Planning - Identification Signage for City Hall**

Powell-Davidson - Powell

THAT the report from the Director of Community Planning dated February 24, 2009 regarding the identification of signage for City Hall be received;

AND THAT staff add informational way finding signs on the Island Highway, Alberni Highway and adjacent streets to direct residents and visitors to "City Hall".

CARRIED.

PAGE

1

c) **Director of Community Planning - Consideration of Recommendation Regarding "The Alphabet Walk" Project**

Lefebvre - Greir

THAT the report from the Director of Community Planning dated February 26, 2009 regarding the "Alphabet Walk" project be received;

AND THAT Staff continue to support the program in principal and ask that the Chamber provide more detailed information regarding the exact involvement of all parties so that the project can be brought from the concept to the project readiness stage with sufficient information for the City to know its exact involvement and be able to commit to specific tasks.

CARRIED.

d) **Director of Community Planning - Consideration of City Position for a Change of Hours to a 'Liquor-Primary' Liquor Licence for Aaronco Holdings Inc. DBA Ocean Lounge [491 Island Highway East]**

Greir - Powell-Davidson

THAT the report from the Director of Community Planning dated February 26, 2009 for consideration of the City's position with respect to a proposed permanent change of hours to the 'Liquor-Primary' liquor licence for the Ocean Lounge be received;

AND THAT Council direct Staff to advertise an opportunity for receiving written comment regarding the liquor-primary licence permanent change of hours application for Lot B, District Lot 4, Nanoose District, Plan 23567 (491 Island Highway East);

AND FURTHER THAT the written comment be received prior to deliberation on the application.

CARRIED.


6. **NEW BUSINESS**

7. **ADJOURNMENT**

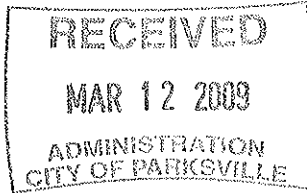
Lefebvre - Powell-Davidson

Rise and Report to Council at their March 16, 2009 meeting.

The meeting ended at 6:55 p.m.



Acting Mayor



REQUEST TO APPEAR AS A DELEGATION

TO BE HELD MONDAY - MARCH 30, 2009 AT 6:00 P.M.
Day Date

NAME OF PERSON MAKING PRESENTATION: DALLAS COLLIS
[Please print]

NAME OF APPLICANT IF OTHER THAN ABOVE: CAROLYN JORDAN
[Please print]

NAME OF ORGANIZATION [if applicable]: PARKSVILLE GARDEN & PARKLAND SOCIETY

Mailing address: 207 STANFORD AVE EAST

Phone: 250-248-0003 - 250-951-3144 Fax: _____
[Business] [Home]

DETAILS: [Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents in letter sized format for photocopying purposes. All requests and documentation must be received by the Administration Department by twelve noon on the Tuesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of *Delegations and/or Presentations to Council or Committee Policy 2.22* will not be processed.]

THE PARKSVILLE GARDEN & PARKLAND SOCIETY IS
ASKING CITY COUNCIL TO ENDORSE THE
PARKSVILLE FOOD CHARTER.

NOTE: Any personal information on this form is collected for the purpose of administering the meetings of Council as noted in Section 26(c) of the Freedom of Information and Protection of Privacy Act.

P a r k s v i l l e F o o d C h a r t e r

The Parksville Food Charter presents a vision for a food system that benefits our community and the environment. It sets out the City of Parksville's support for the development of a coordinated municipal food policy, and animates our community's engagement and participation in conversations and actions related to food security in Parksville.

VISION

The City of Parksville is committed to a just and sustainable food system that:

- Contributes to the economic, ecological, and social wellbeing of our city and region;
- Encourages personal, business and government food practices that foster local production and protect our natural and human resources;
- Recognizes access to safe, sufficient, culturally appropriate and nutritious food as a basic human right for all Parksville residents;
- Reflects the dialogue between the community, government, and all sectors of the food system;
- Celebrates all food traditions, multicultural or otherwise.

Definitions:

- **Food Security:** In a food secure community, the growing, processing and distribution of healthy, safe food is environmentally sustainable, socially just, regionally based and economically viable.
- **Food System:** The food system is the path from field to plate, including production, distribution, marketing, preparation, consumption and disposal.

Why do we need a Food Charter?

- Some members of our community (both children and adults) do not have reliable access to safe and nutritious food.
- Food is a community development and planning issue. It accounts for 20% of retail sales, 20% of service jobs, 20% of car trips, 40% of garbage and 80% of organic waste in our community. Every farm/food production job creates 5 to 10 related food jobs.
- The percentage of food grown and consumed on Vancouver island has steadily declined, it is currently less than 6%.
- It is estimated that there is only a three-day supply of fresh food in our stores.
- The City of Parksville has adopted sustainability as a fundamental approach for the cities operations. The goal of a just and sustainable food system plays a significant role in achieving a "Sustainable Parksville".
- Endorsing The Parksville Food Charter offers the vision and direction for planning and developing a healthy community well into the future.

P R I N C I P L E S

Five principles guide our food system:

Community Economic Development

Locally based food systems enhance Parksvilles economy. Greater reliance on local food systems strengthens our local and regional economies, creates employment and increases food security.

Ecological health

A whole system approach to food protects our natural resources, reduces and redirects food waste and contributes to the environmental stability and well-being of our local, regional and global communities.

Social Justice

Food is a basic human right. All residents need accessible, affordable, healthy and culturally appropriate food. Children in particular require adequate amounts of nutritious food for normal growth and learning.

Collaboration & Participation

Sustainable food systems encourage civic engagement, promotes responsibility, and strengthens community. Community food security improves when local government collaborates with community groups, businesses, and other levels of government on sound food system planning, policies and practices.

Celebration

Sharing food is a fundamental human experience. Food brings people together in celebrations of community and diversity.

To create a just and sustainable food system, we in Parksville can;

- Be leaders in municipal and regional food-related policies and programs;
- Support local and regional farmers and food producers;
- Expand urban agriculture and food recover opportunities;
- Promote composting and the preservation of healthy soil;
- Encourage the humane treatment of animals raised for food;
- Support sustainable agriculture and preserve farmland resources;
- Improve access to healthy and affordable food;
- Increase the health of all our residents;
- Talk together and teach each other about food;
- Celebrate the diversity of food and diverse cultures.

AGENDA
COMMITTEE
MAR 30 2009
DATE



City of PARKSVILLE

REQUEST TO APPEAR AS A DELEGATION

TO BE HELD 30th - MARCH, 2007 AT 6.00 P.M.
Day Date

NAME OF PERSON MAKING PRESENTATION: MR. DAVE SIMPSON, ARCHITECT
DYS ARCHITECTURE
[Please print]

NAME OF APPLICANT IF OTHER THAN ABOVE: KEITH BROWN ASSOCIATES LTD.
[Please print] AGENT

NAME OF ORGANIZATION [if applicable]: _____

Mailing address: 5102 SOMERSET DRIVE, NANAIMO, BC V9T 2K6

Phone: 250-758-6033 - CEL: 250-741-4776 Fax: 250-758-9961
[Business] [Home]

DETAILS: [Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents in letter sized format for photocopying purposes. All requests and documentation must be received by the Administration Department by twelve noon on the Tuesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of Delegations and/or Presentations to Council or Committee Policy 2.22 will not be processed.]

- TO GIVE PRESENTATION TO THE COMMITTEE ON THE PROPOSED
COMPREHENSIVE DESIGNED MIXED USE HOUSING DEVELOPMENT
- TO EXPLAIN THE PROJECT'S INTEGRATION INTO THE NEIGHBO
AND THE CONTRIBUTION THE PROJECT PROVIDES TO THE COMMUNITY.
- TO EXPLAIN HOW THE NATURE OF THE PROJECT WILL SET A
NEW BENCH MARK FOR FUTURE PROJECTS TO DRAW FROM.

NOTE: Any personal information on this form is collected for the purpose of administering the meetings of Council as noted in Section 26(c) of the Freedom of Information and Protection of Privacy Act.

March 12, 2009

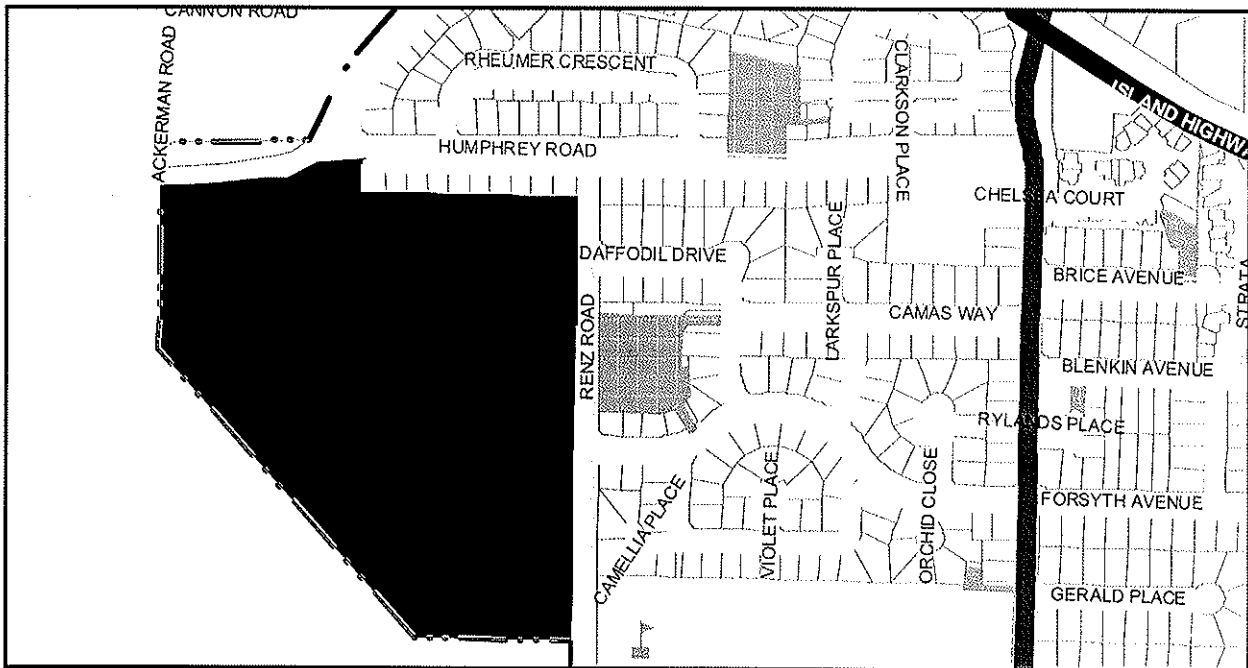
MEMO TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER

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

SUBJECT: APPLICATION FOR A DEVELOPMENT PERMIT TO PERMIT THE LAYOUT FOR A MASTER PLANNED DEVELOPMENT ON LOT 13, DISTRICT LOT 21, NANOOSE DISTRICT, PLAN 1902, EXCEPT PART IN PLAN VIP74752; LOT 1, DISTRICT LOT 21, NANOOSE DISTRICT, PLAN 34970, EXCEPT PART IN PLAN 45297; LOT "A", DISTRICT LOT 21, NANOOSE DISTRICT, PLAN 45297 [422 CHURCH ROAD AND RENZ ROAD PROPERTIES]
REGISTERED OWNERS: CEDAR RIDGE ESTATES INC., INC. NO. 617,113
APPLICANT: KEITH BROWN ASSOCIATES LTD.
OUR FILE NO: 3060-08-08

Issue:

Consideration of a development permit to permit the overall layout for a master planned development.



Executive Summary:

On July 4, 2008, the City received a development permit application from Keith Brown Associates Ltd. on behalf of the owners of the property. The 33.514 acre site is located southwest of the intersection of Renz Road and Humphrey Road. The applicant is requesting the issuance of a development permit to authorize the layout for a master planned development.

APPLICATION FOR A DEVELOPMENT PERMIT TO PERMIT THE LAYOUT FOR A MASTER PLANNED DEVELOPMENT

The subject property is within Development Permit Area No. 16 – COMPREHENSIVE DEVELOPMENT AREAS. The development permit designation is under the Form and Character, Protection of the Natural Environment, Protection of Development from Hazardous Conditions categories.

References:

Refer to Schedule "B" attached to and forming part of this report.

Background:

Context

In 1994, this site, like other large sites within the Community was designated 'comprehensive development' on the future land use map and was placed in a 'comprehensive development permit area' when the Official Community Plan was updated. It is believed that the thinking of the day was to encourage owners of sites like this to rezone so that development would be clustered leaving more of the site free of development, so that any specific site attributes could be preserved. In the case of this site the features which would have been considered important include the escarpment [which offers a scenic walking route], the proximity to Agricultural Land Reserve land, the stand of trees on-site, and the location of the site on the City's boundary¹.

The other prevailing thought was that large properties would lend themselves to becoming comprehensive neighbourhoods, with neighbourhood commercial included as well as a mix of housing types. The overall incentive for this format of development and the one that was thought as the inducement for a developer to rezoning was an increase in density. For this reason the rezoning was not 'imposed', but rather, left to the developer to apply for. It should be noted that the zoning that is in place sets the paramount rules for the development of the site. With a changing market since 1994 the desirability and predictability of single family lot sales has made subdivisions the development of choice in many cases. This is a fact, and one which, cannot be altered through a development permit.

As the above background will indicate there is now some level of mismatch between the zoning, the development permit vision, and consequently, the ability to maximize some aspects of the development permit guidelines. One example of this is with respect to tree retention. Tree retention in RS-1 subdivisions is challenging. The lots are too small for this and the provision of roads, servicing, and a building site tend to necessitate tree removal.

Given this situation the general principals that Staff has attempted to achieve to meet the development permit intent by working with the developer is:

- Creation of some larger lots which could accommodate future rezoning to other forms of housing development, such as townhouses, apartments, and some smaller lots with carriage houses.
- A high level of scrutiny of the overall layout which considered a 'natural systems' based approach. Existing topography, aspect, hydrologic patterns, geology and existing vegetation was examined.

¹ At this time [1994] the City's philosophy was that City properties which abut another jurisdiction should provide a buffer on the subject property being developed.

APPLICATION FOR A DEVELOPMENT PERMIT TO PERMIT THE LAYOUT FOR A MASTER PLANNED DEVELOPMENT

- The dedication of a linear park on the property boundary in which some tree retention can occur and which contains the 'escarpment' area.
- Adequacy of buffering along the south and south-west boundaries; in consideration of this parcel abutting Agricultural Land Reserve lands and the fact that the lands abut Regional District of Nanaimo lands.
- An overall layout for the subdivision and land which reflects the principals of liveable streets and integration into the overall fabric of the City.
- A respect for sustainability principals, including the dedication and development of a park which is designed to handle storm drainage.

The extent to which these principals can be met is somewhat limited by the land use which is authorized by the current RS-1 zoning.

Council's decision making role is to establish whether the development permit guidelines have been met and determine, on that basis, whether or not to authorize issuance of the development permit. It is not within the decision making purview to evaluate the appropriateness of the single family land use.² Should Council wish to impact some aspects of the layout [such as amount of tree retention] which impact density there would be an expectation of compensation to the land owner, in accordance with the *Local Government Act*.

Current Application

The proposal for this development includes:

- The creation of 71 single family lots [under current RS-1 zoning]
 - This number includes 12 larger lots, which, subject to rezoning could accommodate duplexes.
- The creation of 4 large parcels:
 - One which, subject to rezoning, would accommodate 6 'small' lots of an estimated lot size of 300 square metres and which would each also be zoned to have a carriage house.
 - A 6,047 square metres parcel which, subject to rezoning, could accommodate townhouse units.
 - A 12,005 square metres parcel which, subject to rezoning, could accommodate townhouse units.
 - A 6,866 square metres parcel which, subject to rezoning, could accommodate apartment units.
- A linear park of 9954 square metres, which includes the protection of unique trees, increased planting for the purpose of additional buffering of the adjacent Agricultural Land Reserve lands, and the development of a walking trail.
- A dedicated park of 1947 square metres in size, which is developed to facilitate pedestrian circulation through the subdivision as a component of a series of integrated parks, trails and green streets. The site has overlapping uses as it is located to receive stormwater run-off as a detention pond and act as a social gathering place. Existing trees will be retained to the extent possible after the detention pond perimeter is established.

² The large parcels of land which are being created for future rezoning will come under Council's purview, at the time of application, through a rezoning process.

**APPLICATION FOR A DEVELOPMENT
PERMIT TO PERMIT THE LAYOUT FOR
A MASTER PLANNED DEVELOPMENT**

- A dedicated park of 138 square metres in size to facilitate pedestrian circulation between the park and trail system of this subdivision and broader connectivity via Renz Road.
 - Note: overall the park dedication represents 8.8 percent of the subject properties.
- The proposed dedication of a small portion of the future Ackerman Road connector, as well as dedication of some additional right of way for Church Road.
- The proposed closure of some excess Renz Road right of way.
- The provision of trail head parking spaces next to Renz Road, as recommended under the Agricultural Land Commission's guidelines.
- Other development attributes include the provision of a lane behind the future proposed Renz Road lots; so that direct access on to Renz is unnecessary. This is important in providing a safe-route-to-school; and a liveable streetscape with opportunities for 'eyes-on-the-street' and social interaction.
- Voluntary development of a traffic circle at the intersection of Church and Humphrey. The proposed roundabout is significant in creating a gateway effect and calming traffic.
- Voluntary imposition of a building scheme to set the design character of the units within the development.
- A voluntary tree management program for individual single family lots.
- A voluntary enhanced street tree planting program.

It should be noted that realization of the development as proposed involves several additional processes including subdivision and rezoning. Rezoning applications to a higher density are not guaranteed; and it is possible for the applicant to return with an application for single family lots within the large lots that are being put aside at this time. There will be a reliance on other processes to implement some of the technical requirements [such as park dedication, which will occur at the subdivision stage].

With respect to the 'voluntary' tree management program for the single family lots, the proposed lot sizes do not lend themselves to tree retention. Tree removal is not authorized within the linear park, and, the 3 large parcels of land abutting the linear park at this time and will be addressed as a component of the future development applications. If the developer, in the future, advances a single family development application the trees would be unprotected.

This large development is intended to be approached in phases, with the single family lots being developed first. The first phase would be in the area closest to and accessing from the Humphrey and Church Road intersection.

There is one variance which will be authorized by this development permit; this being the reduction of the front yard setback from 7.5 metres to 4.5 metres for all single family lots. This serves the purpose of creating a more liveable streetscape based on a 'neo traditional' pattern.

Letters of credit pertaining to items associated with the development permit [such as for planting in the linear park] will be taken at this stage. Refer to the attached letter dated March 17, 2009.

This development permit, if authorized, will have the effect of:

APPLICATION FOR A DEVELOPMENT PERMIT TO PERMIT THE LAYOUT FOR A MASTER PLANNED DEVELOPMENT

- Permitting clearing of the property for all areas, excepting those in the 4 large lots, subject of future rezoning, and the linear park on a phase by phase basis, except that the roads and utility corridor may be cleared as part of the first phase of clearing.
- Permitting the overall layout.
- Determining that land, rather than cash in lieu, meets the requirement for park land for the entire property. There is an 8.8% dedication.

Development Permit Guideline Evaluation

The detailed evaluation of this development proposal against the guidelines is contained in Schedule 'A'.

Options:

Council may:

1. Authorize Staff to issue a development permit for the proposed development.
2. Deny the development permit application.

Analysis:

1. Issuance of a development permit will establish the general form and character of the subdivision layout; permit land clearing for road layout, utilities installation and clearing of the single family lot area, establish that land dedicated for park is acceptable and establish locations of parkland dedications, and, require additional buffer planting in the linear park. For detailed development permit analysis please refer to Schedule "A".
2. Council can deny a development permit based only on the application not meeting the development permit guidelines or that insufficient information has been provided for Council to make an informed decision. Application deficiencies in meeting the guidelines would have to be clearly communicated to the applicant so that they may be addressed and made satisfactory. The **Local Government Act** does not provide Council with the discretionary ability to ultimately deny permit issuance.

Sustainability/Environmental Analysis:

The Sustainable Community Builder Checklist (see attached) has been completed in detail by the applicant. Stormwater detention ponds are proposed as a main feature of the development and are designed to maintain off-site flows at a pre-development level for all land uses.

Tree retention is proposed under the tree management plan. Due to the lot coverage permitted under the current RS-1 zoning, the potential to save trees on individual lots is low. Multi-family land uses tend to result in clustered buildings, increasing the tree retention potential of the site.

Large mature tree stands and understory vegetation are protected within the proposed park dedication. There are no wetlands or watercourses associated with this site.

Social sustainability is enhanced through a proposed 4.5 metre front yard setback along Renz Road and alley access for cars which creates an uninterrupted livable pedestrian environment.

**APPLICATION FOR A DEVELOPMENT
PERMIT TO PERMIT THE LAYOUT FOR
A MASTER PLANNED DEVELOPMENT**

A well conceived streetscape and integrated greenway trail/linear park system encourages walking and social interaction with surrounding neighbourhoods.

Financial Implications:

The acquisition of 8.88% (approx. 2.975 acres) park land dedication is in excess of the 5% subdivision requirement which represents a benefit and financial saving to taxpayers who would otherwise bear the cost of separate land purchase to acquire the additional 3.88% if it was deemed necessary. Conversely, additional park land dedications will require ongoing maintenance under the parks operating budget.

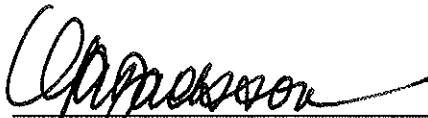
Recommendation:

That the report from the Director of Community Planning dated March 12, 2009 for the issuance of a development permit at 422 Church Road and Renz Road properties be received;

And That a development permit be issued to Cedar Ridge Estates Inc., Inc. No. 617,113 to permit the layout for a master planned development with a requested variance to relax the RS-1 front yard setback from 7.5 metres to 4.5 metres on Lot 13, District Lot 21, Nanoose District, Plan 1902, except part in Plan VIP74752; Lot 1, District Lot 21, Nanoose District, Plan 34970, except part in Plan 45297; Lot "A", District Lot 21, Nanoose District, Plan 45297 (422 Church Road and Renz Road Properties);

And Further That tree removal operations shall be limited to those works necessary for RS-1 zoned lots and that they be done on a phase by phase basis;

And Further That a landscaping letter of credit in the amount of \$175,000.00 be received prior to the issuance of the permit, for the purpose of assuring the completion of the linear trail and agricultural buffer.



G. A. JACKSON

NG/sh
Attachments

\\Users\Planning\DPERMIT\2008\08-08\Report-8.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



F. MANSON, C.G.A.

Schedule "A"

Technical Evaluation

Refer to 5.2.16. - Development Permit Area No. 16 – Comprehensive Development – Cedar Ridge Master Plan

1.0 Technical Review/Agricultural Land Commission/Regional Growth Strategy/Official Community Plan/Development Permit Area Guidelines

The site is currently zoned to permit a 'status quo' RS-1 single family subdivision. The planning technical review of the proposed RS-1 single family lots is complete at a level of detail consistent with the development permit designation. A full site specific technical review for the proposed duplex lots, townhouse sites and multiple family apartments will occur under future development permits, subject to Council approval of the proposed rezoning.

The current RS-1 component of the proposal meets the requirements and guidelines of both the Zoning and Development Bylaw, 1994, No. 2000 and Official Community Plan Bylaw, 2002, No. 1370. One variance is requested to reduce the required front yard setback requirement on RS-1 lots from 7.5 metres to 4.5 metres. Refer to the attached Lot Diagrams (showing proposed setbacks).

Other variances as indicated on the community master plan will be considered as a function of a future rezoning and development permit process. An orderly coordination of land uses is proposed to blend with existing neighbourhoods and is in keeping with the direction of the Regional Growth Strategy.

The subdivision application review process had different considerations.

1.1 Agricultural Land Commission Referral

Referral of this application has been made to the Agricultural Land Commission. In the Commission's experience, trails abutting agricultural properties can lead to urban/rural conflicts and other problems such as trespassing, vandalism and polluting, that can impact the neighbouring farmer's ability to farm. From that viewpoint, any plan for a trail should be away from and buffered from the Agricultural Land Reserve boundary. Further, the Agricultural Land Commission would prefer that all buffering goes in before people are actually living there.

The applicant will install a 3.0 metre multi-use trail a minimum of 6.6 metres back from the lot line adjacent to the Agricultural Land Reserve designated farmland, within the 10 metre linear park dedication. In addition, the developer will be required to supplement existing vegetation along the 6.6 metre separation with a mixed planting of fast growing tree and shrub species that have foliage from base to crown, 60% of which shall be conifers or evergreen plants. No buildings or structures shall be placed within 15 metres of the Agricultural Land Reserve parcel boundary (Level 2 Urban-Side Setback). Refer to the attached Typical Section Linear Park Trail/Agricultural Land Reserve Buffer exhibit. The subdivision application review process will establish a restrictive covenant to protect and maintain the Agricultural Land Reserve buffer on private parcels.

SCHEDULE "A" – TECHNICAL EVALUATION

1.2 Regional District of Nanaimo Referral

Referral of this application has also been made to the Regional District of Nanaimo. Regional District of Nanaimo Staff has noted that the proposed development is located within the Urban Containment Boundary and close to existing commercial services and is therefore consistent with the direction provided by the Regional Growth Strategy. The Regional District of Nanaimo also noted that the subject property is located south of the 'Wembley Neighbourhood Centre' land use designation where the Electoral Area 'G' Official Community Plan supports a rezoning to permit residential densities of up to 55 dwelling units per hectare.

2.0 Environmental Considerations

Protection of the natural environment has been considered by the applicant. A detailed tree management plan and environmental review have been provided to fulfill development permit area submission requirements. There are no red or blue listed species or environmentally sensitive areas identified on the site. There are no wetlands or riparian areas identified on the site.

The limited recommendations of the Qualified Environmental Professional's report have been integrated into the community master plan; specifically, Section 4.0 - Environmental Protection and Enhancement, which included the following statements and recommendations:

- 4.1. *"Tree and Greenspace retention – Residential Units have been sited so that most individual trees designated as protected by the Parksville tree bylaw can be retained, as well as about 3 ha of natural tree cover. And a 1.204 ha of parks. Those features in total, will provide significant wildlife habitat and amenity values."*
- 4.2. *Landscaping for Wildlife - The clustered nature of the proposed residential units results in considerable space that is available for landscaping. Plantings of trees and shrubs of value to wildlife are recommended in much of that space.*
- 4.3. *Detention ponds – Stormwater detention ponds will provide a kind of habitat that is not currently available on the site. These could be enhanced for wildlife use without compromising their hydrologic function, or public safety, and it is recommended that such enhancement be advanced."*

The attached Tree Management Plans (A & B) were prepared by Newcastle Engineering Ltd. Through refinements in the overall subdivision layout and building massing studies it was possible to retain some unique trees within proposed park spaces. An additional 185 (approx.) trees will be planted extensively along streets and boulevards with double rows to occur along roadway trail linkages.

SCHEDULE "A" – TECHNICAL EVALUATION

2.1 Tree and Vegetation Removals

This development permit does not authorize land clearing or tree removal of any kind for lots 'A', 'B' or 'C' (proposed multi family sites). Tree removal operations authorized through this permit shall be limited to those works necessary to complete roadway and servicing for single family RS-1 lots during each phase of development. The project is currently divided into five phases of construction. Refer to the attached Project Phasing Plan for specific phasing information.

2.2 Tree and Vegetation Retention

The majority of 'protected' trees and the elevated rock bluff (views to the mountains) have been preserved as parkland and integrated into the development. Park development is to be constructed by the developer, which will be limited to a 3.0 metre multi-use trail and related amenities (signage and furnishings) that follow the existing topography without harming 'protected' trees.

The central park feature is also to be constructed by the developer. This additional park contribution results in an overall parkland dedication of 8.88% (approx. 2.97 acres) in excess of the 5% (approx. 1.68 acres) subdivision requirement. The park has a dual purpose which will accommodate a 'naturalized' man made stormwater detention pond, as well as providing a social gathering place, picnic area and open grassed areas. The stormwater detention wetland as indicated on the plans is intended to reduce 'first flush' peak flow run-off into the City's storm sewer system. This will in turn reduce downstream flood potential, the amount of contaminants released into adjacent streams and watercourses and facilitate groundwater recharge through infiltration.

The developer is also proposing tree retention on resulting single family (RS-1) residential lots. Staff supports the intent of tree retention on residential lots; however, given the lot and accessory building coverage permitted under the current RS-1 zone, significant tree retention is unlikely.

3.0 Form and Character Guidelines

The proposal was reviewed by the Advisory Design Panel on August 14, 2008. The Panel's recommendation to Council is as follows:

"That Council should accept the overall design concept including the proposed front yard setback of 4.5m along Renz Road and the form and character proposal based on drawings and presentations provided at the Advisory Design Panel for Lot 13, District Lot 21, Nanoose District, Plan 1902, except part in Plan VIP74752; Lot 1, District Lot 21, Nanoose District, Plan 34970, except part in Plan 45297; Lot "A", District Lot 21, Nanoose District, Plan 45297 (422 Church Road and Renz Road properties). CARRIED."

SCHEDULE "A" – TECHNICAL EVALUATION

The Advisory Design Panel has also noted that it is their preference to see a building scheme applied to all lots by the developer during the subdivision process. It is the opinion of the Advisory Design Panel that the form and character of single family homes and landscaping merits some form of additional assurance. This would be necessary to guarantee that the design intent is realized on the ground as lots could be potentially sold and developed individually.

3.1 Developer's Building Scheme (RS-1 lots)

The current development permit will establish form and character guidelines for the overall development that should be reflected in the projects building scheme. A building scheme is established by the developer to set form and character guidelines that would be applied to all RS-1 single family home sites that do not require a site specific development permit. The following elements are key components of the developer's proposed building scheme for single family dwellings (RS-1):

1. The inclusion of "Energy Star" electrical appliances in all dwellings;
2. Building designs to include solar gains and natural lighting;
3. Plumbing to include low pressure faucets, taps and toilets;
4. Heating to include HVAC systems and convection air heaters;
5. Wood burning fireplaces/stoves will not be permitted;
6. All residential housing to be built constructed to Canadian Home Builders Association of British Columbia (CHBABC) "BuiltGreen" guidelines (www.builtgreencanada.ca);
7. A variety of individual home plans (not spec homes);
8. The overall form and character of the buildings is to be of a neo-traditional west coast architectural style;
9. Pitched rooflines and roof overhangs are to be applied throughout including natural lighting and skylights on all residential lots where applicable;
10. Exterior finishes to include hardy plank/natural wood siding and trim;
11. Roofing materials to include tiles, cedar shingles and shakes;
12. Front entrances to include elements of west coast craftsman design;
13. Front porches will be required on all single family (RS-1) dwellings, constructed up to the reduced 4.5 metre setback;
14. Garage faces are to be setback a minimum of 1.5 metres from the main building setback;
15. Disclosure statement to include secondary suites on all residential zoned lots;

SCHEDULE "A" – TECHNICAL EVALUATION

16. Residential lighting will be "DarkSky" compliant fixtures (www.darksky.org);
17. Second row of street trees on private residential lots parallel to those along the road right of ways that connect park sites;
18. No driveway access will be permitted from Renz Road;
19. Single family (RS-1) on-lot tree retention shall be per the Tree Management Plans (A&B) and an Arborist's report will be required at the time of building permit;
20. On-lot landscaping guidelines will encourage the preservation of viable existing trees, use of native and drought tolerant plants, locally quarried stone, locally milled timber and low-volume underground irrigation and Xeriscaping™ techniques.

3.2 Lots Requiring a Separate Rezoning and Site Specific Development Permit Process

No development of any kind is permitted on the following lots resulting from the Proposed Land Subdivision Lot Layout:

1. Proposed 'modified standard single family' lots and 'small lot single family' lots would require a future rezoning to proceed. Refer to the attached 'Lot Layout Plan' for a description of lots that will require a separate rezoning process. Staff is in support of proposed setback relaxations to both modified standard single family and small lot single family lots and the notion of a zoning amendment to accommodate higher density detached residential units to encourage a more diverse housing stock, refer to the attached lot diagrams.
2. Proposed 'duplex lots, 'townhouse sites' and 'multiple family apartments' would require a future rezoning to a higher density zone and a subsequent site specific development permit application to proceed. Refer to the attached 'Lot Layout Plan' for a description of lots that will require a separate rezoning process. Staff is in support of the notion of a zoning amendment to accommodate higher density multi family residential units that are integrated into the neighbourhood fabric, allowing for greater vegetation retention, on-site stormwater retention and to encourage a more diverse housing stock.

4.0 Walkable/Liveable Streetscapes

The provision of an alley behind proposed lots on Renz Road allows for an uninterrupted sidewalk and boulevard resulting in a much safer route for children walking to school. Driveway crossings will not be permitted along Renz Road which means that residents will not have to back across the busy pathway avoiding potential pedestrian safety issues.

Residential lots are proposed to have a reduced 4.5 metre setback and porches encouraging residents to take ownership of the street. 'Eyes on the street' are a common "Crime Prevention through Environmental Design" approach for pedestrian safety. Both Staff and the Advisory Design Panel support a front setback relaxation from 7.5 metres to 4.5 metres for single family (RS-1) properties.

SCHEDULE "A" – TECHNICAL EVALUATION

Front setback relaxations for lots requiring a separate rezoning and site specific development permit process would be brought forward for Council's consideration under a future zoning amendment process. Refer to the Proposed Setbacks Rear Loaded Modified Standard RS-1 Lot (Exhibit), Proposed Small Lot Setbacks (Exhibit) and Proposed Small Lot Setbacks (Exhibit) drawings.

5.0 Hazardous Conditions

Protection of development from hazardous conditions has been considered by the applicant. No hazardous conditions have been identified on the development site. Potential hazards associated with overspray from farming operations have been addressed through the inclusion of an appropriately sized buffer zone and buffer planting strategy; refer to the attached Typical Section Linear Park Trail/ALR Buffer drawing.

Schedule "B" - References

1. Official Community Plan Bylaw 2002, No. 1370 Excerpt – 5.2.16. Development Permit Area No. 16 - COMPREHENSIVE DEVELOPMENT AREAS;
2. Schedule "A" – Development Permit Guideline Evaluation;
3. Sustainable Community Builder Checklist, date stamp received September 30, 2008 as prepared by Keith Brown Associates Ltd;
4. Applicant Development Permit Letter, date stamp received June 30, 2008, as prepared by Keith Brown Associates Ltd.;
5. Regional District of Nanaimo Referral Response Letter, date stamp received August 25, 2008 as prepared by Greg Keller, MCIP, Senior Planner, Regional District of Nanaimo;
6. Lot Layout Plan, date stamp received January 7, 2009 as prepared by J. E. Anderson and Associates;
7. Illustrative Development Plan, date stamp received February 19, 2009, as prepared by dysarchitecture and Victoria Drakeford Landscape Architect;
8. Landscape Concept, date stamp received February 19, 2009, as prepared by dysarchitecture and Victoria Drakeford Landscape Architect;
9. Lot Diagrams (showing proposed setbacks), date stamp February 19, 2009 as prepared by dysarchitecture and Victoria Drakeford Landscape Architect;
10. Single Family Residential Elevations, date stamp received February 19, 2009, as prepared by dysarchitecture and Victoria Drakeford Landscape Architect;
11. Multi Family Residential Elevations, date stamp received February 19, 2009, as prepared by dysarchitecture and Victoria Drakeford Landscape Architect;
12. Tree Management Plan, date stamp received February 19, 2009 as prepared by dysarchitecture and Victoria Drakeford Landscape Architect;
13. Tree Management Plan 'A', date stamp received February 19, 2009, as prepared by Newcastle Engineering Ltd.;
14. Tree Management Plan 'B', date stamp received February 19, 2009, as prepared by Newcastle Engineering Ltd.
15. Project Phasing Plan, date stamp received March 17, 2009, as prepared by Newcastle Engineering Ltd.
16. Applicant Development Permit Letter (Letter of Credit Amount), date stamp received March 17, 2009, as prepared by Keith Brown Associates Ltd.

5.2.16. Development Permit Area No. 16 - COMPREHENSIVE DEVELOPMENT AREAS

- a) **Category:** Form and Character, Protection of the Natural Environment, Hazardous Conditions

- b) **Justification:**

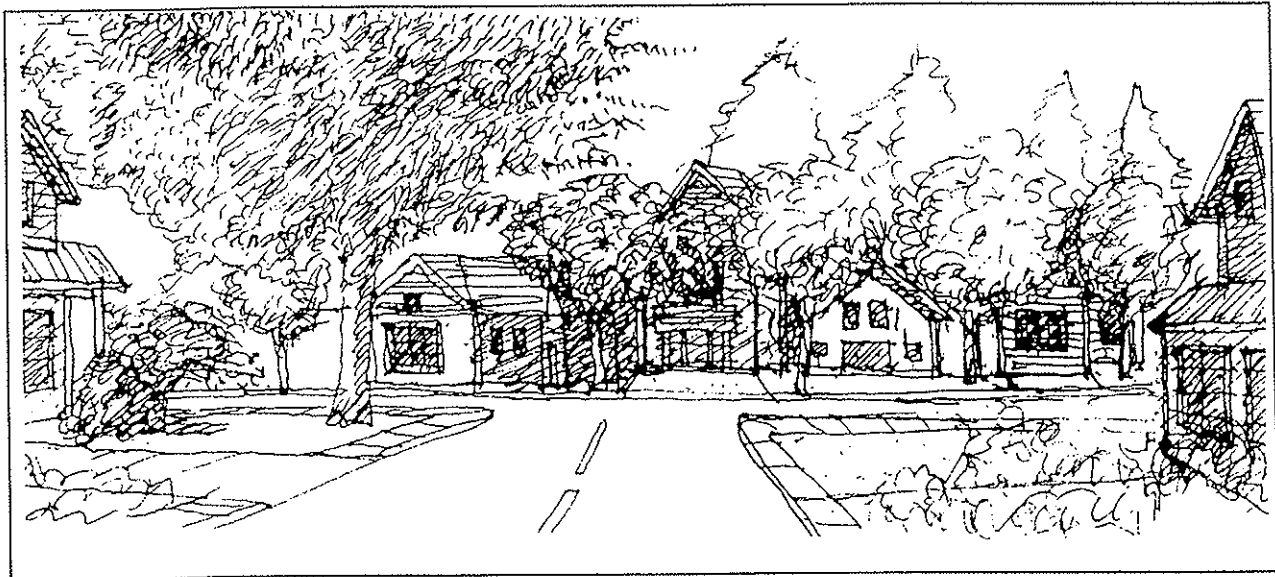
Remaining large tracts of undeveloped land within the current City boundaries or lands that may become available with future incorporations provide the opportunity to create new, master-planned neighbourhoods. In this fashion, an attractive mixture of housing types, neighbourhood commercial facilities and recreational amenities can be ensured to meet the needs of future residents and the aspirations of the community in general.

- c) **Guidelines:**

The following guidelines apply to all properties designated Comprehensive Development (CD) on the Future Land Use Map. The Guidelines address a number of subject areas relating to site planning and urban design and are intended to serve as a guide and not as a rigid formula for site specific development. Upon approval of individual comprehensive development plans, more specific guidelines should be substituted for each area.

1. General Objectives

- i) to achieve an orderly coordination of land uses, roads and open spaces for large sites developed in multiple phases;
- ii) to ensure the protection and integration of outstanding natural features within comprehensive developments;
- iii) to establish a distinctive design character or theme in order to create strongly identifiable neighbourhoods;
- iv) to realize a built form conducive to walking, cycling and other non-automotive transportation modes;
- v) to ensure the integration of comprehensive development schemes, including their land uses, roads and open spaces, into the larger urban fabric of the City of Parksville.



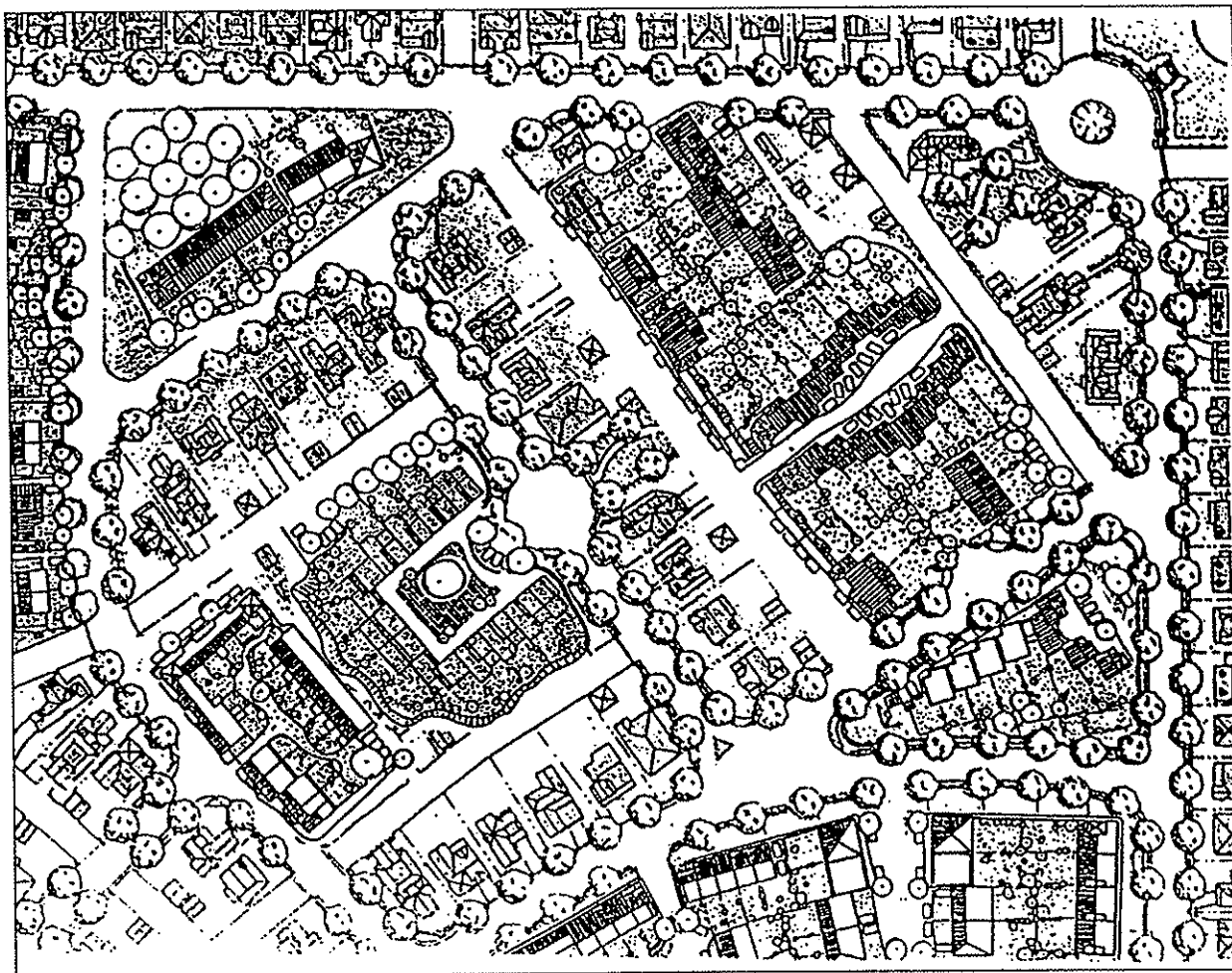
2. Specific Subject Areas

i) Environmental Considerations

Site planning should always begin with an assessment and recognition of the existing natural environment of the site. Environmental inventories and tree surveys should be used to identify significant natural watercourses, wetlands, tree stands, and other outstanding natural features worthy of preservation. All subsequent planning of road layouts, land uses and open spaces should respect the integrity of the natural environmental aspects of the land.

ii) Arrangement of Land Uses

Comprehensive developments should include a variety of housing types. These may range from single family dwellings to multistorey apartment buildings. Residential land uses should be arranged to achieve gradually stepped transitions from low to high density housing types within comprehensive development sites as well as with respect to any existing neighbourhoods that they may adjoin. Affordable housing units should be well integrated into the overall development and not be physically isolated.



Neighbourhood commercial nodes should be included in developments of more than 400 units (or where called for in the Future Land Use Map) for the convenience of residents. Neighbourhood commercial uses should be located at the intersection of collector roads or other major street corners offering high visibility and accessibility. A properly located and designed commercial node should be used to provide a focal point for the high density residential land uses.

Public recreational land uses should be arranged so as to capture the attention and use of residents enjoying the paths and bikeways of the open space system.

iii) Roads

The road layout should respond to the natural conditions and features of the site as well as to the existing road pattern in the area and the Transportation Plan attached to this document. Although the City encourages the development of distinct neighbourhoods, it is vital that comprehensive developments be integrated into the fabric of the City by means of the road network. Thus roads

within comprehensive developments should appear and function as logical extensions of the existing road network.

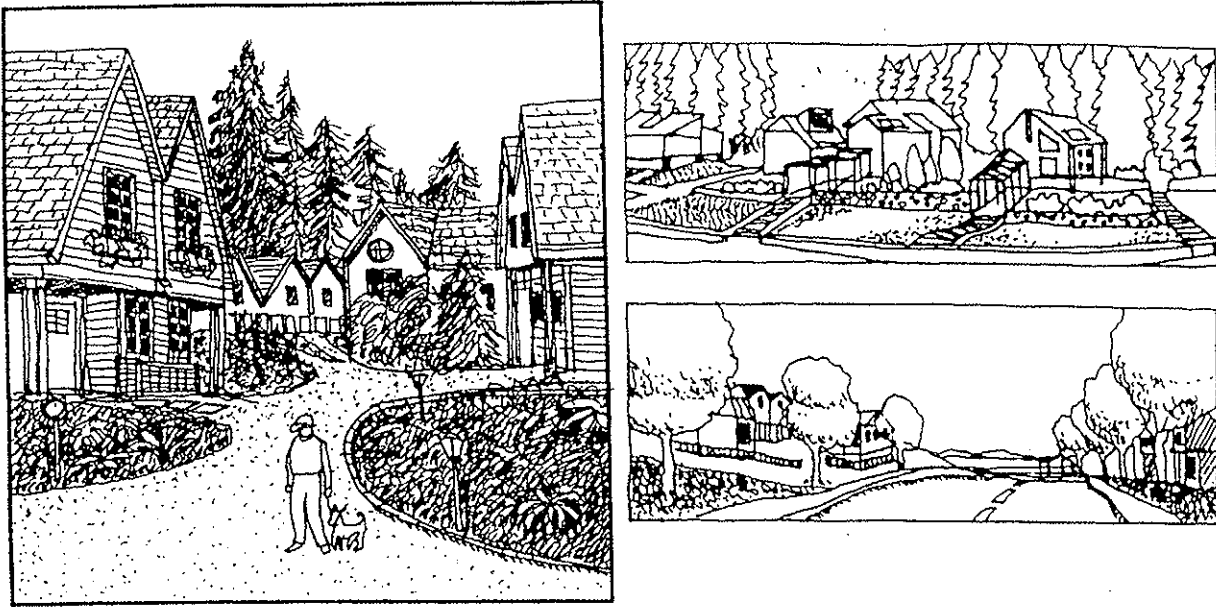
Curvilinear road layouts which respect the topographic contours of a site are most appropriate for hilly or sloped sites where they can ensure views by means of a terraced effect. Gridiron or radial layouts may be employed on flat sites in comprehensive developments where classical or neo-traditional town planning themes are desired.

The design of new roadways should be in accordance with the City's engineering specifications and provide for 20.0 metre allowances for local roads and 23.0 metre allowances for collector roads. In order to entertain demonstrably innovative pedestrian-oriented or environmentally sensitive development proposals, however, the City will consider variations in road widths for on-site roads, but only if adequate parking, traffic circulation, sidewalk widths and utility corridors can be achieved. Any variation from the prescribed standards must be substantiated by engineering reports to the satisfaction of the Public Works Department.

iv) Open Spaces

Like the road network, the open space network consists of a circulation system within the comprehensive development site which must be integrated into the city-wide network (according to the Open Space Network Plan). Rather than local and collector roads, however, this system is comprised of neighbourhood parks, nature parks and linear parks. These elements should be located so as to preserve outstanding natural features, maximize recreational opportunities, and establish a strong civic presence within the new neighbourhood. They should also be connected with trails and bikeways to each other and to the city-wide system in order to encourage walking and cycling for recreational and also commuting purposes. The physical design of walkways and bikeways should always reflect a compromise between natural integrity (tree preservation) and user safety (passive surveillance and sightlines).

In addition to walkways and bike paths, comprehensive developments should also provide additional recreational facilities (such as playing fields, recreation centres, youth and seniors facilities, etc.) appropriate for the size and nature of the development. Ample play areas should be provided in parks or within developments where children are anticipated.

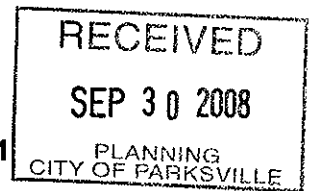


v) Architectural Design

Architectural design in comprehensive developments should be coordinated around a single general theme sufficiently unique to establish a distinguishable neighbourhood character. The theme should consist of core elements (for example, roof pitches or exterior finishes) which can be articulated throughout the development to achieve a coherent pattern without becoming monotonous. In deference to Parksville's outstanding natural setting, forms, colours and materials that respect the natural heritage of the area should be employed.

Individual buildings should be designed so as to avoid presenting an overly massive appearance, using rooflines, fenestration, and landscaping to break up their bulk or soften their lines. Buildings should always be oriented towards the street, offering their "faces" to it in order to enhance the aesthetic quality of the streetscape. Street frontage fencing or masonry walls, often employed in cluster housing developments, should be avoided in order not to present a fortress-like appearance to the street. Proper building orientation should also ensure that streets and open spaces are "defensible", that is able to be visually "controlled" by residents for the purpose of crime prevention.

KEITH BROWN ASSOCIATES LTD.
5102 Somerset Drive Nanaimo, BC V9T 2K6
Tel. 250-758-6033 Cel. 250-741-4776 Fax 250-758-9961



September 29, 2008

File No. 714.00

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

Attention: Mr. Nigel Gray, Planner

Dear Sir:

**SUBJECT: PROPOSED DEVELOPMENT PERMIT APPLICATION FOR
LOT 13, PLAN 1902 (EXCEPT PART IN PLAN VIP74752); LOT 1,
PLAN 34970 (EXCEPT PART IN PLAN 45297); AND LOT A, PLAN
45297; ALL OF DISTRICT LOT 21, NANOOSE DISTRICT.**

**CITY OF PARKSVILLE FILE NO. 3320-30-05-12;
422 CHURCH ROAD & RENZ ROAD PROPERTIES.**

This letter formalizes the filing of the "Sustainable Community Builder Checklist" for the "Cedar Ridge Estates" development.

We thank you for your consideration and please advise if you have further questions.

Yours truly,

A handwritten signature in black ink, appearing to read "R.K. Brown". The signature is fluid and cursive.

R.K. Brown,
Consultant Planner

Enc.

p.c. Mr. Henry Rempel, President
Cedar Ridge Estates Inc.
Mr. Michael Hill, Architect
dysarchitecture

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THE SUSTAINABLE COMMUNITY BUILDER CHECKLIST



The Sustainable Community Builder Checklist

"CEDAR RIDGE ESTATES"

Environmental Protection and Enhancement			
Please explain how the development protects and/or enhances the natural environment. For example does your development:			
	YES	NO	EXPLANATION
1.	Conserve, restore, or improve native habitat?	✓	• ALL PARKLAND AND TOWNHOUSING SITES PROTECT MAJORITY OF ESCARPMENT, AND SIGNIFICANT TREES/TREE CLUSTERS.
2.	Remove invasive species?	✓	• THROUGHOUT SUBDIVISION
3.	Involve innovative ways to reduce waste, and protect the air quality?	✓	• WOOD BURNING STOVES/FIRE PLACES NOT PERMITTED • STRATEGICALLY LOCATED WALKWAYS
4.	Include an ecological inventory?	✓	• TREE MANAGEMENT PLAN • BOULEVARD TREE PLANTING (250 TREES) • BIOLOGY REPORT • STORM WATER MANAGEMENT PLAN.
Please explain how the development contributes to the more efficient use of energy. For example does your development:			
	YES	NO	EXPLANATION
5.	Use climate sensitive design features (passive solar, minimize the impact of wind, and rain, etc.)?	✓	• PITCHED ROOFLINGS + ROOF OVERHANGS • NATURAL LIGHTING - SKYLIGHTS ON ALL SINGLE FAMILY AND TOWNHOUSES AND WHERE APPLICABLE.
6.	Provide onsite renewable energy generation such as solar energy or geothermal heating?	✓	• HVAC SYSTEMS • CONVECTION AIR HEATERS
7.	Propose buildings constructed in accordance with LEED, and the accepted green building standards?	✓	• ALL RESIDENTIAL HOUSING TO BE CONSTRUCTED TO "BUILD GREEN" GUIDELINES.

Please explain how the development facilitates good environmentally friendly practices. For example does your development:

	YES	NO	EXPLANATION
8. Provide onsite composting facilities?		X	
9. Provide an area for a community garden?		X	
10. Include a car free zone?	✓		• PARKS, TRAILS, WALKWAYS
11. Include a car share program?		X	• OPTIONAL AND BASED ON THE POSSIBILITY OF THE MULTIPLE FAMILY COMPONENTS.

Please explain how the development contributes to the more efficient use of water. For example does your development:

	YES	NO	EXPLANATION
12. Use drought tolerant plants?	✓		• UTILIZING NATIVE PLANT SPECIES WHERE POSSIBLE.
13. Use rocks and other materials in the landscaping design that are not water dependant?	✓		• WITHIN THE ROUNDABOUT PROPOSED FOR CHURCH ROAD. • WITHIN THE WATER PARK AREA.
14. Recycle water and wastewater?		X	
15. Provide for zero stormwater run-off?	✓		• REDUCTION OF OFF-SITE STORM DRAINAGE ON MULTIPLE TOWNHOUSING SITES. • UNDERGROUND STORAGE FOR RESIDENTIAL
16. Utilize natural systems for sewage disposal and storm water?	✓		• SAME AS ITEM 15 ABOVE
17. Use low flush toilets?	✓		• ON ALL UNITS- PLUMBING TO INCLUDE LOW PRESSURE FRUETS, TOILETS, TAPS

Please explain how the development protects, enhances or minimizes its impact on the local natural environment. For example does your development:

	YES	NO	EXPLANATION
18. Provide conservation measures for sensitive lands beyond those mandated by legislation?	✓		• AN ADDITIONAL 2.9 % PARK DEDICATION (ALL TREED) • CREATION OF A WETLAND PARK.
19. Cluster the housing to save remaining land from development and disturbance?	✓		• PROPOSED TOWNHOUSING SITES • SECONDARY SUITES • SMALL RESIDENTIAL LOTS. • PROPOSED MULTI-FAMILY SITE.
20. Protect groundwater from contamination?	✓		• BOTH THE TOWNHOUSING AND MULTIPLE FAMILY SITES TO CONTAIN ON-SITE OIL/WATER SEPARATORS.

Please explain how the development protects a 'dark sky' aesthetic by limiting light pollution and light trespass from outdoor lighting. For example does your development:

	YES	NO	EXPLANATION
21. Include <u>only</u> "Shielded" Light Fixtures, where 100% of the lumens emitted from the Light Fixture are projected below an imaginary horizontal plane passing through the highest point on the fixture from which light is emitted?	✓		<ul style="list-style-type: none"> • RESIDENTIAL LIGHTING WILL BE "DARK SKY" COMPLIANT FIXTURES, INCLUDING SHIELDED AND FULLCUT OF LIGHT SOURCE. • LIGHTING SPECIFICATIONS TO BE INCLUDED IN THE PROJECT BUILDING SCHEMATIC.

Community Character and Design

Does the development proposal provide for a more "complete community" within a designated Village Centre? For example does your development:

	YES	NO	EXPLANATION
22. Improve the mix of compatible uses within an area?	✓		<ul style="list-style-type: none"> • MIXED USE OF RESIDENTIAL AND RECREATIONAL LANDS. • NO GARAGES FACING HOUSING ON RENEZ ROAD.
23. Provide services, or an amenity in close proximity to a residential area?	✓		<ul style="list-style-type: none"> • PROVIDE PARKS, WALKING TRAILS, LINKING TO SCHOOL(S) AND TO COMMUNITY SHOPPING CENTRE.
24. Provide a variety of housing in close proximity to a public amenity, transit, or commercial area?	✓		<ul style="list-style-type: none"> • THE MIXED USE RESIDENTIAL, TOWNHOUSING AND APARTMENTS ARE CLOSE TO SCHOOLS, ICE ARENA, TRANSIT AND COMMERCIAL PLAZA

Please explain how the development increased the mix of housing types and options in the community. For example does your development:

	YES	NO	EXPLANATION
25. Provide a housing type other than single family dwellings?	✓		<ul style="list-style-type: none"> • SMALLER RESIDENTIAL LOTS. • "0" LOT LINE SMALLER LOTS. • CLUSTER TOWNHOUSING + APARTMENTS
26. Include rental housing?	✓		<ul style="list-style-type: none"> • SECONDARY SUITES PERMITTED IN ALL "R" ZONES. INCLUDED IN BUILDING SCHEME.
27. Include seniors housing?	✓		<ul style="list-style-type: none"> • TOWNHOUSING AND/OR APARTMENTS.
28. Include cooperative housing?		X	

Please explain how the development addresses the need for attainable housing in Parksville. For example does your development:

	YES	NO	EXPLANATION
29. Include the provisioning of Affordable Housing units?	✓		<ul style="list-style-type: none"> • SMALLER LOTS, SECONDARY SUITES. • TOWNHOUSING

Please explain how the development makes for a safe place to live. For example does your development:

		YES	NO	EXPLANATION
30.	Have fire protection, or include fire prevention measures such as removal of dead fall, onsite pumps, etc?	✓		<ul style="list-style-type: none"> • SERVICED BY CITY FIRE DEPARTMENT. • TOWNHOUSING AND MULTIPLE FAMILY APARTMENTS INCLUDE BUILDING SPRINKLERS
31.	Help prevent crime through the site design?	✓		<ul style="list-style-type: none"> • "EYES ON THE STREET" APPLY TO WALKWAY FRONTING APARTMENTS AND TOWNHOUSING. • SIDEWALK ON RENE ROAD FRONTING HOUSING 4.5^m FROM SIDEWALK.
32.	Slow traffic through the design of the road?	✓		<ul style="list-style-type: none"> • INTERIOR ROAD NETWORK IS DESIGNED TO ELIMINATE SPEEDING AND SHORT CUTS. THE ROAD ABOUT PROVIDES TRAFFIC CALMING AND FRICTION AT INTERSECTION.

Please explain how the development facilitates and promotes pedestrian movement. For example does your development:

		YES	NO	EXPLANATION
33.	Create green spaces or strong connections to adjacent natural features, parks and open spaces?	✓		<ul style="list-style-type: none"> • INTERNAL WALKWAYS LEAD TO LARGER PARK/ESCARPMENT AREA WITH VIEWS OF MOUNTAINS AND FIELDS. • LINEAR TRAILS ENJOY COMMANDING VIEWS OF MOUNTAINS AND FIELDS.
34.	Promote, or improve trails and pedestrian amenities?	✓		<ul style="list-style-type: none"> • PROVIDE SEATS WITHIN TRAIL SYSTEMS ALONG PERIMETER OF SPA AND WITHIN WATER PARK.
35.	Link to amenities such as school, beach & trails, grocery store, public transit, etc.? (provide distance & type)	✓		<ul style="list-style-type: none"> • SIDEWALK LINKS ON RENE ROAD • INTERNAL ROADS TO SCHOOL AND TO TRANSIT.

Please explain how the development facilitates community social interaction and promotes community values. For example does your development:

		YES	NO	EXPLANATION
36.	Incorporate community social gathering places? (village square, halls, youth and senior facilities, bulletin board, wharf, or pier)	✓		<ul style="list-style-type: none"> • PUBLIC PARK (WATER PARK) PROVIDES MEETING AND SOCIALIZING AREA FOR NEIGHBOURHOOD.
37.	Use colour and public art to add vibrancy and promote community values		X	
38.	Preserve heritage features?	✓		<ul style="list-style-type: none"> • THE MAJORITY OF PARKLAND AREA PROTECTS THE ESCARPMENT AND CLUSTERINGS OF FIR TREES THROUGHOUT.

Economic Development

Does the development proposal infill an existing developed area, as opposed to opening up a new area to development? For example does your development:

	YES	NO	EXPLANATION
39. Fill in pre-existing vacant parcels of land?	✓		• PARCELS TO NORTH AND EAST ALREADY DEVELOPED. SUBJECT SITE IS THE LAST PROPERTY TO BE DEVELOPED (INFILL).
40. Utilize pre-existing roads and services?	✓		• DIRECT LINKS TO CHURCH ROAD AND HUMPHRY ROAD AND BENZ ROADS AND INCLUDE SERVICES.
41. Revitalize a previously contaminated area?		X	

Please explain how the development strengthens the local economy. For example does your development:

	YES	NO	EXPLANATION
42. Create permanent employment opportunities?	✓		• ALL LOTS/PARCELS CREATED WITHIN THE DEVELOPMENT ARE TO BE SOLD WHICH PROVIDES PRODUCT FOR LOCAL CONTRACTORS.
43. Promote diversification of the local economy via business type and size appropriate for the area?		X	
44. Increase community opportunities for training, education, entertainment, or recreation?	✓		• ADDITION OF HIGH QUALITY WALKING TRAILS WITH EXCEPTIONAL VIEWS.
45. Use local materials and labour?	✓		• HARD PLANK SIDING/TRIM, CEDAR ROOF SHINGLES/SHAKES, WOOD FRAME CONSTRUCTION.
46. Improve opportunities for new and existing businesses?	✓		• BUILDING SITES AVAILABLE TO LOCAL CONTRACTORS
B O N U S Please explain if there is something unique or innovative about your project that has not been addressed?	✓		• COMFORTABLE INTEGRATION OF MIXED HOUSING TYPES WHICH ENHANCES EXISTING NEIGHBOURHOODS AND PROPOSED NEW HOUSING FORMS WITHIN DEVELOPMENT.
Total Number of "Yes"	39/46		Disclaimer: Please note that Staff is relying on the information provided by the applicant to complete the sustainability checklist analysis. The City of Parksville does not guarantee that development will occur in this matter.
SCORE	84.7% %		

KEITH BROWN ASSOCIATES LTD.
5102 Somerset Drive Nanaimo, BC V9T 2K6
Tel. 250-758-6033 Cel. 250-741-4776 Fax 250-758-9961

June 30, 2008

File No. 714.00

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

Attention: Mr. Nigel Gray, Planner

Dear Sir:

SUBJECT: PROPOSED DEVELOPMENT PERMIT APPLICATION FOR LOT 13, PLAN 1902 (EXCEPT PART IN PLAN VIP74752); LOT 1, PLAN 34970 (EXCEPT PART IN PLAN 45297); AND LOT A, PLAN 45297; ALL OF DISTRICT LOT 21, NANOOSE DISTRICT.

**CITY OF PARKSVILLE FILE NO. 3320-30-05-12;
422 CHURCH ROAD & RENZ ROAD PROPERTIES.**

Please note the enclosed documentation in support of the owner's Development Permit Application (DP) for the above captioned lands.

1. DP Application and Application Fees (500.00).
2. Owner's letter acknowledging agent for DP application.
3. Current copies of Title Searches for the three subject properties.
4. Copy of Ministry of Environment Schedule 1 Site Profile.
5. Copy of BC Land Surveyor's Lot Layout Plan prepared by J.E. Anderson & Associates Ltd. camera reduced to 11" X 17" and plan print at a Scale of 1:1000 representing Lot Layout Plan design, designated parklands and mixed use residential lots (require rezoning).
6. Four – full size sets of prints of the Master Plan (comprising 4 drawings) jointly prepared by **dysarchitecture** and Victoria Drakeford, Landscape Architect at a Scale of 1:1000, photo reduced set of coloured rendered prints at 11" X 17", and 1 set of print reductions at 8 ½ X 11".
7. Copy of Traffic Impact Assessment prepared by Bunt & Associates Engineering Ltd. Current Lot Layout Plan accompanies report.
8. Copy of Geotechnical Assessment by Lewkowich Geotechnical Engineering Ltd. current Lot Layout Plan accompanies report.
9. Copy of Environmental Review Assessment prepared by Donald A. Blood & Associates Ltd. current lot layout plan accompanies report.
10. Copy of Newcastle Engineering Ltd. letter, plan prints of phased Schematic Site Servicing Key Plans A, B, C, for onsite/offsite site servicing; and, Tributary Area Plans for storm sewer, sanitary sewer and watermains reduced to 11" X 17".
11. Copy of Tree Management Plan A & B at a Scale of 1:500 and print at a reduced scale of 1:1000 prepared by Newcastle Engineering Ltd.
12. Copy of Ortho photograph and coloured Tree Cover Map prepared by Global Geomatics Ltd. at a scale of 1:2000.

SITE LOCATION:

The subject 33.75 acre site is bounded by Church, Humphrey and Renz Roads with the existing escarpment being contiguous with the westerly boundary of the City of Parksville. The site is located in the northwesterly portion of the city.

OFFICIAL COMMUNITY PLAN DESIGNATION:

The property is designated as Comprehensive Development Area No. 16 under the City's Official Community Plan(OCP).

DEVELOPMENT PERMIT AREA No. 16:

The City's OCP categorizes Area No. 16 for form and character, protection of the natural environment and hazardous conditions. Further, remaining large tracks of undeveloped lands provide the opportunity to create new master- planned neighbourhoods, a mixture of housing types, uses and recreation facilities subject to a broad range of guidelines.

ZONING BYLAW:

The property is currently zoned Single Family Residential 1 (RS1). The Master Plan requires 2 additional residential zones to accommodate small lots, a duplex zone, townhouse zone and multiple family zone. Discussions with city planning staff is required to formalize the zoning categories and formal rezoning process.

THE DEVELOPMENT- MASTER PLAN:

- This proposed development for Cedar Ridge Estates has been carefully planned to create a new neighbourhood with a diversity of housing types. The variety of lots, homes, and building types add interest to the public edges as well as the internal streetscapes. The variety provides for a neighbourhood that will attract homeowners from different economic groups, age levels and lifestyles making it a desirable place to live and an active community. The introduction of higher densities for the land use in these appropriate locations is a basic principle of ecodensity development which allows for a large number of homes with less disturbance of the environment.
- The different housing types are arranged on the site in a pattern that responds to the natural land configuration, the existing surrounding residential neighbourhood and the park spaces. The lower density housing is situated on the northerly portion of the site, starting at the main entry where the sense of the openness and space is in a scale consistent with the adjacent existing homes.
- The housing types change toward the southern and eastern areas of the site, where the lots reduce in size and the density gradually increases as the homes approach the adjacent open spaces. The highest density is located along the southern linear park and trail where the buildings are clustered to minimize the disturbed areas along the sensitive natural sloping land form of the escarpment at the edge of the farm lands.
- At the public trail head is the proposed three storey multi family residential building which is sited to take advantage of the views to the mountains. This building form allows the opportunity to raise the living units above the public areas, providing separation and privacy for the residents and the interest of viewing the trail and farm lands. The multi family building is set back beyond the

proposed single family homes along the public street to keep the fronting building scale compatible with the existing homes across the street. Providing an overview of the trailhead is a key element in creating safety and security for this public facility.

- The Renz Road frontage is a streetscape of homes that increase in frequency as the lots move south to the multi family site, the school and the trailhead. The vehicular access for these homes is concealed behind the houses off the new lane created for this purpose. The small lots placed next to the multifamily building complete the transition to the higher density area while still providing a traditional single family image. This is consistent with the increased activity surrounding the school and public trail. The lots on Renz Road encourage the development of two storey homes of a smaller scale to enhance the street character and reduce the footprint. This creates an interesting public street with front yards, porches and entries fronting the sidewalk and without the intervention of driveways along the public realm. The opportunity for landscaping and street tree planting is increased with this planning.

LANDSCAPE STRATEGY - MASTER PLAN:

The landscape strategy for Cedar Ridge Estates is to create a pedestrian friendly community.

To achieve this goal the following elements have been included:

- Preservation of the bluffs with associated fir trees as a park.
- Creation of a nature park in the centre of the community.
- A linear trail system that connects these parks within the subdivision.
- The linear park also connects the new Cedar Ridge Estates with adjacent schools, parks, neighbourhoods and other amenities.
- The linear park system consists of dedicated trail areas connected by "green" streets. These green streets separate the sidewalk from roads by boulevards which are planted with street trees.
- Meeting places with benches will be created throughout the parks and trails.

Planting strategies:

- Retain existing trees and clusters of trees and understory vegetation wherever possible.
- Extensive plantings of street trees (approx. 172 trees).
- Park plantings will include drought resistant native species.
- Drought resistant native trees will be encouraged on all multi-family sites as well as on private property.
- Storm water management will be integrated into landscapes throughout the development.

The landscape strategy is illustrated on the enclosed Master Plan. Also enclosed are typical elements of the landscape plan.

TREE MANAGEMENT PLAN:

A Tree Management Survey was completed by Barry T. Furneaux, BTF. The survey identified 18 significant trees on the existing property. The Tree Management Plans A &

B have been prepared by Newcastle Engineering Ltd. Through refinements in the design layout of the lots and proposed buildings, 10 significant trees will be retained. The remaining 8 trees will be replaced with native species and are proposed for planting within the park area(s).

ENVIRONMENTAL PROVISIONS – OPPORTUNITIES:

Building:

- Inclusion of “energystar” electrical appliances in all dwellings.
- Building design to include solar gains and natural lighting.
- Plumbing to include low pressure faucets, taps, toilets.
- Heating to include HVAC systems and convection air heaters, wood fire places/stoves not permitted.

EXTERIOR BUILDING:

- To include hardy plank, and cedar wood siding, cedar/fir/pine window, fascia and door trim.
- Roofing to include tiles cedar shingles and shakes.
- Front entrances to include elements of west coast craftsman design.
- Single family dwellings to include front porches.

DEVELOPMENT SITE:

- Storm drainage retention for overall subdivision.
- Storm drainage retention and oil separators for apartments/townhouses.
- Greater overall tree protection including protection of the rock escarpment, surrounding tree cover retained in natural state and designated as park.
- Increase in park area dedication from 5% to 7.95%.

SOCIAL PROVISIONS – OPPORTUNITIES:

- Master plan provides for greater pedestrian safety to schools.
- Livable streetscapes provide for reduction of front yard setbacks accommodating ownership of the boulevards and “eyes to the street.” Traditional design where vehicle access from the rear lanes provide for improved social opportunities (front yards not diminished by automobiles providing more front yard livability).
- Linear greenway system (trails) located on peripheral and through middle of development site.
- Mix of housing units providing a wide range of choices cost & housing form.
- Affordable housing within inclusion of secondary suites, duplexes, townhouses, and apartments. Disclosure statement to include secondary suites on all residential zoned lots. The diversity of housing stock provides many options.
- Dwellings are within a short walking distance to the Wembley Mall, Oceanside Place recreational facilities, Winchelsea Elementary and Ballenas Secondary schools. Transit is also within easy walking distance.
- The Master Plan design interfaces with the adjacent neighbourhoods.

COMMUNITY CONTRIBUTIONS:

The required community contribution in exchange for value inferred on land through the rezoning process is:

- Construction of the proposed Church Road roundabout.
- Additional parkland dedication of 2.95% (now totals 7.95%).

MIXED USE RESIDENTIAL DENSITY:

The Lot Layout Plan prepared by J.E. Anderson & Associates Ltd. denotes the categories of the mixed land uses. Several of the land uses shown on the plan will require rezoning which are noted as follows:

- Modified Standard Single Family lots – requires rezoning for 450 sq. m. lots.
- Small Lot Single Family lots – requires rezoning for 330 sq. m. lots.
- Duplex Lots requires rezoning to RS2 – minimum lot area 800 sq. m.
- Townhouses requires rezoning to RS2.
- Multiple Family Apartments requires rezoning to RS3

	LOTS	UNITS
(Standard) Single Family Residential RS1	74 lots	
(Modified Standard) Single Family Residential	27 lots	
(Small lots) Single Family Residential	6 lots	
(Secondary Suites) approx. 30% of total single family lots		+30 units
(Duplex lots) – 12 lots x 2		24 units
(Townhouses)		40 units
(Multiple Family Apartments)		60 units
Total Density (lots + units):		261 lots/units
Gross Density: +8.5 lots/units per acre		

MASTER PLAN COMPLIMENTS GOALS FOR ECONOMIC SUSTAINABILITY:

- The construction of mixed use residential housing will create local employment.
- It will increase infrastructure funds (DCCs) to the City and reduce the amount of roads/utilities having to be maintained over the long term.
- New population will increase the economic viability of businesses and expand the tax base for Parkville.

MASTER PLAN COMPLIMENTS THE DEVELOPMENT PERMIT GUIDELINES:

- Proposed development creates a new neighbourhood with a diversity of housing types while interfacing with the adjacent neighbourhoods.
- Higher density of land use within appropriate locations is a basic principle of ecodensity allowing for increased numbers of homes with less disturbance of the environment.

SUMMARY:

The development Master Plan provides for a comprehensive development and introduces a new opportunity for Parkville. That is, the development seeks to reduce its footprint on the land while providing a much needed range of housing options.

The Master Plan fully compliments the comprehensive development guidelines provide for under the City's Official Community Plan.

We thank you for your consideration of this submission and look forward to meeting with you to expand on the application.

Yours truly,



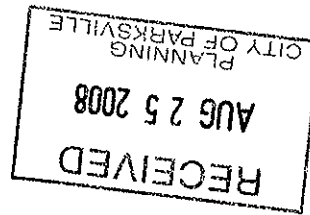
R.K. Brown,
Consultant Planner

Enc.

p.c. Mr. Henry Rempel, President
Cedar Ridge Estates Inc.



August 21, 2008



Blaine Russell, Manager of Current Planning
City of Parksville
PO Box 1390, 100E. Jensen Avenue
Parksville, BC
V9P H3

Dear Mr. Russell:

Re: Response to Referrals dated August 19, 2008 and July 4, 2008

We are in receipt of two referrals one dated August 19, 2008, a rezoning applications (File No. 3360-01), and the other dated July 4, 2008 a Development Permit application for a 261 unit development.

With respect to the proposed amendment to the City of Parksville Zoning and Development Bylaw to add 'Miniature Golf' as a definition and permitted use, we consider the amendment to be minor in nature, especially since the amendment recognizes an existing miniature golf course. Therefore, staff support the proposed amendment as it is unlikely to negatively impact residents in Electoral Area 'G' and is consistent with the direction provided by the Regional Growth Strategy.

With respect to the Development Permit for the construction of a 261 unit development, staff note that the proposed development is located within the Urban Containment Boundary and close to existing commercial services and is therefore consistent with the direction provided by the Regional Growth Strategy. The subject property is also located south of the 'Wembley Neighbourhood Centre' land use designation, where the Electoral Area 'G' Official Community Plan supports a rezoning to permit residential densities of up to 55 dwelling units per hectare.

Perhaps more importantly, the subject property is adjacent to a working farm located in the Agricultural Land Reserve. Staff understand the limitations associated with imposing conditions through the Development Permit process. However, one concern identified through the Electoral Area 'G' Official Community Plan review process is the need to reduce the impacts of residential developments on farm land.

This includes the need to ensure that property owners and developers who develop and/purchase property adjacent to lands located in the ALR are aware of the potential impacts that can be expected as a result of standard recognized farming practices (i.e. noise, dust, odour).

In addition, it is unclear from the site plan provided how wide the buffer is between the proposed development and the ALR lands and how the proposed walking trail adjacent to ALR land will be developed including access management. This may be of concern to the adjacent property owners in Electoral Area 'G' who for

Development Services
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Ph: (250) 390-6510

Toll Free: 1-877-607-4111
Fax: (250) 390-7511
Email: planning@rdn.bc.ca

Web: www.rdn.bc.ca

operational, safety and security reasons may need to ensure that access to farm land is controlled.

The Agricultural Land Commission and the Ministry of Agriculture and Lands published two documents that deal with landscaped buffers and trails in or adjacent to farming areas that may be of interest including the '*Landscaped Buffer Specifications (1998)*', and '*A Guide to Using and Developing Trails in Farm and Ranch Areas (2002)*'. Unfortunately the files are too large to email, but we can arrange to send you digital copies by mail or ftp at your request.

Thank you for the opportunity to provide comments on the above two proposals. We look forward to working with you in future endeavours.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Keller". The signature is fluid and cursive, with a large initial "G" and "K".

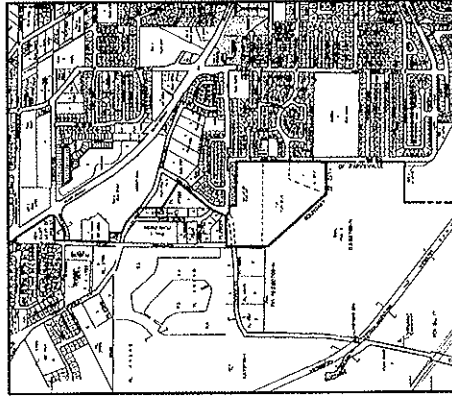
Greg Keller, MCIP
Senior Planner

cc Joe Stanhope, Director Electoral Area 'G'

CEDAR RIDGE ESTATES

LOT 13, PLAN 1902 (EXCEPT PART IN PLAN VP74752);
 LOT 1, PLAN 34970 (EXCEPT PART IN PLAN 45297);
 & LOT A, PLAN 45297; ALL OF DISTRICT LOT 21,
 NANOOSE DISTRICT.

RENZ ROAD / HUMPHREY ROAD, PARKSVILLE, B.C.

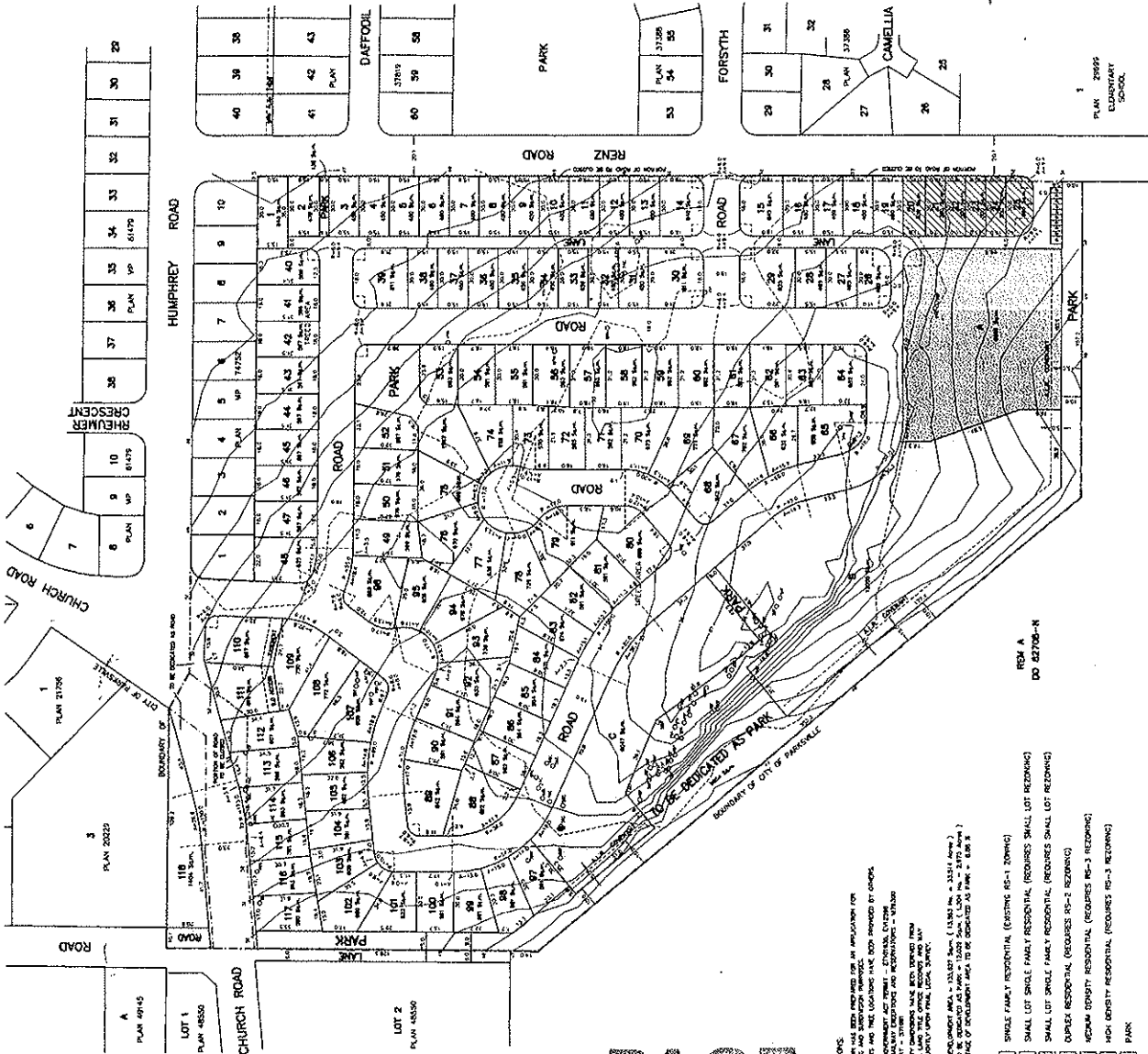
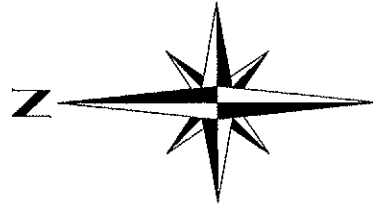


KEY PLAN

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J.E. Anderson and Associates
 B.C. LAND SURVEYORS
 VICTORIA - NANAIMO - PARKSVILLE

LOT LAYOUT PLAN	
CLIENT:	CEDAR RIDGE ESTATES INC.
PROJECT NAME:	KOC
DATE:	DECEMBER 15, 2005
SCALE:	AS SHOWN
DATE PLOTTED:	02/05/06
PROJECT NO.:	05055-1-1
REVISION:	5

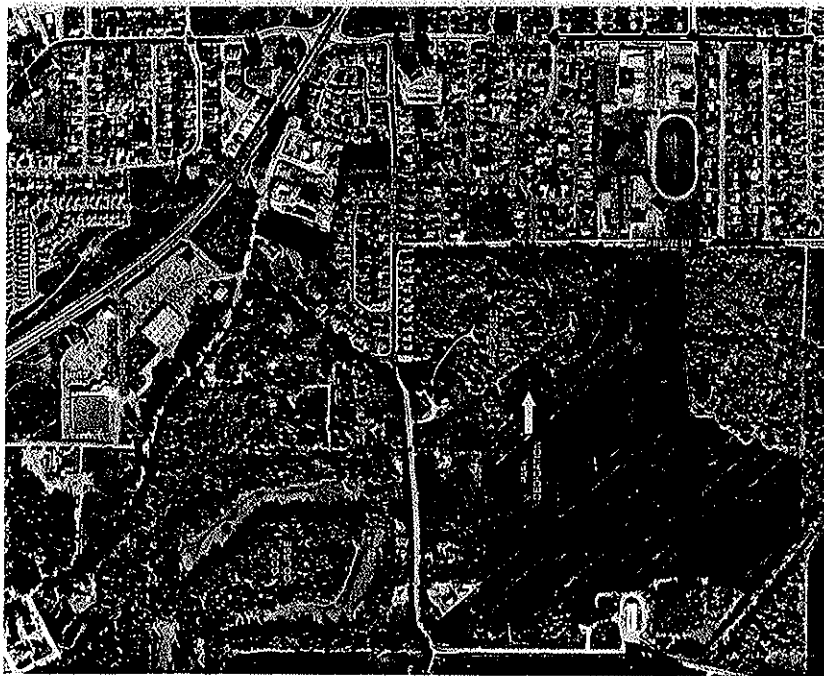


PLAN 20995
 ELEMENTARY
 SCHOOL

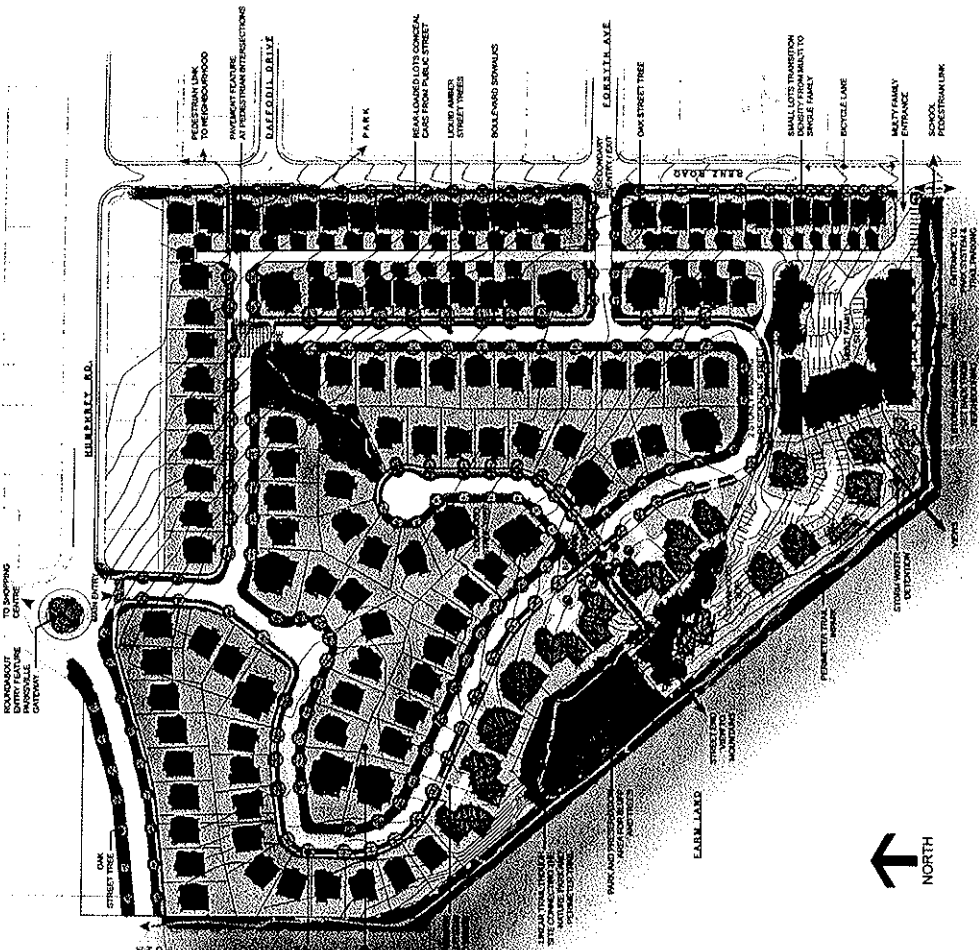
- NOTATIONS:**
- THE PLAN HAS BEEN PREPARED FOR AN INDIVIDUAL FOR LOCAL GOVERNMENT USE ONLY. LOCAL GOVERNMENT ACT (LGA) - STURGEON GENERAL'S OFFICE HAS REVIEWED AND APPROVED THIS PLAN. LOCAL GOVERNMENT ACT (LGA) - STURGEON GENERAL'S OFFICE HAS REVIEWED AND APPROVED THIS PLAN.
 - PROPERTY OWNERS HAVE BEEN ADVISED THAT THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 - THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 - PERCENTAGE OF DEVELOPMENT SHALL BE AS SHOWN ON THIS PLAN.
- LEGEND:**
- SINGLE FAMILY RESIDENTIAL (REQUIRES RS-1 ZONING)
 - SMALL LOT SINGLE FAMILY RESIDENTIAL (REQUIRES SMALL LOT ZONING)
 - SMALL LOT SINGLE FAMILY RESIDENTIAL (REQUIRES SMALL LOT ZONING)
 - DUPLEX RESIDENTIAL (REQUIRES RS-2 ZONING)
 - MEDIUM DENSITY RESIDENTIAL (REQUIRES RS-3 ZONING)
 - HIGH DENSITY RESIDENTIAL (REQUIRES RS-4 ZONING)
 - PARK

Cedar Ridge Estates

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SITE LOCATION AND CONTEXT



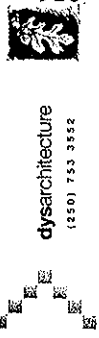
CEDAR RIDGE SUBDIVISION - PARKSVILLE
LANDSCAPE STRATEGY
 The landscape strategy for Cedar Ridge Subdivision is to create a pedestrian friendly neighborhood.
 To achieve this goal the following elements have been included:

- Preservation of the hills with associated fir trees as a park.
- Creation of a nature park in the centre of the community.
- A linear trail system that connects these parks with neighborhoods and other amenities.
- The linear park also connects the new Cedar Ridge subdivision with adjacent schools, parks, neighborhoods and other amenities.
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- Plant plantings will include drought resistant native plants.
- Drought resistant native trees will be encouraged on all multi-family sites as well as on private property.

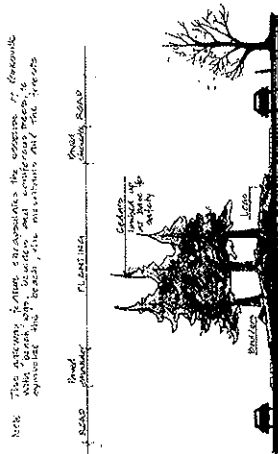
ILLUSTRATIVE DEVELOPMENT PLAN



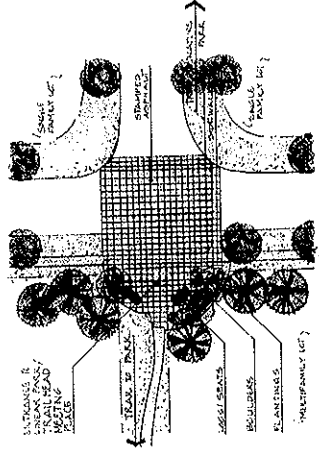
VICTORIA DRAKEFORD
LANDSCAPE ARCHITECT
604 754-4376

Cedar Ridge Estates

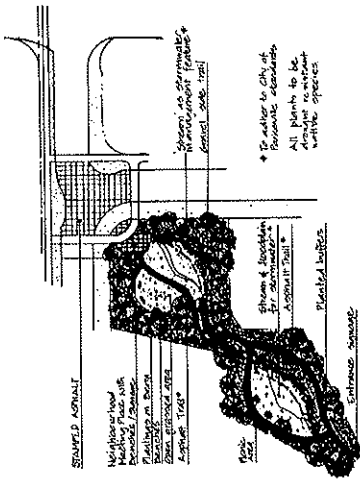
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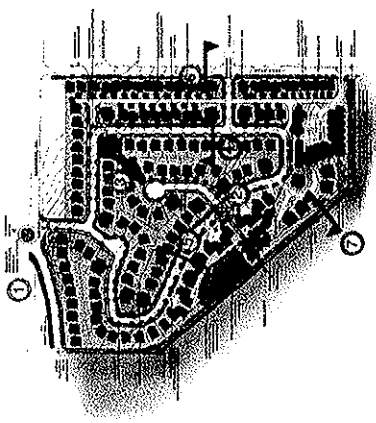
1 SECTION OF GATEWAY ROUNDABOUT



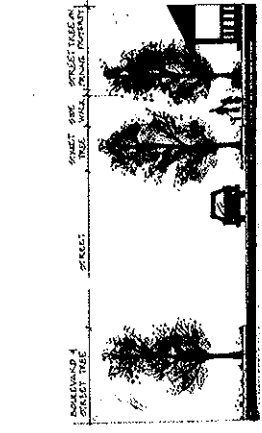
2 TYPICAL PLAN OF ENTRANCE TO PARK/ LINEAR TRAIL INTERSECTION.



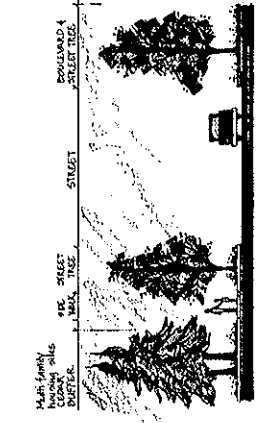
3 NATURE PARK CONCEPTUAL PLAN



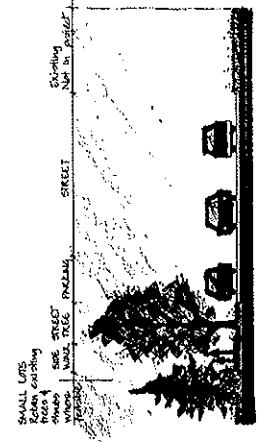
DETAILS/ SECTIONS KEYPLAN



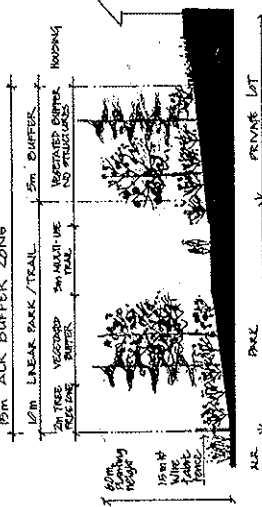
4 TYPICAL SECTION: STREETScape/ SMALL LOTS



5 TYPICAL SECTION: STREETScape/ MULTI-FAMILY LOTS



6 TYPICAL STREETScape AT RENZ ROAD



7 TYPICAL SECTION: ALR BUFFER - LINEAR PARK

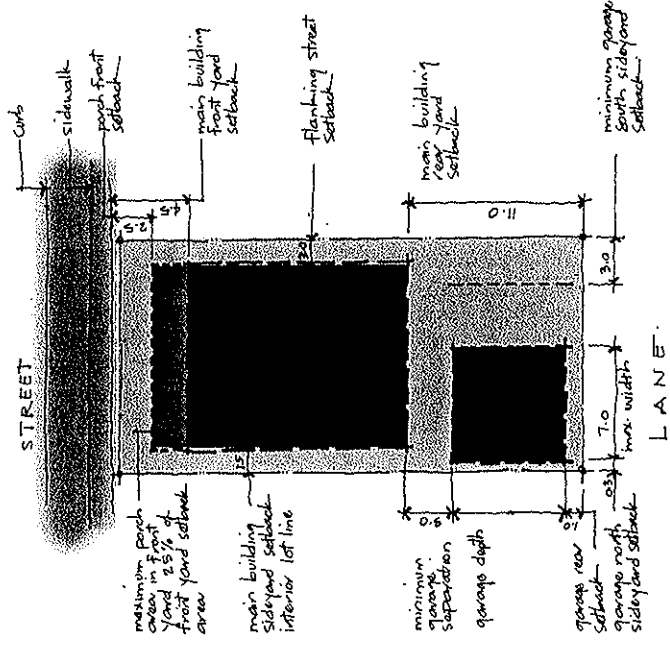
PAGE 4

LANDSCAPE CONCEPT

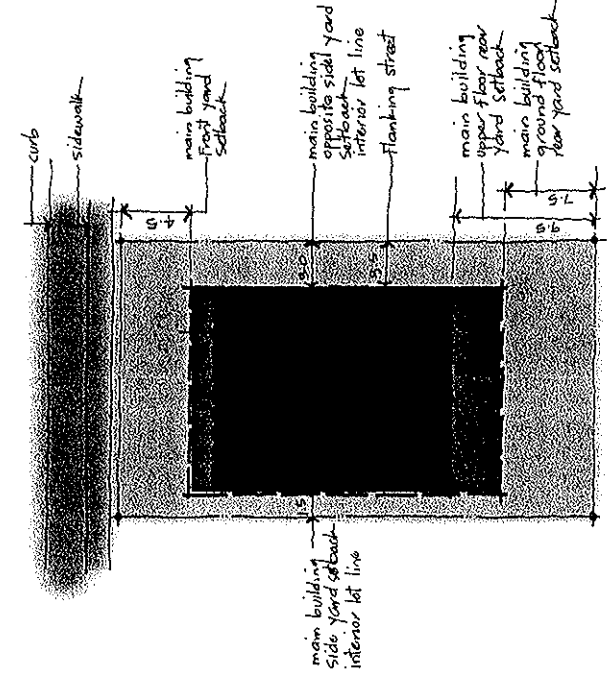
dysarchitecture
(250) 753 3552

VICTORIA DRAKEFORD
LANDSCAPE ARCHITECT
604 754-4376

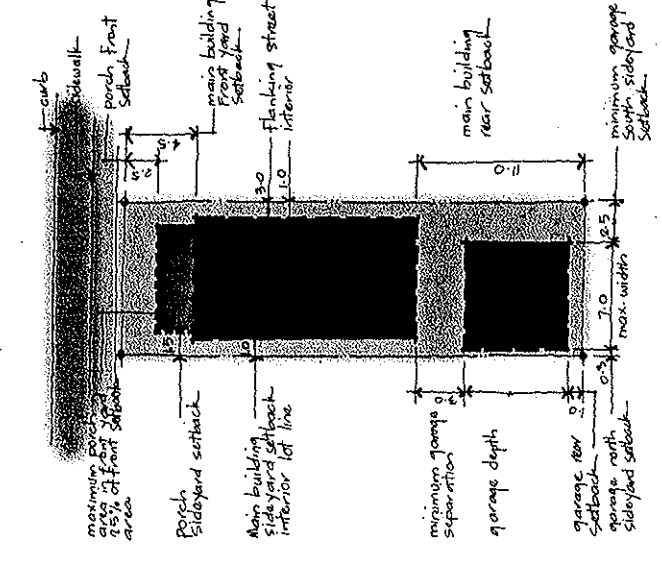
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REAR-LOADED
MODIFIED STANDARD LOT



STANDARD LOT



SMALL LOT SETBACKS



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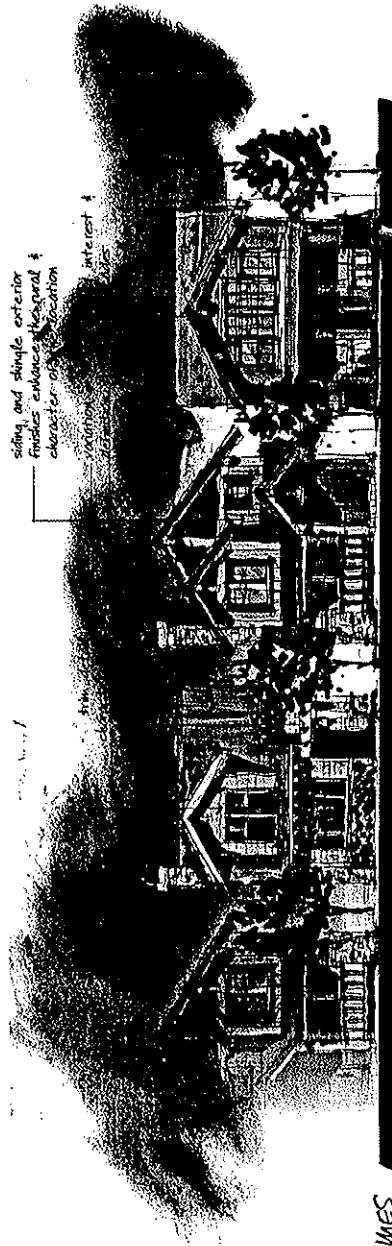
Cedar Ridge Estates



STANDARD LOT HOMES

covered porches animate the streetscape

garage doors set back from front facade



SMALL LOT HOMES

siding and shingle exterior finishes enhance the general character of the neighborhood

various porch styles add interest

articulate entries to identify individual homes

front porches animate the streetscape



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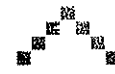
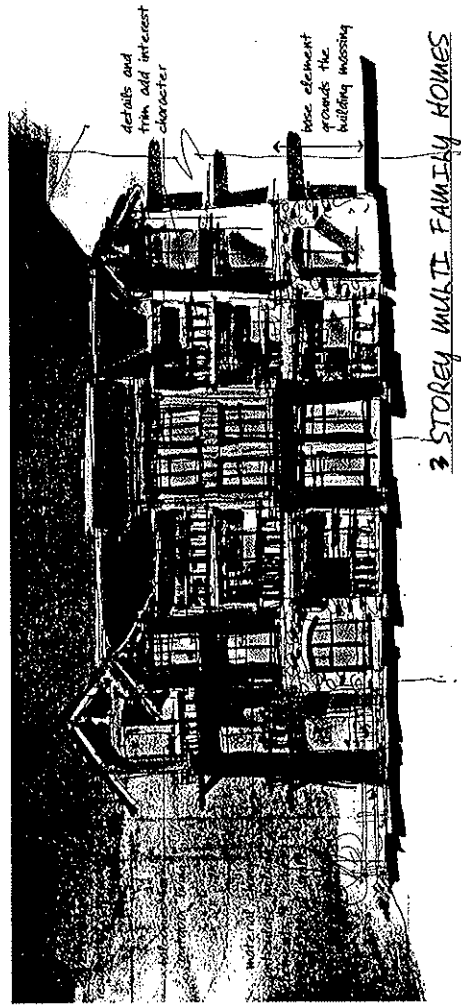
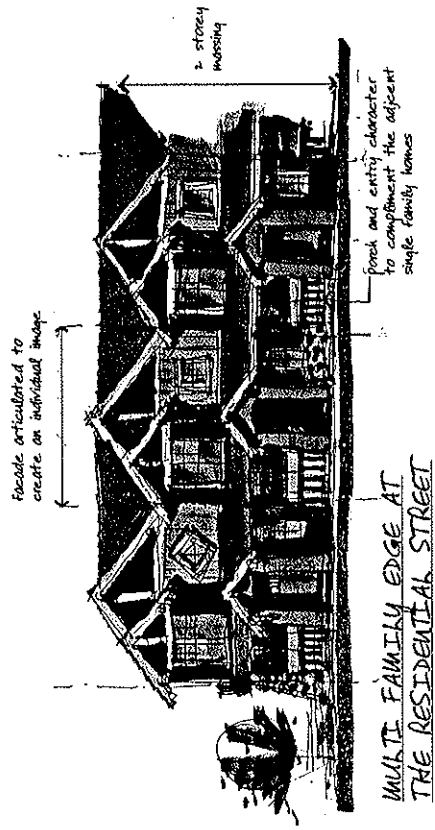
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SINGLE FAMILY RESIDENTIAL

Cedar Ridge Estates



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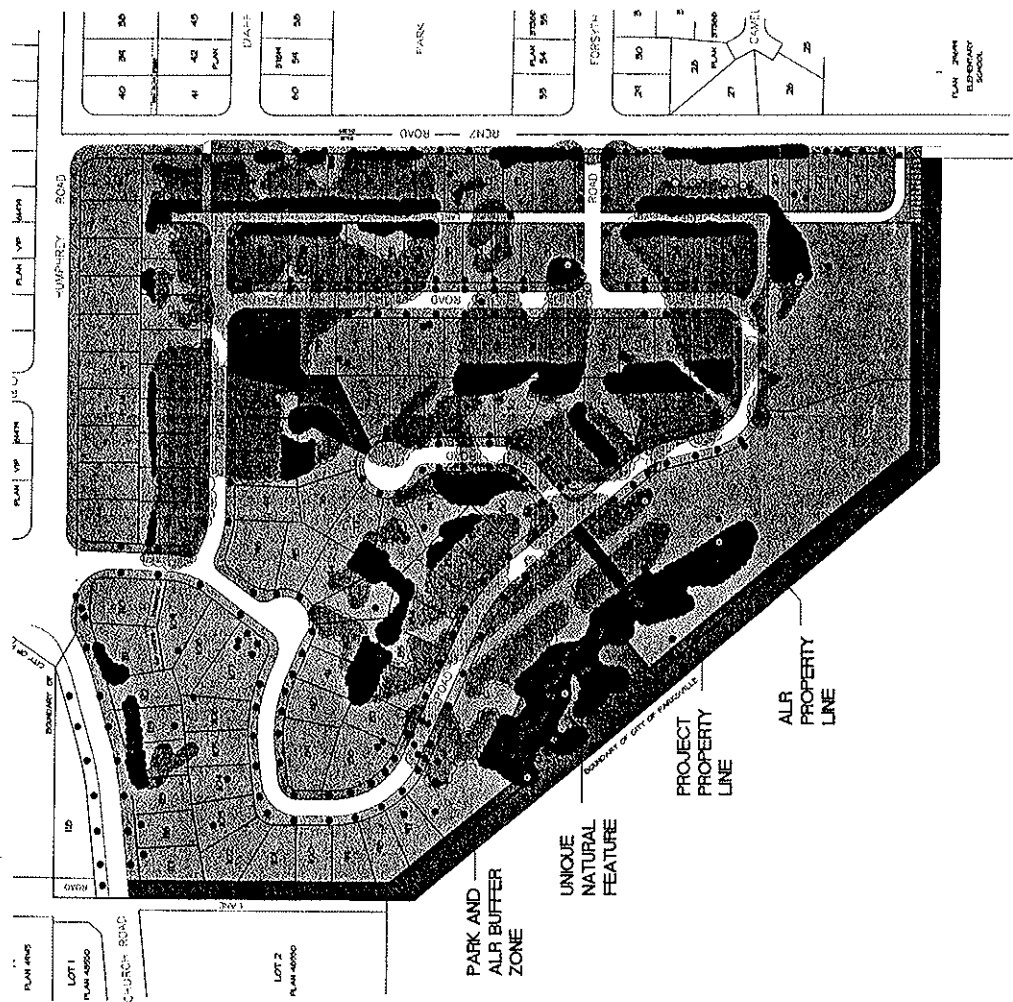
MULTI FAMILY RESIDENTIAL

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(250) 793 3552

VICTORIA DRAKEFORD
LANDSCAPE ARCHITECT
604 754-4376

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Cedar Ridge Estates



- EXISTING TREES TO REMAIN
- EXISTING TREES TO BE REMOVED
- NEW TREES TO BE PLANTED
- EXISTING NOTABLE TREES TO BE RETAINED IF POSSIBLE
- EXISTING TREES OF SIGNIFICANT NATURE

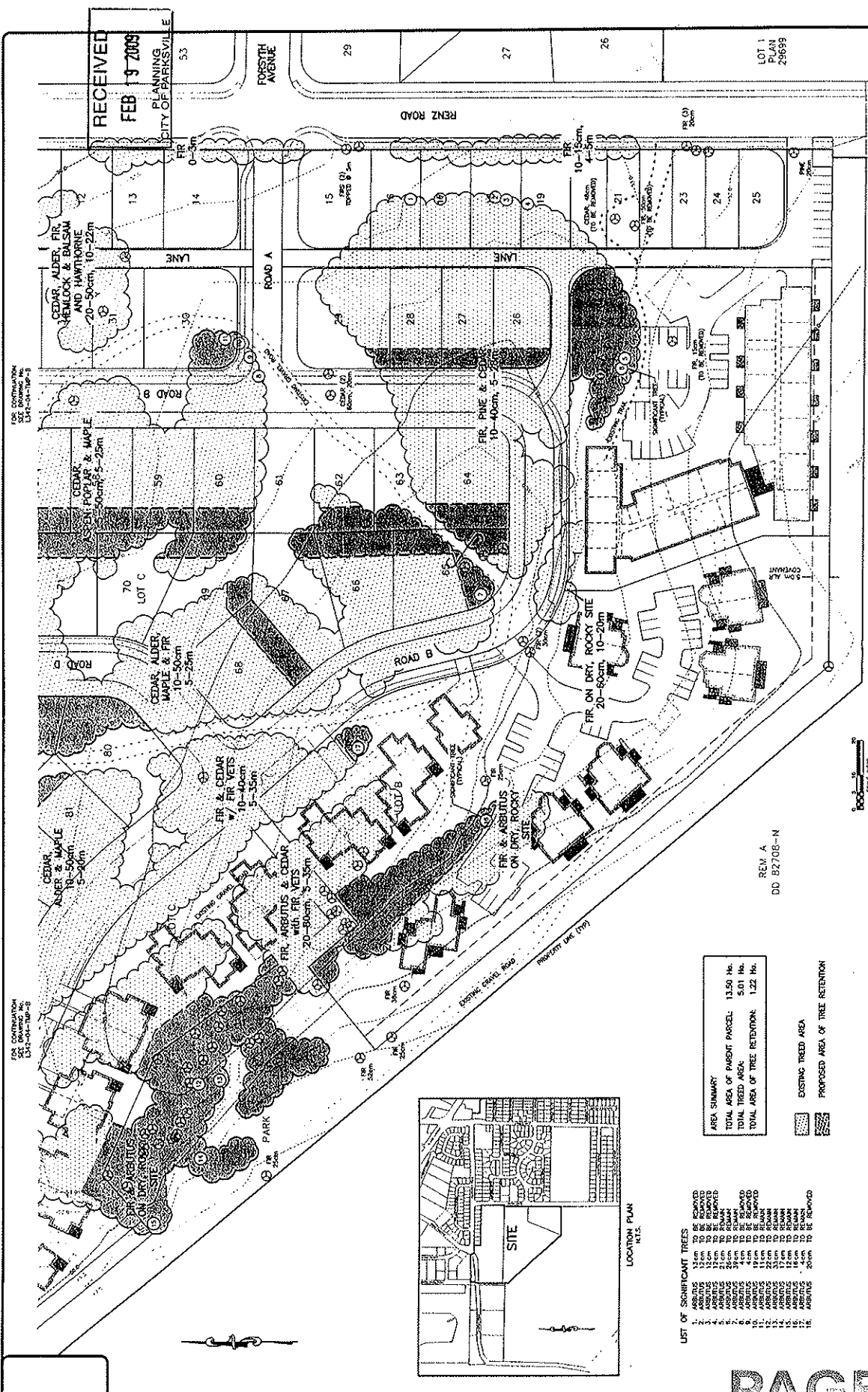
TREE MANAGEMENT PLAN



dysarchitecture
 (350) 753 3552

VICTORIA DRAKEFORD
 LANDSCAPE ARCHITECT
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AREA SUMMARY
 TOTAL AREA OF PARCEL: 13.50 Ha.
 TOTAL TREE AREA: 5.01 Ha.
 TOTAL AREA OF TREE RETENTION: 1.22 Ha.

EXISTING TREED AREA
 PROPOSED AREA OF TREE RETENTION

- LIST OF SIGNIFICANT TREES
- 1. ARBUTUS 12cm TO BE REMOVED
 - 2. ARBUTUS 12cm TO BE REMOVED
 - 3. ARBUTUS 12cm TO BE REMOVED
 - 4. ARBUTUS 21cm TO BE REMOVED
 - 5. ARBUTUS 21cm TO BE REMOVED
 - 6. ARBUTUS 39cm TO BE REMOVED
 - 7. ARBUTUS 4cm TO BE REMOVED
 - 8. ARBUTUS 4cm TO BE REMOVED
 - 9. ARBUTUS 11cm TO BE REMOVED
 - 10. ARBUTUS 11cm TO BE REMOVED
 - 11. ARBUTUS 23cm TO BE REMOVED
 - 12. ARBUTUS 23cm TO BE REMOVED
 - 13. ARBUTUS 17cm TO BE REMOVED
 - 14. ARBUTUS 17cm TO BE REMOVED
 - 15. ARBUTUS 18cm TO BE REMOVED
 - 16. ARBUTUS 18cm TO BE REMOVED
 - 17. ARBUTUS 20cm TO BE REMOVED

LOT 1
 PLAN
 296999

CEDAR RIDGE ESTATES
 TREE MANAGEMENT PLAN A
 SOUTH SIDE

Parksville

CEDAR RIDGE ESTATES INC.
 4-720 6th STREET, NEW WESTMINSTER
 422 CHURCH ROAD
 PARKSVILLE, BC

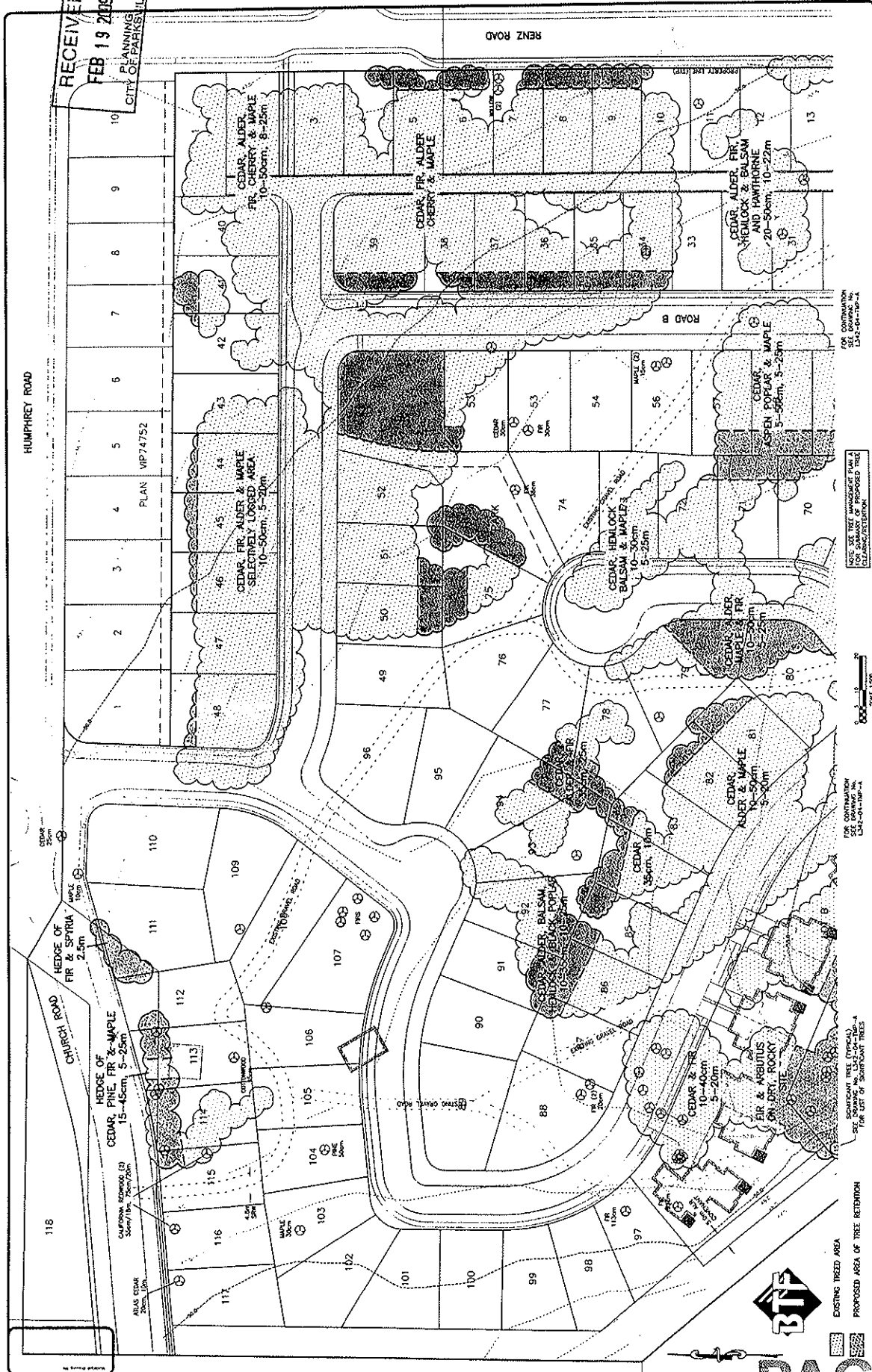
NO.	DATE	DESCRIPTION
01	16/07/08	ISSUED FOR LAYOUT REVIEW
02	16/07/08	ISSUED FOR LAYOUT REVIEW
03	10/07/09	ISSUED FOR LAYOUT REVIEW

DATE: 16/07/08
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1:500



HUMPHREY ROAD

RECEIVED
FEB 19 2009
PLANNING
CITY OF PARKSVILLE



FOR CONTINUATION
SEE DRAWING NO. 1342-04-TIP-A
FOR LIST OF SURVIVANT TREES

FOR CONSTRUCTION
SEE DRAWING NO. 1342-04-TIP-A
FOR LIST OF PROPOSED TREE
REMOVALS/RELOCATIONS

NOTE: SEE TREE MANAGEMENT PLAN A
FOR ADDITIONAL INFORMATION

DATE	2009
DRAWN BY	8
CHECKED BY	8
DATE	03

CEDAR RIDGE ESTATES
TREE MANAGEMENT PLAN B
NORTH SIDE

Parksville

CEDAR RIDGE ESTATES INC.
4-720 6th STREET, NEW WESTMINSTER
422 CHURCH ROAD
PARKSVILLE, BC

NO.	DATE	REVISION
1	10/20/08	PROPOSED LOT LAYOUT REVISION
2	10/20/08	PROPOSED LOT LAYOUT REVISION
3	10/20/08	PROPOSED LOT LAYOUT REVISION
4	10/20/08	PROPOSED LOT LAYOUT REVISION

DATE	01-21-09
BY	8
CHECKED BY	8
DATE	03

BTF
EXISTING TREED AREA
PROPOSED AREA OF TREE RETENTION

NE
NORTH EAST
ENGINEERING LTD.

PAQ
47



RECEIVED
 MAR 17 2009
 PLANNING
 CITY OF PARKSVILLE

Sheet No. 01 of 05
 Date: 03-16-09

CEDAR RIDGE ESTATES
 PHASES 1 - 5
 PROJECT PHASING PLAN

Parksville

CEDAR RIDGE ESTATES INC.
 4-720 6th STREET, NEW WESTMINSTER
 422 CHURCH ROAD
 PARKSVILLE, BC

SCALE 1:1000

NOTES:
 1. ALL DIMENSIONS SHOWN UNLESS OTHERWISE SPECIFIED ARE IN METERS.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
 4. ALL CONFLICTS SHALL BE NOTICED BY ANY CONTRACTOR.

REMI A
 DO 82708-N

LOT 1
 PLAN 2009
 DATE 03/16/09

LOT 2
 PLAN 4-2009

LOT A
 PLAN 2009

PAGE 48

DATE: 03-16-09
 TIME: 08:30 AM
 BY: [Signature]
 FOR: [Signature]



KEITH BROWN ASSOCIATES LTD.

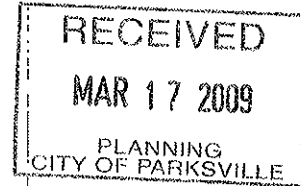
Land Planning & Development Consultants

5102 Somerset Drive, Nanaimo, B.C. V9T 2K6 • Tel: (250) 758-6039 • Fax: (250) 758-9961 • Pager: (250) 741-3323 • Cell: (250) 741-4776

March 17, 2009

File No. 714.00

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



Via Facsimile Only: 250-954-4685

Attention: Mrs. Gayle Jackson
Director of Community Planning

Dear Mrs. Jackson:

**RE: Proposed Development Permit Application for 422 Church Road and
Renz Road Properties, City of Parksville File No. 3320-30-05-12**

Please be advised that the proposed landscape budget for the proposed trailway park as noted on the site layout plan prepared by J.E. Anderson and Associates is estimated at \$175,000.00.

The Landscape budget includes all labour/materials for construction of the linear trail, fencing, landscaping trees, plants and materials.

We thank you for your consideration. If you have any questions please don't hesitate to contact the undersigned.

Yours truly,

Keith Brown Associates Ltd.

R.K. Brown
Consultant Planner

cc: Mr. Henry Rempel, President
Cedar Ridge Estates Inc.

COMMITTEE OF THE WHOLE REPORT

AGENDA
COMMITTEE
MAR 30 2009
DATE

March 23, 2009

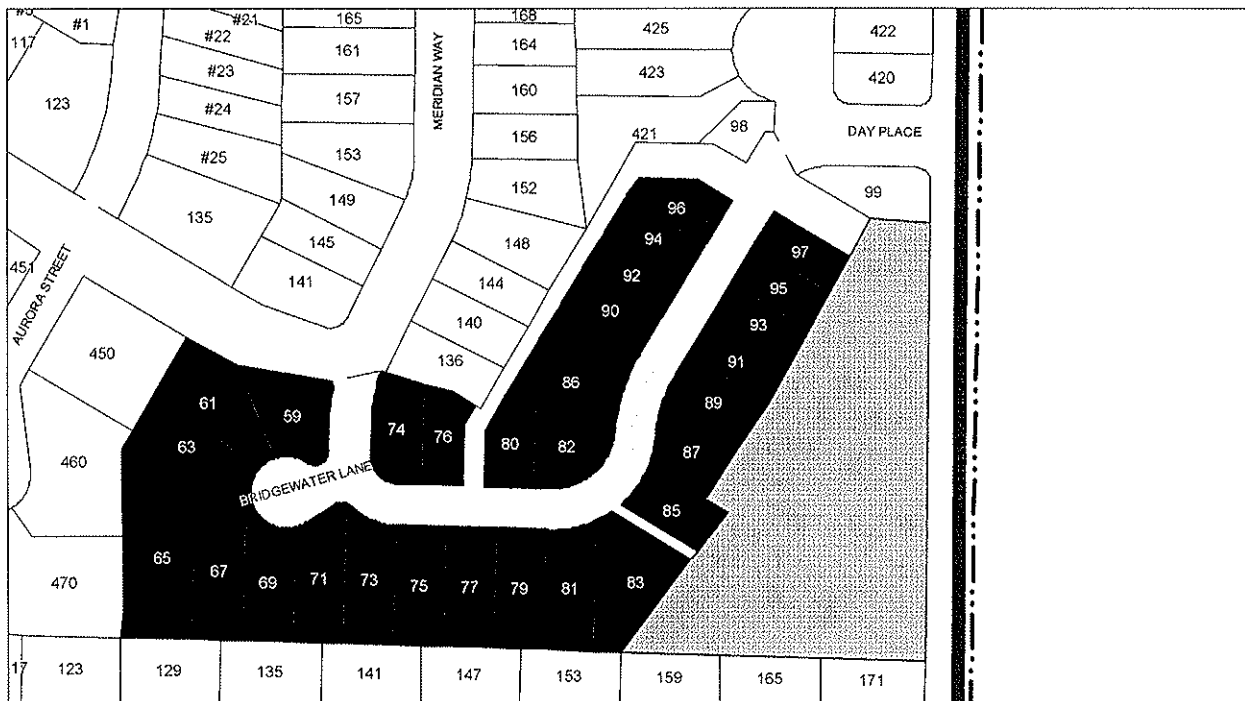
REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER

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

SUBJECT: PROPOSED AMENDMENT TO BRIDGEWATER DEVELOPMENT PERMIT TO ADD A TREE MANAGEMENT REGIME

LEGAL: STRATA LOTS 1 – 30, DISTRICT LOTS 13 AND 97, NANOOSE DISTRICT, STRATA PLAN VIS4529 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PRPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 (59, 61, 63, 65, 67, 69, 71, 73, 74, 75, 76, 77, 79, 80, 81, 83, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 BRIDGEWATER LANE)

APPLICANT: BRIDGEWATER STRATA PLAN VIS4529, TREE COMMITTEE



Issue:

Consideration of amendment of development permit to add a tree management regime.

.../2

CONSIDERATION OF AMENDMENT OF DEVELOPMENT PERMIT TO ADD A TREE MANAGEMENT REGIME

References:

Staff notes February 18th meeting

Executive Summary:

Council requested that Staff work with the Bridgewater Strata and its neighbours to achieve a collective recommendation regarding a new tree management regime. This report addresses the efforts made to do this and the results. Ultimately it was not possible to achieve consensus.

Background:

This topic commenced in January 2007. The Bridgewater Strata requested the ability to remove some trees. The mechanism to do this was and still is the development permit process. Since that time Staff has been working with the Strata to identify a tree management regime that would; simplify the process for bona fide tree management and removals¹, while at the same time maintaining the original goal of keeping the tree buffer which was established as a requirement of the development permit. The process is made complicated due to the fact that neighbouring residents also have a legitimate interest in the topic since the buffer was promised at the time of rezoning and it would have been with this knowledge that the neighbours determined whether or not to provide input to the rezoning process.

The most recent direction that Staff is pursuing is that expressed in Council's January 26th resolution which reads:

"09-019 THAT the report of the Committee of the Whole meeting held January 26, 2009 be received and the following recommendations considered:

(2) **Director of Community Planning - Amendment to Bridgewater Development Permit Pertaining to Trees**

THAT the report from the Director of Community Planning dated January 20, 2009 for the amendment to Bridgewater Development Permit pertaining to trees be received;

AND THAT the Bridgewater Strata Council be requested to consult with the property owners abutting the natural treed buffer on the tree management proposal and report back to Council with a collective recommendation through the Planning Department. CARRIED."

Subsequent to January 26th meeting the following summarizes activity which has occurred:

- On February 18th the Bridgewater Strata hosted a meeting to discuss the situation; neighbouring residents were invited; City Staff attended – Approximately 16 people attended.
 - One person, who did not attend, completed a 'no objection' form
- It was initially perceived, as a result of that meeting, that there was general consensus regarding the Bridgewater request.

¹ It should be noted that there presently is the ability to remove trees provided that they fall into the category of "imminent hazard". Bridgewater would like tree removal to meet a lesser test.

CONSIDERATION OF AMENDMENT OF DEVELOPMENT PERMIT TO ADD A TREE MANAGEMENT REGIME

- On February 21st a letter was received from William and Dorothy Rollins indicating that they did not believe that the meeting resulted in a "collective recommendation".
- Staff contacted Mr. Rollins to clarify some of the comments made in the letter. Mr. Rollins made the following points in this conversation: he was not clear from the meeting how many trees are to be removed; he believes that it is important for the arborist to consider how Bridgewater removals would impact the trees on adjacent properties.
- On February 26th a letter [dated Feb. 23] was received from Robert Thompson – He raised some questions [see letter attached].
- Staff contacted G. Burns, Strata President by March 2nd 2009 letter, to get up to date clarification of Bridgewater's position regarding the number of trees to be removed, etc. [copy attached]. There was some informal information indicating that some things may have changed.
- On March 3rd an email was received from Mike Groenewold expressing some concerns.
- Staff met with Mr. Burns on March 12th to further discuss the topics outlined in the March 2nd letter.
- A March 9th letter was received from Nicholas Skura of Bridgewater on the topic of 'replanting' after tree removal. Mr. Skura requested an exemption from this proposed requirement based on information in his letter [copy attached].
- A March 10th letter was received from Gary Burns in response to the City's March 2nd letter sent to him [attached].

Options:

Council may:

1. Maintain the Status Quo
2. Amend the Bridgewater Development Permit in accordance with the Bridgewater Strata's request.
3. Amend the Bridgewater Development Permit with a Tree Management Regime prepared by Staff.

Analysis:

1. Maintaining the status quo will mean that the procedure for removing trees perceived to be a hazard will be as follows:
 - i. Trees which are classified by an arborist as an 'imminent' hazard will be authorized for removal by the City upon presentation of the supporting documentation. There is no fee or permit required.
 - ii. Permission for removal of trees which do not pose an 'imminent' hazard will require a development permit process.

Leaving this approach in tact will ensure that the original buffer concept will be maintained to the extent possible. This will likely alleviate any concerns that the

**CONSIDERATION OF AMENDMENT OF DEVELOPMENT
PERMIT TO ADD A TREE MANAGEMENT REGIME**

neighbours may have. It will not satisfy the Bridgewater residents who perceive that their trees pose a risk.

2. It has become apparent that the Bridgewater Strata's proposal, if followed, could involve significant tree removal. The proposed test that their arborist would use is very broad and appears subjective. It would permit rationalization of the removal of most trees particularly given the size of the lots and the proximity of houses to the trees. The request for immediate tree removal is in the order of 10 trees and could extend to 30 trees on the basis proposed. The proposed tree planting scheme involves the City's bare root tree program. This program was not intended for this purpose. It permits sale of only one tree per property. Also, the program's funding for 2009 is uncertain.

Acceptance of this proposal would not ensure the continuation of the buffer concept; something that the original development was based on.

3. A Staff proposal would likely not satisfy Bridgewater as the scope of their request far exceeds what Staff would propose in order to maintain the buffer concept. This would involve more work and would likely not gain more acceptance than would maintaining the status quo.

Financial Implications:

The financial implications are the costs of processing this application. No other financial impacts are anticipated.

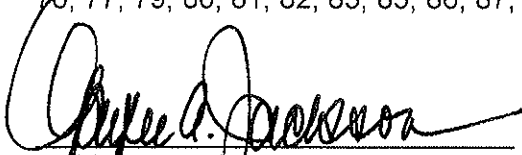
Sustainability Implications:

Provided that the philosophy of retaining as many healthy trees as possible is kept there are no implications.

Recommendation:

That the report from the Director of Community Planning dated March 23, 2009 for the amendment of the development permit to add a tree management regime on the Bridgewater development be received;

And That Council deny an amendment to Development Permit No. 98-01 to the Bridgewater Strata Plan VIS4529 to amend the development permit and direct Staff to maintain the status quo with respect to tree retention on Strata Lots 1 – 30, District Lots 13 and 97, Nanoose District, Strata Plan VIS4529 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 (59, 61, 63, 65, 67, 69, 71, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 Bridgewater Lane).

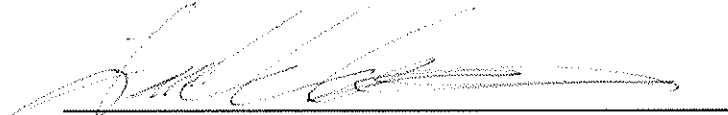


GAYLE A. JACKSON

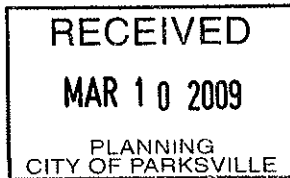
GAJ/sh
Attachments

CONSIDERATION OF AMENDMENT OF DEVELOPMENT
PERMIT TO ADD A TREE MANAGEMENT REGIME

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.



Strata Plan 4529

Tree Committee
Bridgewater Lane Strata

March 10, 2009

Gayle Jackson
Director of Community Planning
Parksville, BC

Dear Gayle Jackson;

In reply to your letter dated March 2, 2009 the following are our comments to your questions.

1. There was one owner that requested 10 trees be removed. That owner still would like to remove the ten trees. The situation according to him has not changed. The other owners situation has not changed. We have had an arborist come in and give a report on the trees and he has indicated there could be up to 30 trees that would be removed.
2. Attached is the definition that the arborist used in evaluating whether a tree could/should be removed.
3. The tree replacement we envision is that we would utilize the tree program the City has in place of purchasing a tree in the fall and planting in the spring. We would also utilize the City's list of trees and we would use that as part of our criteria for tree replacement. Mr. Nick Skura's letter to you is asking to be exempt from replanting because he has already replaced the trees by planting 29 new trees.

I hope this helps in your submission.

Yours truly,

A handwritten signature in black ink that reads "Gary Burns".

Gary Burns
President/Treasurer

Attachment



GRAHAM KERR
454 MAQUINNA PLACE
QUALICUM BEACH, B.C.
V9K 1B3

CELL ♦ 248-0940
BUS ♦ 752-5544

Definition of dangerous or hazardous trees

A 'hazard tree' is a tree that is assessed as having characteristics that make it an unacceptable risk for continued retention.

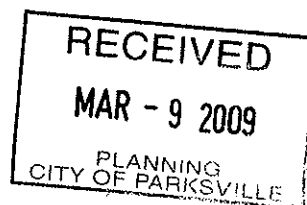
A dangerous tree is any tree that is hazardous to people or facilities because of:

- location
- lean
- physical damage
- overhead hazards
- deterioration of limbs, stem or root system
- a combination of the above

A hazard tree exists when the sum of the risk factors assessed equals or exceeds a predetermined threshold of acceptable risk. Risk assessment examines the whole tree, or a part of it, and is only undertaken when there is a target that might be damaged if the tree or tree part were to fail. 'Targets' are people and/or property. Hazard tree assessments focus on the relationship between the tree location and how people use the site, and the buildings or other structures that occupy it. If there is nothing of value that would be damaged in the event of a failure, there is no target, and therefore no hazard.

March 09 2009

Gayle A. Jackson
Director of Community Planning
City of Parksville



Re:-Your letter to Bridgewater Lane strata dated March 02 2009, file 3060-30-07-02 Item 3 tree replanting.

I agree there should be tree replanting as many of the properties have not planted a single tree.

My property has established landscaping having planted 29 trees which are all in the buffer, with 7 original cedar trees remaining and 3 trees in the front planted by the developer. FYI I received the "Communities in Bloom" award for the "Best City Lot" in 2005.

The removal of the 7 fir trees that are 80-100ft. tall with a 25ft. crown will not open up any space for replanting. The only footprint left would be the diameter of the trunk. The remaining trees are close to the house with their roots against the foundation which can lead to foundation damage and a perimeter drain problem.

With the type and location of the trees to be removed and the number I have already planted plus the original remaining ones, this will not leave any room for more trees. I am therefore requesting that I be exempt from the requirement of any further tree plantings.

Sincerely

A handwritten signature in cursive script that reads "N. N. Skura".

Nicholas N. Skura
65 Bridgewater Lane

Susan Harbottle

From: Gayle Jackson
Sent: March-03-09 8:27 AM
To: 'mike248@telus.net'
Cc: Susan Harbottle
Subject: RE: Attention Gail Jackson re. Bridgewater covenant and strata plan

Attachments: Burns-3.doc



Burns-3.doc (34
KB)

Thank you for your comments. As a result of reviewing material from the meeting along with a couple of submissions I have received from Butler residents after the meeting, I concluded that some additional information is required before we can bring this topic closer to conclusion. I have sent the attached letter to the Bridgewater strata.

Gayle Jackson

From: Mike and Bev Groenewold [mailto:mike248@telus.net]
Sent: March 3, 2009 7:39 PM
To: Randy Hall
Subject: Attention Gail Jackson re. Bridgewater covenant and strata plan

Gail Jackson
regatding Strata Plan VIS 4529

Dear Ms. Jackson,

I am a resident of Butler Avenue and recently attended a meeting on Feb.18th billed as an informational meeting for the purposes of discussing the covenant on the Bridgewater Lane and the desire of its residents to remove a number of trees from their respective properties.

My concern is that the meeting did not come to any definitive conclusions and thus left me unclear as to what would happen next. I understood the meeting to be informational only and that no decisions one way or the other would be made. I was also a little bit confused by the arborist at the meeting (I believe it was Nigel Gray) when he spoke of looking at the trees of the Bridgewater folks but not looking at all at the trees in the yards of the Butler Ave, folks. If the goal is to somehow to maintain the integrity of the forest buffer, how can he make recomendations to the Bridgewater folks without taking the entire buffer into consideration. This is one of the concerns that have come to my mind upon reflection after the meeting. On that note then, I would just like to make a few points as to my thoughts on this issue.

I understand that the properties in question of the Bridgewater residents are all approximately 10 meters larger than the other Bridgewater lots because of the covenant that was put on them. If this is the case, I would assume that all the buyers would have read this when they purchased their houses and thus would have accepted the terms of the sale including the fact that there was a covenant on their properties. I also understand that the covenant DOES allow for trees to be taken down if they are dead or dangerous trees as determined by a certified arborist. Please understand that I am not opposed to altering the covenant but I would need specific parameters to be clearly laid out so the residents of the neighbourhood who will be affected can all be on the same page. I am fully willing to cooperate with all the residents involved but I would appreciate there being an honest discussion with all the cards on the table. At this point, whether rightly or wrongly, I feel like there is an effort being made to push something through without really addressing the concerns of the Butler Ave. neighbourhood or the conditions of the original covenant.

I'm willing to meet again as long as there is honest, open dialogue and clearly defined recomendations.

Thank you for your consideration.

Sincerely,
Mike Groenewold
135 Butler Ave.

FILE COPY

March 2, 2009

Bridgewater Lane Strata
Strata Plan VIS4529
67 Bridgewater Lane
Parksville, BC V9P 2V9

ATTENTION: GARY BURNS, PRESIDENT/TREASURER

Dear Sirs:

**SUBJECT: TREE REMOVAL WITHIN BRIDGEWATER LAND BARE LAND STRATA
DEVELOPMENT – OUR FILE 3060-30-07-02**

I believe this topic is progressing. After talking to you recently I received another written submission from a neighbour and I also talked to a neighbour. I believe that some additional or clarified information may assist in bringing the topic to a conclusion. In this regard would you kindly address the following questions:

1. When this topic originally started at least two Bridgewater owners were requesting that they remove quite a significant number of trees. Has this situation changed? If you are successful in being able to administer tree removal through your arborist, how many trees would you immediately be dealing with?
2. What is the exact definition that your arborist would utilize in evaluating whether a tree could/should be removed? I believe we are all aware that the City's general test for removal is that the tree be in 'imminent' danger of falling. I accept that you would have a lower test as that is what has caused the application in the first place. What would that be?
3. What type of tree replacement regime would you envision? When I write the next report I will be addressing this topic and will be recommending that tree replacement or some equivalency be required. Would you please provide me with your suggestion on this topic?

I look forward to receiving this information.

Yours truly,



GAYLE A. JACKSON
Director of Community Planning

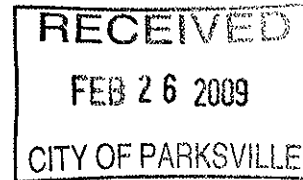
GAJ/sh

I:/Users/Planning/DPPermit/2007/07-02/Burns-3.

cc N. Gray, Planner

PAGE
60

City Of Parksville
Gayle Jackson
Director Of Community Planning
100 East Jensen Ave. PO Box 1390
Parksville, BC V9P 2H3



February 23, 2009

RE: Strata Plan VIS4529 Development Permit Tree Management Regime Proposal

As a matter of record, at this time I am not in support of the above proposal as outlined in your Committee Of The Whole Report dated December 23, 2008.

I agree in principle and support the need for our neighbors in the Bridgewater Strata to be safe and secure from trees that pose a possible danger. I also believe that for this proposal to be in harmony with the original intent of the covenant it needs to include more details. These details include stronger definitions, a well outlined process and clear lines of authority over the removal and planting of trees.

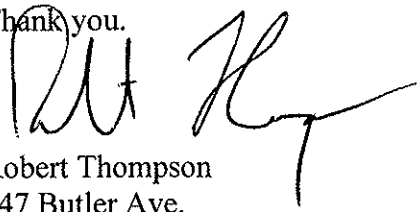
Following are some of the questions that I believe need to be discussed and with the details of the answers being included in the proposal:

1. What is the specific process that will be in place to identify, confirm and authorize when a tree can be removed?
2. What is the definition of "possible danger" and who will establish this?
3. Who will have the final authority and decision to determine when a tree can be removed?
4. Will a tree be planted in the place of a removed tree?

I will be contacting Mr. Burns to advise him of this letter. I also hope to meet with him to see if there is a desire to incorporate these details into his proposal. If that is the case, I would be more than willing to support it.

I believe that we are not very far apart on this issue and I hope this can be resolved to every ones satisfaction.

Thank you.



Robert Thompson
147 Butler Ave.
Parksville, BC
V9P 1K9
(250) 248-6036

February 21, 2009

RE: AMENDMENT TO BRIDGEWATER DEVELOPMENT TO PROVIDE A TREE MANAGEMENT REGIME

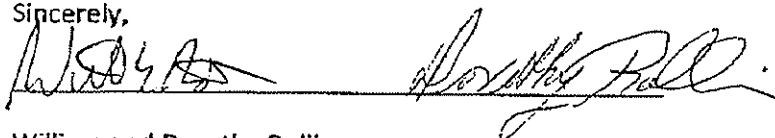
In response to City Council's motion of February 2, 2009, we attended the information meeting on February 18, 2009 held by the Bridgewater Development Strata Council and appreciated the opportunity to ask questions and listen to suggestions from both Graham Kerr and Nigel Gray who were also in attendance. However, we do not feel that this meeting resulted in a "collective recommendation" as was requested in the motion.

Questions we raised addressed alternative approaches to tree removal to ensure safety as well as the continued existence of the buffer zone to retain the visual buffer and the natural environment of the neighbourhood. The options of spiralling, topping and replanting with more appropriate trees were discussed, as well as the direct impact to our neighbouring trees. Although there was discussion surrounding these options, we are not satisfied that we have had enough discussion addressing our concerns regarding the changing of the Covenant protecting the buffer zone at this point. The impact of removal of trees that are not "imminently dangerous" is too great to our trees to agree to any changes to the Covenant without further discussions.

We would like to add that we are not opposed to tree removal where necessary. It is not our intent to jeopardize the safety of owners or their properties. We do not, however, feel that a clear and definitive approach has been outlined or shared with us or that our question of "where do we go from here?" was answered, and would like to explore various options for an amicable solution.

Given the list of properties and number of trees listed, twenty-eight in total, in the Bridgewater Lane proposal of January 14, 2009, we would like to meet again with Bridgewater Council and City Representatives to have open and honest discussion of the necessary changes to the existing Covenant to address everyone's concerns while at the same time maintaining the beautiful environment we are fortunate to live in.

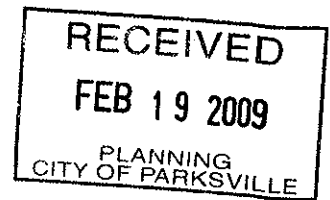
Sincerely,



William and Dorothy Rollins

Strata Plan 4529

Tree Committee
Bridgewater Lane Strata



February 19, 2009

Gayle Jackson
Director of Community Planning

As directed by this Council we at Bridgewater Lane have had a meeting on February 18, 2009 with the residents abutting the properties affected by the tree buffer. Enclosed is a copy of those who attended.

The result was that nobody from Butler or Aurora objected to the proposal made by us. The recommendation made was that Option 3 of your report dated December 3, 2008 be accepted. Nobody from Aurora came to the meeting but we have one resident's signed copy accepting the proposal and the other two verbally accepted. One resident on Butler was unable to attend but he was not opposed to the recommendation.

In closing I must commend your dedication and helpfulness in trying to resolve this issue. I would like to point out that Bridgewater Lane has won the Strata category for the Community in Blooms contest for the last four years and that we are proud of our area and we do not want to destroy the beauty of this area unless the conditions become hazardous to property and the lives of the residents in both Bridgewater Lane, Aurora and Butler,

We have completed the City's request and now await the final decision from Council.

Yours truly,

A handwritten signature in cursive script that reads "Gary Burns".

Gary Burns
Chairperson and Treasurer
Bridgewater Lane

Enclosure

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FEB 19 2009
PLANNING
CITY OF PARKSVILLE

Strata Plan VIS 4529
Tree Committee
67 Bridgewater Lane, Parksville BC V9P 2V9

January 14, 2009

1. I have no objection to this proposal:

Name, address and telephone number: Susan Hilmer
470 Aurora St, Parksville V9P 1L3
Date: 17 Jan 2009

2. I would like a meeting with the City and residents of Bridgewater Lane for more information.

Name, address and telephone number: _____

Date: _____

3. If you would like a meeting, please state your preference:

Daytime or evening: _____
Day of the week: _____
Preferred time: _____

Gary Burns
Chairperson
(250) 248-2767

TREE COMMITTEE
BRIDGEWATER LANE

RECEIVED
FEB 19 2009
PLANNING
CITY OF PARKSVILLE

PLEASE PRINT

NAME	ADDRESS	SIGNATURE
BRENDA KENNEDY	81 BRIDGEWATER LANE	<i>B. Kennedy</i>
SHIRLEY STEWART	73	<i>S. Stewart</i>
D. GAIL WILKRESS	61	<i>D. Gail Wilkress</i>
J. W. WILKRESS	61	<i>J. W. Wilkress</i>
G. Johnston	59 Bridgewater	<i>G. Johnston</i>
<i>Marie B.</i>	77	<i>Marie B.</i>
W.D. Rollins	124 BUTLER	<i>W.D. Rollins</i>
<i>Trish Akon</i>	65 BRIDGEWATER	<i>Trish Akon</i>
GOETHE ANDERSEN	69 BRIDGEWATER	<i>G. Andersen</i>
ERIC ADENSE <small>BUTLER</small>	82 BRIDGEWATER	<i>E. Adense</i>
S. RUOSCHER	141 Butler	<i>S. Ruoscher</i>
JOHN RAPA	83 Bridgewater	<i>John Rapa</i>
MIKE GROENEWOLD	135 BUTLER AVE.	<i>Mike Groenewold</i>

Meeting Notes

Bridgewater Strata – Public Consultation Meeting

February 18, 2009
7:00 PM – 8:00 PM
Parksville Conference and Civic Centre

Hosted by Gary Burns, Bridgewater Strata President and Treasurer

Also Present:

N. Gray, Planner – City of Parksville
Graham Kerr – ISA Certified Arborist

Hazard tree definitions were described. The City of Parksville's Tree Bylaw, and the covenant verbiage refer to an 'imminent hazard', which is different than the International Society of Arboriculture's (ISA) Criteria.

Neighboring residents expressed concerns:

1. Buffer was intended as a 30m zone free of any development.
2. Bridgewater owners have altered land within the buffer area contrary to the covenant. Land alteration may have contributed to the declining health of trees on both sides of the property line.
3. There are concerns regarding wind throw hazards.
4. The City of Parksville promised a trail through the park (?)
5. Spiral pruning to retain viable trees is desired.

A consensus was reached between both parties that Option 3 from the last Council Report would be acceptable with the provision of replacement trees. Replacement trees should be of a size and species that will not become a nuisance in the future.

FEBRUARY 2, 2009
REGULAR MEETING OF COUNCIL

8. REPORTS

a) **Committee of the Whole – January 26, 2009**

09-019 THAT the report of the Committee of the Whole meeting held January 26, 2009 be received and the following recommendations considered:

(2) **Director of Community Planning - Amendment to Bridgewater Development Permit Pertaining to Trees**

Burger - Powell

THAT the report from the Director of Community Planning dated January 20, 2009 for the amendment to Bridgewater Development Permit pertaining to trees be received;

AND THAT the Bridgewater Strata Council be requested to consult with the property owners abutting the natural treed buffer on the tree management proposal and report back to Council with a collective recommendation through the Planning Department. CARRIED.

COMMITTEE OF THE WHOLE REPORT

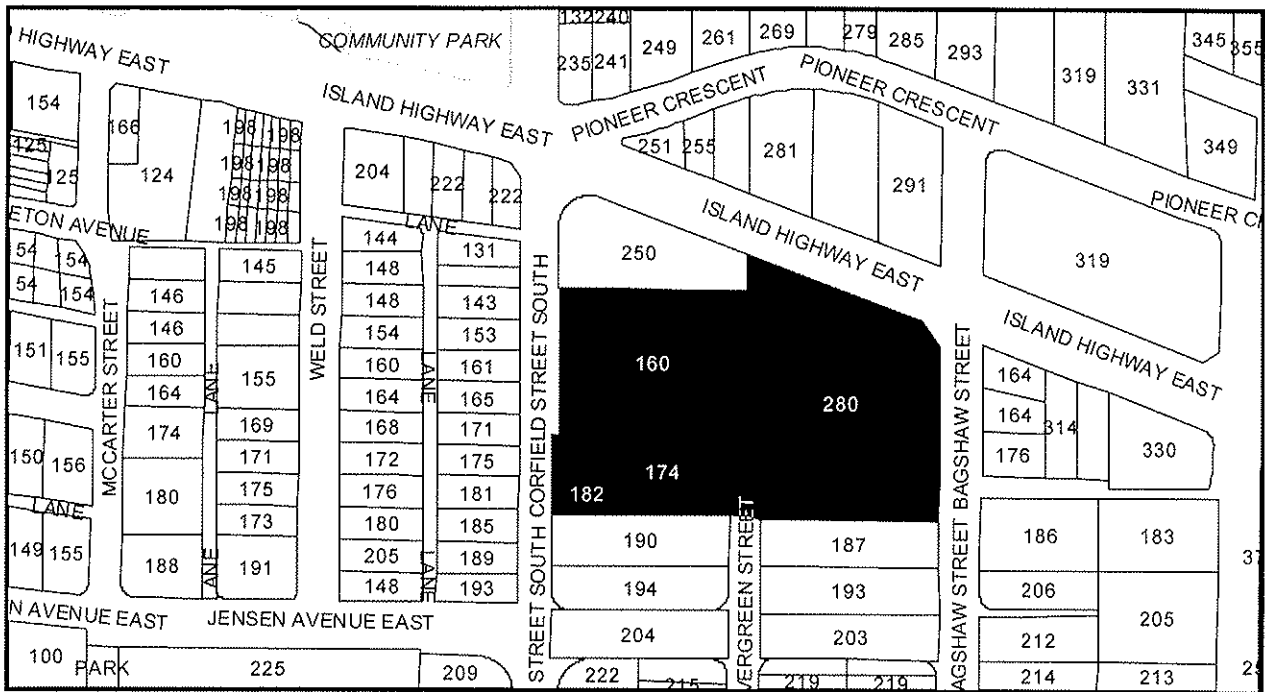
AGENDA
COMMITTEE
MAR 30 2009
DATE

March 25, 2009

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

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

SUBJECT: CONSIDERATION OF DEVELOPMENT VARIANCE PERMIT FOR LOT A,
DISTRICT LOT 4, NANOOSE DISTRICT, PLAN VIP76612, LOT 1 AND 2,
DISTRICT LOT 4, NANOOSE DISTRICT, PLAN 32401 AND LOT 1, DISTRICT
LOT 4, NANOOSE DISTRICT, PLAN VIP75740 (280 ISLAND HIGHWAY EAST
AND 182, 174 AND 160 CORFIELD STREET)
REGISTERED OWNER AND APPLICANT: PARK ISLAND PROPERTIES
LTD., INC. NO. 407559
FILE 3090-09-01



Issue:

Consideration of development variance permit.

References:

- March 16, 2008 Letter from Park City Engineering Ltd.
- February 24, 2008 Letter from Park Island Properties Ltd.
- October 21, 2008 Letter from BC Hydro
- Bylaw No. 1235, Sections 2 and 3, [Works and Services Bylaw]

Executive Summary:

A proposed expansion of the Thrifty's store and construction of another building in the same complex trigger the City's Works and Services Bylaw requirements. The developer is seeking a relaxation from some of the requirements.

Background:

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

Works and Services Bylaws are applicable to the frontages up to the centre line of the adjacent roadways. The Bylaw sets out the requirements. The requirements applicable are those which are considered directly attributable to the proposed development. Given the scope of the development Staff believes that the following works are directly attributable to the proposed development:

- Bagshaw frontage
 - Upgrade of the existing 150 mm AC watermain to 200PVC
 - Upgrade of the existing water service to Thrifty Foods with a new Fire Metre and Chamber
 - Provide a new Fire Hydrant near the south entrance

- Highway 19A Frontage
 - No works are considered directly attributable to the development as presently proposed; except:
 - The replacement of a corrugated steel storm drain pipe to the current day standard¹

- Corfield Frontage
 - All works contained in the Bylaw. As these are not subject of this application they are not detailed in this report.

The applicant has indicated a willingness to undertake required works on Corfield but not on Bagshaw or Highway 19A for reasons outlined in their attached correspondence.

Options:

Council may:

1. Grant the variance.
2. Deny the variance.

¹ Note: This requirement could be eliminated by the applicant if the applicant chooses to design and construct on-site detention in the form of a bio-swale rain garden or infiltration gallery.

PAO
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Analysis:

1. The identified Works and Services requirements only include those items which can be considered 'directly attributable' to the development. The scope of the development, the service locations, type of use and level of service have all been technically considered to generate the above noted list of requirements. The only requirements left are those considered essential. Given this situation, granting a variance would be based on other factors the Council considers relevant, or if Council believes the requirements are too onerous. The applicant believes that the requirements pertaining to the Bagshaw frontage are inappropriate in that this frontage was subject of a prior upgrade. City records validate that such an upgrade did occur about 17 years ago. Nevertheless, that upgrade did not bring the works up to current days' standards.
2. Denial of the variance is an option if Council believes that the requirements are appropriate.

Sustainability/Environmental Analysis:

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

Financial Implications:

The only implication is the cost of processing the application which would be covered by the application fee. Bona fide requirements which are not provided by the developer at the time of development would have to be funded from general revenue if their imminent replacement is required.

Recommendation:

That the report dated March 25, 2009 from the Director of Community Planning for the issuance of a Development Variance Permit at 280 Island Highway East and 182, 174 and 160 Corfield Street be received;

And That a Development Variance Permit not be issued to Park Island Properties Ltd., Inc. No. 407559 to grant a development variance to permit the removal of the following works and services requirements; Upgrade of the existing 150 mm AC watermain along Bagshaw to 200PVC; Upgrade of the existing water service at Bagshaw with a new Fire Metre and Chamber; provision of a new Fire Hydrant near the south entrance on Bagshaw, and the replacement of a corrugated steel storm drain pipe to the current day standard to permit the expansion of the Thrifty Foods store, a new retail outlet with 3 residential dwellings on the second floor on Lot A, District Lot 4, Nanoose District, Plan VIP76612, Lot 1 and 2, District Lot 4, Nanoose District, Plan 32401 and Lot 1, District Lot 4, Nanoose District, Plan VIP75740 (280 Island Highway East and 182, 174 and 160 Corfield Street).



G.A. JACKSON

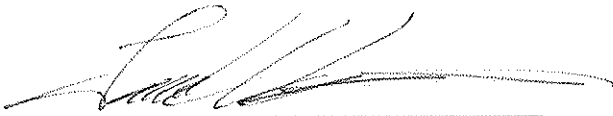
MANAGER OF ENGINEERING'S COMMENTS:

M. SQUIRE

GJ/sh
Attachments

I:/Users/Planning/DVP/2009/09-01/Agenda/Report-1.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

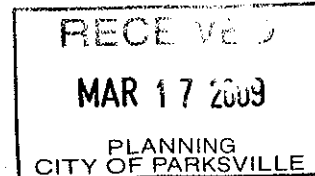


F. MANSON, C.G.A.

Monday, March 16, 2009

FILE NO. 20-004

City of Parksville
P.O. Box 1390
1116 Herring Gull Way
Parksville, B.C.
V9P 2H3



Att: Mike Squire, A.Sc.T.

Re: Lot 1 & 2, Plan 32401 &
Lot A, VIP 76612
Nanoose District
Development Variance

Further to previous submissions of the Servicing Report and Key Plan identifying all required works under bylaw, and your request for identification of items and bylaws to be varied or waived for the above-noted project, we identify the following:

Highway 19A

The following items have been identified under the Works & Services Bylaw:

- One half road upgrade along frontage to RC4 (Downtown Core) standard
- 3.0m sidewalks, with Street Trees, barrels, and tree grates spaced every 6.0m
- Decorative streetlights to Stnd Dwg. E6
- Upgrade existing 400 AC Sanitary Sewer to PVC
- Upgrade existing 750CSP Storm to 450 PVC
- Transfer overhead Hydro/Tel/Cable to underground facilities

It is the Owner's opinion that all the above items should be waived or relaxed for Highway 19A. Currently Highway 19A is developed to the RC4 standard, but not to the downtown core standard. It is felt that

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the downtown core standard for this area is out of place and should not be developed in this area. Currently there are beautiful mature trees along the frontage that would all have to be destroyed in order to construct this to the downtown core standard.

We have also been in contact with BC Hydro and have a letter from them stating they are not interested in moving aerial lines to underground facilities.

We have videoed the storm and sanitary sewers along this frontage, and provided the reports to you on August 15, 2008, and find them to be in good working condition. We therefore don't feel they need to be upgraded.

Bagshaw Street

The following items have been identified under the Works & Services Bylaw:

- One half road upgrade along frontage to RC6 (Downtown Core) standard
- 3.0m sidewalks, with Street Trees, barrels, and tree grates spaced every 6.0m
- Decorative streetlights to Std Dwg. E6
- Upgrade existing 150mm AC Watermain to 200 PVC
- Upgrade existing water service to Thrifty Foods with new Fire Meter chamber
- Provide new Fire Hydrant on Bagshaw Street near south entrance
- Transfer overhead Hydro/Tel/Cable to underground facilities

It is the Owner's opinion that all the above items should be waived or relaxed for Bagshaw Street. The Owners are of the opinion that they have provided works and services on this frontage before and don't wish to repeat this.

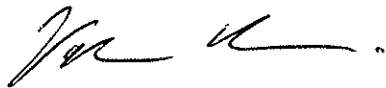
It is also important to note that this is an addition to the existing store and not a new development of Lot A, VIP 76612.

The Owner's have indicated that they would likely be consolidating the current properties in one parcel. The Water Bylaw indicates that not more than one service shall be provided to one parcel. In some but

not all circumstances this may be achievable, it would be extraordinarily difficult to provide this way the development has progressed and been phased over the years. The water service to Thrifty Foods is underground from Bagshaw Street, and is physically not possible to be re-routed to a watermain on Corfield Street. There are also two water services for 160 Corfield Street, which were installed when properties at 166 and 152 Corfield were developed. In order to provide water services to each of these buildings from a new watermain located south of 160 Corfield on the next proposed phase of the development, it would require significant reconstruction of the portion of Corfield Street that is already built to the Downtown Core Standard and the on-site paved parking lot to reach these locations.

We trust this meets with your requirements and should you have any questions regarding the enclosed to contact us at your earliest convenience.

Sincerely,
PARKCITY ENGINEERING LTD.



VAUGHAN ROBERTS, P.Eng.

cc. Park Island Properties Ltd. Att: Mr. Ken Henderson



February 24, 2008

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

Attn: Gayle A. Jackson, Director of Community Planning

Re: *Your File No. 3090-08-01*

Dear Ms Jackson, *Gayle*

Further to the development permit for our property known as the Thrifty Food Centre located at 280 E Island Highway and 160 Corfield Street, we are asking to again submit to Council the same request as was defeated by Council on August 18, 2008.

With respect to the due-diligence lacking in our earlier proposal attached please find updated civil drawings outlining the existing services and current standards for your review.

Also attached is the earlier report that was submitted by Pipe Eye Video Inspections showing both the storm and sanitary sewers to be in good condition. A video report has been submitted.

Also please find a letter from Bryan Knights of B.C. Hydro dated October 21, 2008. You will notice that "BC Hydro is not interested in relocating the existing overhead Feeder and Distribution lines to underground". Mr Knights also states that "All existing and proposed buildings and expansions within the Park Island Properties Ltd. area can be serviced from the existing BC Hydro infrastructure".

The works that we are prepared to undertake on Corfield are attached.

The Engineering Department earlier indicated that they were not necessarily asking to do all of the work on the Island Highway and Bagshaw rather they wanted more information so that they could determine their priorities. Hopefully the attached information will aid in that process.

We note that our development cost charges relative to our application have risen over 80% or approximately \$130,000 effective September 2008.

It is hoped that the foregoing will permit Council to support our application this time, and we would appreciate your support.

Yours truly,

Kenneth J. Henderson

Encl.

Customer Projects
Phone: (250) 752-8021
Cell: (250) 954-9362
Fax: (250) 752-8035

21 October 2008

Mr. R. Stubbs
Park Island Properties Ltd.,

Via Email: rustys@shawcable.com

Dear Mr. Stubbs:

Subject: Proposed Underground Servicing for Expansion at Thrifty Foods and New Underground Service to a Proposed Building at 174 Corfield St., Parksville, B.C.

Thank you for the preliminary information regarding the proposed development. I look forward to working with you to provide electrical service in a timely manner, coordinated with your project schedule.

BC Hydro is not interested in relocating the existing overhead Feeder and Distribution lines to underground along the Island Highway between Corfield Street to Bagshaw Street and along Corfield & Bagshaw Streets. There would be no benefit to BC Hydro to undertake such a project and is certainly not required for any upgrades or extensions within your property. All existing and proposed buildings and expansions within the Park Island Properties Ltd., area can be serviced from the existing BC Hydro infrastructure.

A relocation project such as this would appear to be for aesthetic reasons only and be better suited to become a beautification project, with cost sharing between the City of Parksville and BC Hydro. Municipalities wanting to place existing overhead distribution lines underground to address environmental concerns, improve visual aesthetics or accommodate community redevelopment projects are welcome to apply for funding.

The information I will need in order to initiate the design is as follows:

- Site plans showing dimensions and locations of buildings.
- Landscape Drawings.
- Civil drawings showing water, sanitary and storm sewers on public and private property.
- Proposed electrical equipment drawings, including main breaker and load characteristics.

Our current design lead time is approximately eight (8) weeks from the date upon which all the necessary information is received in this office. I will then be able to quote costs and confirm supply arrangements. Once funding and all approvals are in place, installation of facilities and



BC Hydro 
FOR GENERATIONS

OFFICIAL
SUPPORTER

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FOR GENERATIONS

connection of services can proceed and normally takes about three to six (3-6) weeks. In order to facilitate scheduling, would you please advise us of your anticipated "in service" date.

If you have any questions concerning this project please contact me.

Yours truly,

Bryan Knights, CTech
Design Technician
N. Vancouver Island Process Centre

Enclosures

Build a Power Smart Building

Find out if you qualify for Power Smart incentives for your new construction project. Make your next project a sustainable, energy-efficient building. Visit www.bchydro.com/business or call 604-453-6400 in the Lower Mainland, 1-866-453-6400 elsewhere in B.C.



BC Hydro FOR GENERATIONS

OFFICIAL SUPPORTER

CITY OF PARKSVILLE

BYLAW NO. 1235

Consolidated for convenience only to include Bylaws No. 1235.1 and 1235.2

A BYLAW TO REQUIRE THE PROVISION OF WORKS AND SERVICES AS A CONDITION OF THE ISSUANCE OF A BUILDING PERMIT.

Pursuant to Sections 989(4) and 991 of the *Municipal Act*, the Municipal Council of the City of Parksville in open meeting assembled enacts as follows:

Interpretation

1. In this bylaw, unless the context otherwise requires:

"COUNCIL" means the Council of the City of Parksville.

"MUNICIPAL ENGINEER" means the Municipal Engineer as appointed by Council.

"OWNER" includes a person authorized by the owner to be his/her agent.

"WORKS AND SERVICES" means those highways, water, sewage disposal or storm drainage systems, street lighting, sidewalks, underground utilities or other works and services set out in the City's Engineering Standards and Specifications and forming part of the current Subdivision Control Bylaw.

Requirement to Provide Works and Services

2. An owner of land shall, to the extent that works and services have not been previously provided, or to the extent that existing works and services do not meet the standards set out in the current Engineering Standards and Specifications forming part of the Subdivision Control Bylaw, provide all works and services directly attributable to the development on the entire length of all highways immediately adjacent to the land up to the centre line of the highways ~~and on the site being developed~~ [Amendment Bylaw No. 1235.1] prior to the issuance of a building permit.
3. The requirements imposed by Section 2 shall be satisfied prior to the issuance of a building permit notwithstanding that all or part of the works and services could have been required at the time of subdivision of the land but were not then provided.

Exemptions [replaced by Amendment Bylaw No. 1235.2]

4. Notwithstanding Section 2, the provision of works and services will not be required where one of the following conditions is satisfied:
 - a) the building permit authorizes the construction and/or alteration of a single family dwelling or residential accessory building;
 - b) the building permit value of the building construction and/or alteration is less than \$200,000.00 as determined by the City's Building Inspector or, where the property is subject to a Development Permit, the value of all of the building construction and/or alterations authorized by the Development

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COMMITTEE OF THE WHOLE REPORT



March 24, 2009

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

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

SUBJECT: CONSIDERATION OF WAIVING OR DELAYING PAYMENT OF THE FEE FOR THE REMOVAL OF NON-COMPLIANT SIGNAGE FROM PUBLIC LAND PURSUANT TO THE SIGN REGULATION BYLAW

Issue:

Consideration of waiving or delaying payment of the fee for the removal non-compliant signs from public land pursuant to the Sign Regulation Bylaw.

Executive Summary:

The City has received an appeal in writing from Mr. Mark Nagra of M & N Mattress Shop Ltd. that Council waive or delay the payment of the fee that is charged for the removal of signs from public land that are prohibited under the Sign Regulation Bylaw.

References:

Sign Regulation Bylaw, 1997, No. 1276, Excerpt – Section 11
Letter from Mark Nagra, owner of M & N Mattress Shop Ltd.

Background:

In accordance with the Sign Regulation Bylaw, where signs have been placed on public land in contravention of the bylaw the owner of a sign must pay a fee of \$50 per sign for their removal. The Bylaw Compliance Officer indicates that in response to a public complaint three signs of M & N Mattress Shop were removed from utility poles within the public right-of way of the Island Highway East near the premises and the intersection of Bagshaw Street. In this case the total fee due is \$150. The signs are now stored at the City's Public Works yard to be reclaimed upon payment of the fee.

In his appeal, Mr. Nagra indicates that given the current tough economic times it is difficult if not impossible for his company to pay the sign removal fee and therefore requests that it be waived. Alternatively Mr. Nagra asks if the fee cannot be waived that its application be delayed until a later date when the economy improves (please refer to the attached letter).

The Bylaw Compliance Officer indicates that signs on utility poles on public land have been dealt with on two previous occasions with respect to M & N Mattress Shop. In the first instance the City was alerted to the non-compliant signs due to a complaint received from the public. The signs were removed and returned to an employee of M & N Mattress Shop with a warning ticket. On the second occasion the Bylaw Compliance Officer was familiarizing a new Commissionaire with their route when they observed signs on the utility poles. The signs were again removed and returned to an employee of M & N Mattress Shop with a discussion with the

**CONSIDERATION OF WAIVING OR DELAYING
PAYMENT OF THE FEE FOR THE REMOVAL OF
NON-COMPLIANT SIGNAGE FROM PUBLIC LAND
PURSUANT TO THE SIGN REGULATION BYLAW**

employee that the signs were not permitted under bylaw. The current third action is a result of an additional public complaint.

Options:

Council may:

1. Choose not to enforce the bylaw
2. Delay collection of the sign removal fee
3. Amend the Bylaw to reconsider existing provisions
4. Deny the request and maintain the status quo

Analysis:

1. If Council believes that the circumstances raised by the appellant are compelling it may at its discretion choose not to enforce the Sign Regulation Bylaw in this case. If Council chooses this option, the three signs held by the City will be available for immediate pick-up by a representative of M & N Mattress Shop Ltd. with no fee being due. This option will allow Council to address on an individual basis the challenges indicated by the appellant with respect to paying the sign removal fee.

Staff believe that this action is not precedent setting from a legal perspective but that it could generate more similar requests in the future and may signal to the broader community a change in approach with respect to bylaw enforcement. This option will result in the costs associated with the removal of the non-compliant signs being borne by the broader community.

2. If Council chooses to delay collection of the sign removal fee it will allow Council to address on an individual basis the challenges indicated by the appellant with respect to paying the sign removal fee at this time. It is anticipated that if this option is chosen that the three signs would be made available for immediate pick up by a representative of M & N Mattress Shop Ltd. as long term storage could make the City responsible while the signs remain in its care.

While Staff believe that this action would also not be precedent setting it too could generate similar requests that the payment of fees or taxes be delayed to a latter date. In addition, Staff believes that this option will place a burden on the City's Finance Department who would ultimately have to administer this outstanding debit.

3. Amend the Bylaw to reconsider existing provisions will likely result in changes on how non-compliant signs on public land are addressed. As no specific bylaw amendment has been tabled it is not possible to provide a detailed analysis at this time. If changes to the bylaw reduce current enforcement there will likely be benefits to those businesses that tend not comply with the existing regulation at the expense of those who do.

In general, if changes to the bylaw contemplate reducing the current enforcement action it may be incorrectly perceived that the City has become more tolerant of this type of signage. Staff anticipates that there may be an increase in the frequency of non-compliant signs being placed on public land as there may be less risk in doing so. This may in turn lead to more visual clutter along City streets and increase in the potential for blocking the view of automobile drivers.

**CONSIDERATION OF WAIVING OR DELAYING
PAYMENT OF THE FEE FOR THE REMOVAL OF
NON-COMPLIANT SIGNAGE FROM PUBLIC LAND
PURSUANT TO THE SIGN REGULATION BYLAW**

4. Denying the request to waive the fee will maintain the regulatory status quo and application of the existing Sign Regulation Bylaw. It will maintain a consistent approach to the enforcement of sign regulations with respect to signs on public land, such as road right-of-ways.

As public lands, such as roads, may have potential safety issues resulting from unauthorized signs there is an inherent need to be able to remove and resolve such signage matters in a quick and prudent manner. The existing bylaw authorizes Staff to remove the signs that are located on public land immediately, with the owner of the sign responsible to pick up the signs within 14 days and pay the fee for removal, currently \$50 per sign. The fee is intended to cover Staff, equipment and storage costs of the removal. In Staffs opinion there have been no issues with the existing bylaw on how it addresses signs on public lands. Staff therefore recommends that no change to the bylaw is warranted at this time and that the outstanding fee remain due.

Sustainability:

There are no sustainability implications associated with this request.

Financial Implications:

Financial implications to the City are the cost of Staff time involved in bylaw enforcement action including the removal and storage of signage and the preparation of this report.

Recommendation:

That the report from the Director of Community Planning dated March 24, 2009 for consideration of waiving the fines for a bylaw infraction against the Sign Regulation Bylaw, 1997, No. 1276 be received;

And That Council denies the request to waive the sign removal fee;

And Further that "Sign Regulation Bylaw, 1997, No. 1276" be retained unaltered.


G. A. JACKSON

BR/sh
Attachments

I:/Users/Planning/3900-01/2009/Agenda/Report-1.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:


F. MANSON, C.G.A.

SECTION 11 - PENALTY

Every person who contravenes any provision of this Bylaw or who suffers or permits an act or thing to be done in contravention of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of the Bylaw, shall be guilty of an offence and is subject to the penalties imposed by the Offence Act.

SECTION 12 - REMOVAL OF SIGNS

- 12.1 In the case of a sign erected in contravention of this bylaw on Public and /or city owned property, the Building Inspector may remove the sign without notice. An owner of the sign must pay a fee of Fifty (\$50.00) and reclaim the sign within 14 days of removal. If the fee is not paid and the sign is not reclaimed within 14 days, the Building Inspector may order such sign destroyed or disposed of in any way he deems appropriate.
- 12.2 In the case of any sign erected in contravention of this bylaw, or which, by reason of location, construction or deterioration, constitutes a hazard or nuisance in the opinion of the Building Inspector, the Building Inspector may by written order, require such sign to be removed by the owner within thirty (30) days.
- 12.3 When a sign remains in place after the activity, business, product or service the sign advertises is no longer conducted or available on the premises on which the sign is located, such sign is considered to have been abandoned and the owner of the premises in question shall then remove the sign within 30 days from the date written notice by the Building Inspector to do so has been received. This section shall be deemed to include abandoned sign structures and supports.
- 12.4 Should the property owner fail to comply with a removal order under Section 12.1 or 12.2, the Building Inspector is hereby empowered to remove and impound the sign. The signs shall not be released until the City has been reimbursed for all expenses incurred in its removal.
- 12.5 Any and all expenses incurred by the City in the removal of any sign under Section 12.3 shall be payable forthwith by the owner of the said lands and premises upon which the sign was located, and failure to so pay forthwith shall render the said property to be liable for the payment thereof and such expenses shall be added to and become a part of the unpaid taxes at the end of any calendar year in which the said expenses remain unpaid.

- 12.6 The City shall not be responsible for any damage incurred to any sign, or to any building or property from which such sign is required to be removed under the terms of this bylaw as a result of the removal of such sign.
- 12.7 An owner of the property or the sign, seeking to reclaim a sign removed by the Building Inspector under Section 12.3, must submit a request in writing within 30 days from the date such sign is removed. The owner, before reclaiming such sign, must pay a fee of One Hundred (\$100.00) dollars and shall have paid all costs set out in Section 12.4. If the sign is not reclaimed within 30 days, the Building Inspector upon 10 days notice in writing to the owner of the property or the sign may order such sign destroyed or disposed of in any way he deems appropriate.

SECTION 13 - SEVERABILITY CLAUSE

If any section or lesser portion of this Bylaw is held invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

SECTION 14 - REPEAL

"City of Parksville Sign Regulation Bylaw, 1992, No. 1127" and all amendments are hereby repealed.

SECTION 15 - CITATION

This bylaw may be cited for all purposes as "City of Parksville Sign Regulation Bylaw, 1997, No. 1276"

READ A FIRST TIME this 21st day of April 1997

READ A SECOND TIME this 21st day of April 1997

READ A THIRD TIME this 21st day of April 1997

ADOPTED this 5th day of May 1997

Mayor

Clerk

HH: Gayle Jackson

To The Mayor/Council

As advised by Gayle Jackson of the City of Parksville, this is my letter of appeal to The Mayor/Council regarding signs from M&N Mattress Shop Ltd., that are being held at the city yard(as advised by Parksville's bylaw officer). I was told that there is a fine or \$50 cost per sign that the city is holding. These signs have been cut to use on different occasions, and I believe that the bylaw officer(or other city worker) have taken about 5 separate pieces. At \$50/piece, it is at this time of tough economic times, very difficult or not possible for my company to pay the fines or recovery costs. My appeal is to wave this fine(I've spoken to the mayor at his Thursday meetings with citizens on Thursday March 19th and let him know of my situation being a small business) or at the very least delay the fines until the economy gets back to where my business is in a better position to pay such fines for signs that were to generate business, and not to lose potential business. At the very least there should be a written warning to myself(the owner/operator of M&N Mattress Shop Ltd). As a small business, I am just hoping that the City can be community friendly to the small businesses in Oceanside that are "the backbone of our community", and provide jobs that are hard to come by in these difficult times, and not make it tougher and more stressful than these times already are.

Sincerely,

Mark Nagra
M&N Mattress Shop Ltd.
Parksville, BC
250-248-7133

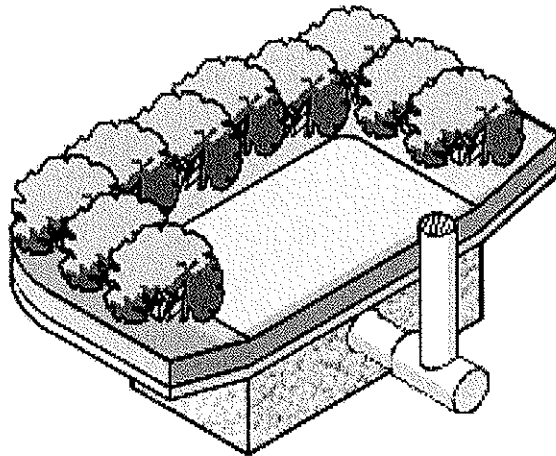
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84

March 5, 2009

REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER
FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING
SUBJECT: PROPOSAL FROM THE MID VANCOUVER ISLAND HABITAT ENHANCEMENT SOCIETY REGARDING A RAIN GARDEN NEAR THE PARKSVILLE ELEMENTARY SCHOOL

Issue:

Consideration of a proposal from the Mid Vancouver Island Habitat Enhancement Society regarding a rain garden near the Parksville Elementary School which has been referred to staff for a review of the feasibility of the project.



Executive Summary

The goal of this report is to provide Council with a review of the feasibility of a rain garden project near the Parksville Elementary School.

References:

Stormwater Source Control Design Guidelines (2005), Greater Vancouver Regional District;
Stormwater Planning: A Guidebook for British Columbia (2002), Regional District of Nanaimo,
Environment Canada, Province of British Columbia, Georgia Basin Ecosystem Initiative;
An Economic Rationale for Integrated Stormwater Management - A Resource for Urban and
Rural Land Development in British Columbia (Province of British Columbia – Small Towns
Initiative, Landscape Architecture Program, University of British Columbia;
Preliminary Site Plan;
Preliminary Sections;
Preliminary Schedule of Quantities.

Background:

At the January 19, 2009 Council meeting the following resolution was adopted:

"09-006(2)

THAT the proposal from the Mid Vancouver Island Habitat Enhancement Society regarding a rain garden near the Parksville Elementary School be referred to staff for a review of the feasibility of the project and a recommendation to Council."

A written proposal was not provided. The concept being advanced was to construct a rain garden. The starting point was to determine whether this could occur within the public right-of-way or on school property. After a short discussion of the pros and cons of this location and also on the school site itself, it was agreed that the project would face challenges within the City right-of-way. Major constraints to using the roadway boulevard included: the location of underground utilities, inadequate space, potential liabilities, and the necessity of hiring a private consultant to undertake the design work for liability protection.

The Mid Island Habitat Enhancement Society is now working directly with the school regarding project details. The intention is to keep the project completely on school property.

As the project is currently being investigated on Parksville Elementary School property, there is no direct financial cost to the City of Parksville for the project. Once working drawings are complete, the project proponents will likely seek donations based on the specific plans for construction services, supply of materials, and volunteers.

The City of Parksville could play a role in championing the proposal. Outreach initiatives can be beneficial in promoting this type of project, garnering support and donations from the local community. A formal Council resolution in support of the proposal may also lend credibility to the undertaking.

Options:

Council may:

1. Accept the report for information.
2. Accept the report for information and formally declare Council support of the concept of a demonstration rain garden project to be undertaken by The Mid Island Habitat Enhancement Society.
3. Request additional Information.

Analysis:

1. Accepting the report for information simply acknowledges that the project is not feasible within the City of Parksville roadway.
2. A declaration of Council support of the proposal in concept would lend credibility to the undertaking and may generate additional community interest.

3. Council may decide that more information is needed.

Financial Implications:

This project is funded by a non-profit society. As the project is no longer planned to be on City property, there is no direct cost to the City of Parksville.

Sustainability Implications:

The City is developing policies and initiatives to support and promote sustainable development, including integrated stormwater management practices. Planning Staff are currently developing a 'Rainwater Harvesting Information Series' that is to be released this spring which will include presentations and information pamphlets on rain gardens and rain barrels.

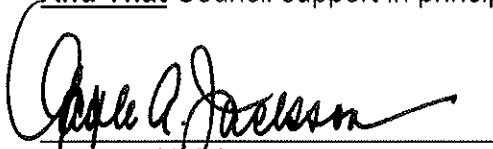
Social sustainability is enhanced by volunteer efforts, commercial donations and community support which will act to bring the community together in a social setting. The resulting demonstration project will serve to educate and inform the development community, visitors and the community at large.

Environmental sustainability is achieved by reconnecting the community at large to our natural environment and encouraging stewardship efforts to preserve and enhance local hydrological systems. Teachers will be able to bring to light various environmental concerns and engage students in an interactive learning environment.

Recommendations:

THAT the report from the Director of Community Planning dated February 20, 2009 proposal from the Mid Vancouver Island Habitat Enhancement Society regarding a rain garden near the Parksville Elementary School be received for information;

And That Council support in principle the rain garden concept.


G. A. JACKSON

NG/dd
Attachments

I:\Users\Planning\6440-01-SUS\2009\Agenda\Rain Garden_FayeSmith\Report-3.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:


F. MANSON, C.G.A.

Parksville Elementary - Demonstration Rain Garden
SCHEDULE OF QUANTITIES

March-09
 Job # 0001

ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
Utilities				
Irrigation	sq.m.	88	5.50	484.00
150mm Perforatd Drain Pipe	l.m.	18.5	20.00	370.00
100mm solid PVC Drain Pipe	l.m.	15	20.00	300.00
PVC Catch Basing Ass. c/w Atrium Drain	allow	1	350.00	350.00
SUBTOTAL, Utilities				1,504.00
SOFT LANDSCAPE				
Growing Medium @ 450mm Depth	cu.m.	17.6	56.00	985.60
Drain Rock	cu.m.	52.8	45.00	2,376.00
Compost Mulch, in place, 75mm depth	cu.m.	6.6	54.00	356.40
Rain Garden Plantings	sq.m.	88	30.00	2,640.00
SUB-TOTAL, SOFT LANDSCAPE				6,358.00
SUB-TOTAL				\$7,862.00
Contingency 20%				1,572.40

ORDER of MAGNITUDE ESTIMATE (Note: Accuracy is +/-20%)*	\$9,434.40
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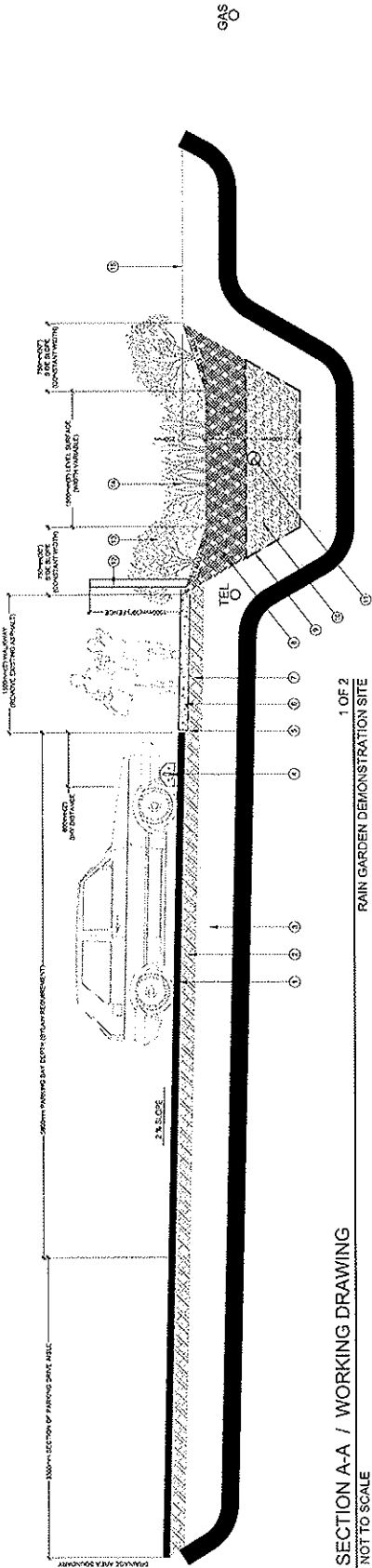
* Estimates are dependant on current market conditions

SCHEDULE OF QUANTITIES

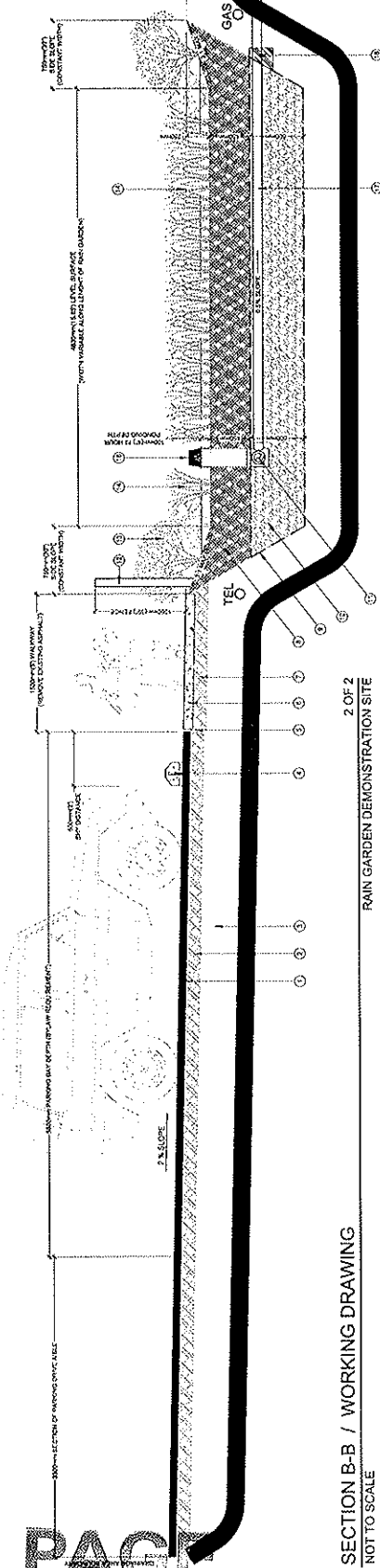
ADD - ALTERNATE SITE WORKS (BUDGET DEPENDANT)

Potential Donor Opportunities

ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
HARD LANDSCAPE				
<i>Pedestrian Walkway Paving - Options</i>				
<i>Pervious Unit Paving - Parking Bays</i>	<i>sq.m.</i>	55	100.00	5,500.00
<i>Standard Unit Paving</i>	<i>sq.m.</i>	55	70.00	3,850.00
<i>Asphalt Resurfacing</i>	<i>sq.m.</i>	55	50.00	2,750.00
<i>Concrete Resurfacing</i>	<i>sq.m.</i>	55	55.00	3,025.00
<i>Parking Lot Paving - Options</i>				
<i>Pervious Unit Paving - Parking Bays</i>	<i>sq.m.</i>	145	100.00	14,500.00
<i>Standard Unit Paving</i>	<i>sq.m.</i>	145	70.00	10,150.00
<i>Asphalt Resurfacing</i>	<i>sq.m.</i>	145	45.00	6,525.00
<i>Concrete Resurfacing</i>	<i>sq.m.</i>	145	55.00	7,975.00
SITE FURNISHINGS				
Split Rail Cedar Fence	l.m.	30	50.00	1,500.00



SECTION A-A / WORKING DRAWING
1 OF 2
RAIN GARDEN DEMONSTRATION SITE
NOT TO SCALE



SECTION B-B / WORKING DRAWING
2 OF 2
RAIN GARDEN DEMONSTRATION SITE
NOT TO SCALE

- ① EXISTING ASPHALT SURFACE (SEE PLAN) WITH 2.5% SLOPE TO DRAINAGE CHANNEL.
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Design Section By: [Signature]

PROJECT: DEMONSTRATION RAIN GARDEN
LOCATION: PARKSVILLE ELEMENTARY SCHOOL
DATE: MARCH 2009



REVISION SCHEDULE	
#	DATE / NOTES

PRELIMINARY SECTIONS

Date: MARCH 2009
 Drawn: NG
 Checked: NG
 Scale: 1:20 METRIC
 Project Number: 0001
 DRAWING NUMBER: L2 of 2

DEMONSTRATION RAIN GARDEN PARKSVILLE ELEMENTARY SCHOOL (SD69) PARKSVILLE, BC

LANDSCAPING NOTES

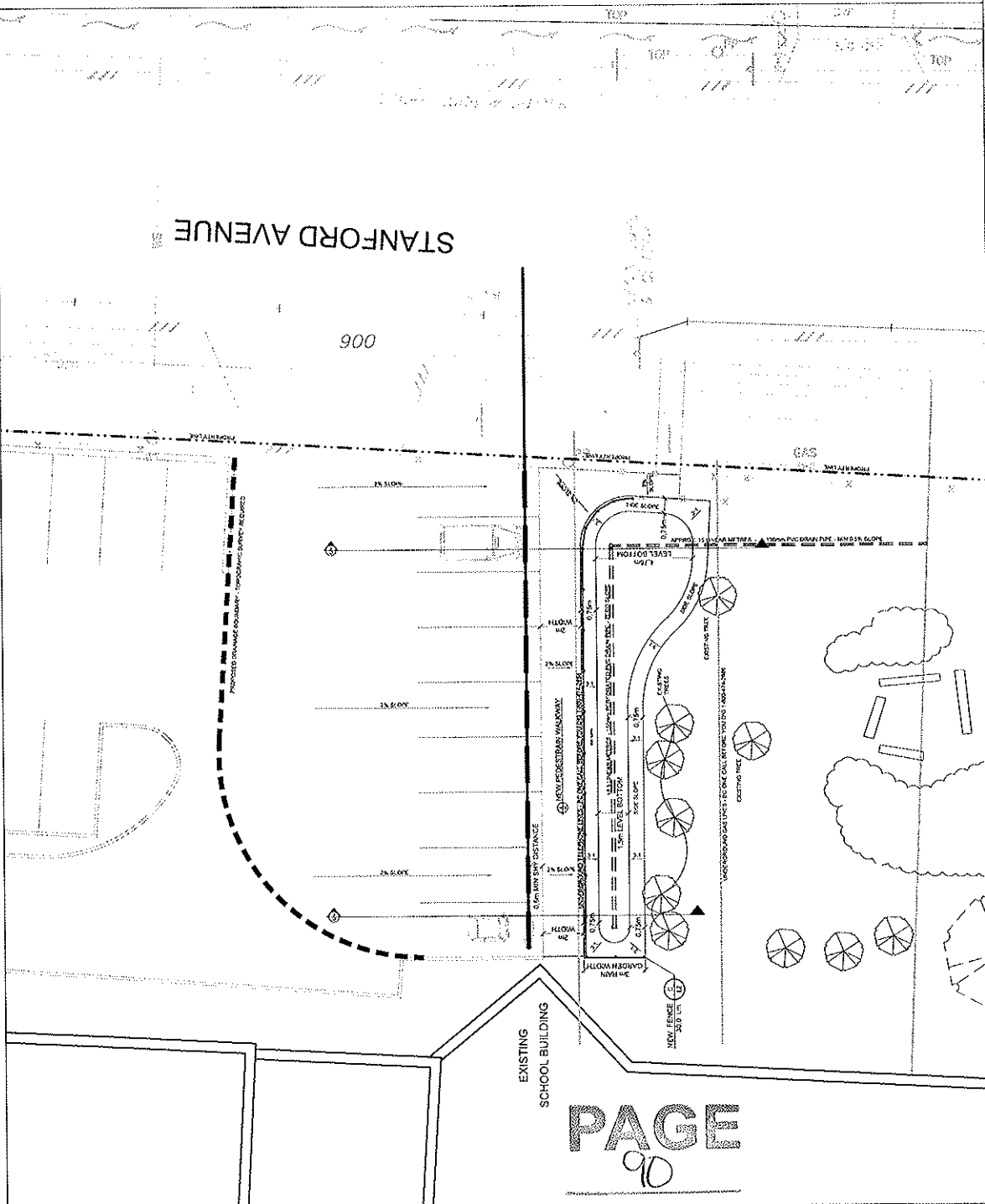
- SAND AGGREGATE AND GROWING MEDIUM NOTES:**
1. GROWING MEDIUM OR COMPOST SHALL BE APPLIED OVER GROWING MEDIUM TO A DEPTH OF 50 - 75mm. MULCH MUST BE WELL AISED TO REMOVE WEEDS AND BIOMAT MATERIALS.
 2. GROWING MEDIUM MATERIALS AND METHODS SHALL MEET THE PHYSICAL AND CHEMICAL PROPERTIES DEFINED IN THE IMPOVED GROWING MEDIUM SECTION OF THE SPECIFICATIONS.
 3. GROWING MEDIUM SHALL HAVE A MINIMUM 15% ORGANIC MATTER CONTENT.
 4. GROWING MEDIUM SHALL HAVE A MINIMUM HYDRAZIC CONDUCTIVITY OF 2 CMHO/CM.
 5. PERKIN SANDS SHALL MEET THE PHYSICAL PROPERTIES DEFINED IN THE IMPOVED GROWING MEDIUM SECTION OF THE SPECIFICATIONS.
 6. WASHED DRAIN ROCK SHALL BE BETWEEN 75mm MAXIMUM - 30mm MINIMUM SIZE. WRAP WITH GEOTEXTILE FABRIC TO PREVENT MIGRATION OF FINES.

PLANTING NOTES:

1. CHECK FOR LOCATIONS OF WATER LINES AND ANY OTHER UNDERGROUND SERVICES PRIOR TO DIGGING. CALL BEFORE YOU DIG - BC ONE CALL 1-800-447-4688.
2. TRANSPORT AND HANDLING OF PLANT MATERIALS SHALL BE TO BOTANICAL LANDSCAPE STATIONS - CURRENT EDITION.
3. ENSURE AVAILABILITY AND SOURCE OF PLAYLIST MATERIALS AT LEAST 2 WEEKS PRIOR TO ANTICIPATED PLANTING DATE.
4. INSPECT ALL DELIVERED PLANT MATERIAL AT THE CURB PRIOR TO SHIPPING. NO PLANTS REQUIRING PRUNING OF MAJOR BRANCHES DUE TO DISEASE, DAMAGE OR POOR FORM WILL BE ACCEPTED.
5. ALL CALIPRE-SPOOK TREES / SHRUBS SHALL BE BARE IN WIRE BASKETS. BAG-GROWN TREES WILL NOT BE ACCEPTED.

CANDIDATE PLANT LEGEND

PLANT SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	NOTES
CS	CORNUS alba var. 'Ergon' (C. alba)	Red Osier Dogwood	45 PM	1m O.C.	PERENNIAL SHRUB
VO	VACUYNIA ovata	European Hollyhock	45 PM	1m O.C.	PERENNIAL SHRUB
RO	ROSA rugosa	Rosa Rugosa	45 PM	2m O.C.	PERENNIAL SHRUB
JN	JUNCEUS communis	Common Juniper	45 PM	1m O.C.	PERENNIAL SHRUB
RS	RIBES cynosuroides	Red Flamingo Currant	45 PM	2m O.C.	PERENNIAL SHRUB
SIDE SLOPE HERBACEOUS, FERN AND GROUND COVER PLANTINGS					
PH	PHLOXIS subulnifolia	Shrub Phlox	45 PM	1.5m O.C.	PERENNIAL
C	CAMASSIA scabra	Camassia	100mm PM	0.5m O.C.	PERENNIAL
A	ARISTIDA stricta	Arrowweed	100mm PM	0.5m O.C.	PERENNIAL
E	ELYNIS gallica	Blue Winkwort	100mm PM	0.2m O.C.	PERENNIAL GRASS
F	FILAGO germanica	Common Sedge	100mm PM	2m O.C.	PERENNIAL GROUND COVER
LEVEL BOTTOM HERBACEOUS, FERN AND GROUND COVER PLANTINGS					
J	JUNCEUS communis	Common Juniper	45 PM	0.2m O.C.	PERENNIAL SHRUB
S	SCIRPUS setosus	Scirpus	45 PM	1m O.C.	PERENNIAL GRASS
C-S	CAREX lasiocarpa	Carex	45 PM	0.6m O.C.	PERENNIAL GRASS
A-F	AQUILEGIA vulgaris	Common Cowslip	45 PM	0.6m O.C.	PERENNIAL
A-F-F	ATRIPLAX repens	Lady Fern	45 PM	0.6m O.C.	PERENNIAL
D	DIANTHUS barbatus	French Carnation	45 PM	0.5m O.C.	PERENNIAL



REVISION SCHEDULE

#	DATE	NOTES
1	MARCH 2009	APPROVED AND LOGGED

PRELIMINARY SITE PLAN

Date: MARCH 2009
 Drawn: NS
 Checked: NS
 Scale: 1:100 METRIC
 Project Number: 0001
 DRAWING NUMBER: L1 of 2

**DEMONSTRATION RAIN GARDEN
 PARKVILLE ELEMENTARY SCHOOL (SD69)
 PARKVILLE, BC**



David S. G. Inc.
 10000
 PARKVILLE, BC
 V1P 7S2
 www.dsginc.com

COMMITTEE OF THE WHOLE REPORT



March 23, 2009

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

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

SUBJECT: RENEWAL OF THE ADVISORY DESIGN PANEL

ISSUE:

Renewal of the Advisory Design Panel's terms of reference for the current term of Council and consideration of the re-appointment of current Advisory Design Panel members.

EXECUTIVE SUMMARY:

The Advisory Design panel is an advisory committee established by Council. Members are appointed for a term specified at the time of appointment, but not to exceed the term of Council. The Advisory Design Panel membership requires a renewed Council mandate and formal re-appointment to continue in an advisory capacity.

REFERENCES:

Please refer to the attached 'Terms of Reference for the Advisory Design Panel' document.

BACKGROUND:

The City of Parksville's Advisory Design Panel has passed its two year anniversary. Council authorized staff to set up an Advisory Design Panel and in late 2006, passed a bylaw setting out the mandate, membership terms, and procedures. In early 2007, the founding of this new panel was advertised and members were appointed by Council.

The panel is currently made up of four voting members. It is one member short of the composition set by the Terms of Reference. Fifty percent of the voting members must reside within the City of Parksville and must be registered architects, registered landscape architects or have a master's level degree in a planning or design related faculty. The volunteer panel has met monthly since its first meeting in January 11, 2007. The meetings are open to the public.

The panel reviews all development permit applications and other matters referred by Council. Panel members make recommendations based on the best interests of the community at large, making recommendations based on form and character guidelines and various consultant crafted urban design studies commissioned by the City's Planning Department, providing an opinion to Council. Current Advisory Design Panel membership is as follows:

- o Lafoy, Manley, MAIBC - Chair
- o Ruben Galdames, Architect
- o Locke, Lindsay H., MAIBC
- o Taylor, Larrie, MAIBC

PAG
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OPTIONS:

Council may:

1. Renew the Advisory Design Panel's terms of reference and re-appoint Manley Lafoy MAIBC, Ruben Galdames, Lindsay H. Locke, MAIBC, and Larrie Taylor MAIBC to the Advisory Design Panel for the current term of Council.
2. Renew the Advisory Design Panel's terms of reference and re-appoint Manley Lafoy MAIBC, Ruben Galdames, Lindsay H. Locke, MAIBC, and Larrie Taylor MAIBC to the Advisory Design Panel for the current term of Council; and re-advertise for additional candidates to consider.
3. Renew the Advisory Design Panel's terms of reference, rescind the current Advisory Design Panel appointments and re-advertise for new candidates to consider.
4. Rescind the Advisory Design Panel's terms of reference.

ANALYSIS:

1. As there are appropriate, experienced candidates willing to stand for re-appointment, reevaluating the current membership does not appear warranted.
2. As there are appropriate, experienced candidates willing to stand for re-appointment, reevaluating the current membership does not appear warranted. The addition of one more member would bring the panel to five voting members. As panel members are active professionals, scheduling is at times problematic with a reduced membership.
3. Re-advertising for new candidates will take time and Staff resources. During this process timeline the panel would not be operational. There may be some difficulties in recruiting additional professionals.
5. Rescinding the Advisory Design Panel's terms of reference would effectively terminate this advisory committee of Council.

FINANCIAL CONSIDERATIONS:

The Advisory Design Panel is an unpaid group of volunteers. There is Staff time associated with meetings, preparation, set up and maintenance. There is the cost of the advertisements should Council decide advertising is warranted.

Recommendation:

That the report from the Director of Community Planning dated March 23, 2009 be received;
And That the Advisory Design Panel mandate be renewed based on the current terms of reference for the current term of Council;

And Further That Manley Lafoy MAIBC, Ruben Galdames, Lindsay H. Locke, MAIBC, and Larrie Taylor MAIBC be re-appointed to the Advisory Design Panel for the current term of Council;

And Further That Staff be directed to re-advertise for one new candidate to fill the current Advisory Design Panel vacancy.



G. A. JACKSON

NG/sh
Attachments

Planning/0540-20/ADVISORY DESIGN PANEL/2009/Agenda/Report-1.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



F. MANSON, C.G.A.

ADVISORY DESIGN PANEL TERMS OF REFERENCE

INTRODUCTION

Advisory committees are established to assist Council by providing for public input on municipal matters. These committees are advisory in nature and function within the parameters set out in their Terms of Reference. The public is welcome to observe the meetings of any advisory committee.

PURPOSE

The purpose of the Advisory Design Panel is to consider design matters and report its findings and opinions to Council. The Committee shall report its findings and opinions to Council in accordance with these Terms of Reference.

REFERRAL OF MATTERS AND REPORTING

The Advisory Design Panel will review all Development Permit applications and any other matters referred to it by Council.

Consideration of each matter assigned to the Panel by Council shall result in a formal motion in which a recommendation to Council is made. Council is in no way bound to the advice or recommendations of the Advisory Design Panel.

MEMBERSHIP

Composition

The Panel shall be appointed by Council. The Panel is comprised of a maximum of five (5) voting members as follows:

- o At least 50% of the voting members shall reside within the City of Parksville.
- o At least 50% of the voting members shall be architects [either formerly registered with AIBC or eligible for registration with AIBC], landscape architects [either formerly registered with the BCSLA or eligible for registration with the BCSLA], or persons holding a Master's level degree in a design related faculty.

Appointment and Term

- a) Members shall be appointed for a term specified at the time of appointment, but not to exceed the term of Council.
- b) Council may rescind an appointment at any time and members may resign at any time by providing written notice to the Committee Chair with copy to the City's Corporate Officer.
- c) Appointments to fill interim vacancies shall be for the remainder of the term only.
- d) Members may stand for re-appointment, but first consideration will be given to persons who have not already served.

REMUNERATION AND EXPENSES

Members of the Commission shall serve without remuneration.

PANEL RESPONSIBILITIES AND CONDUCT

Panel members have a responsibility to make recommendations based on the best interests of the community-at-large. In providing its opinion to Council, the Committee shall have due regard for applicable statutes, the bylaws and policies of the City, and their respective professional associations.

Members shall conduct themselves and declare any conflicts of interest in accordance with the Meeting Procedures Bylaw and the *Community Charter*. Members shall not speak on behalf of the Panel or represent themselves as having any authority beyond that delegated by Council.

Any member who fails to attend 3 consecutive meetings, except for reasons of illness, shall cease to be a member and the appointment shall be terminated.

MEETINGS AND PROCEDURES

A majority (3) of the Advisory Design Panel members shall be deemed to be a quorum.

Meetings will be set on a monthly basis, and may be increased as required.

Robert's Rules of Order shall govern the conduct of the meetings.

The Chair will be elected annually by the voting members of the Panel.

The Chair shall be a voting member of the Panel.

Minutes of all meetings shall be kept and made available to the public, in the Municipal office, during normal business hours.

Minutes shall be taken by City Staff.

The Panel shall conduct its meetings in accordance with the *Community Charter*, the *Council Procedure Bylaw* and the City's *Agenda Procedures Policy*. An orientation session respecting meeting procedures and rules will be provided by the Director of Community Planning and Building.

PUBLIC REPRESENTATION

Applicants of the files to be reviewed by the Panel will be required to make a presentation to the Panel ahead of the Panel's deliberation.

STAFF SUPPORT AND OTHER RESOURCES

- a) Secretarial support will be provided by the Planning Department on an on-going basis.
- b) Professional and technical advice may be provided by the Planning Department Liaison, or their designate.

March 23, 2009

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