



City of PARKSVILLE

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COUNCIL MEETING AGENDA

MONDAY, JUNE 1, 2009 - 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the regular meeting of Council held May 20, 2009 - Pages 1 to 5

Recommendation: THAT the minutes of the regular meeting of Council held May 20, 2009 be adopted.

2. APPROVAL OF AGENDA

3. PRESENTATIONS

- a) Presentation of congratulatory plaque to the Oceanside Generals

4. DELEGATIONS

5. UNFINISHED BUSINESS

6. CORRESPONDENCE

7. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

8. REPORTS

- a) Manager of Engineering - Springwood Reservoir No. 4 Upgrade - Pages 6 to 8
On July 16, 2007, Council passed Resolution #07-226 authorizing staff to pre-qualify twelve (12) firms to submit bids for projects in the 2008 Capital Works Program. One of the projects identified was the "Springwood Reservoir No. 4 Upgrade". In general, this is the last phase of the Springwood Complex upgrade that will help further improve water treatment disinfection, water circulation, replacement of aging infrastructure and will allow potable water to be conveyed from one end of the system to the other as system demands require.

Recommendation: THAT Council award the tender for the "Springwood Reservoir No. 4 Upgrade", in the amount of \$437,577.53 (including GST), to Knappett Industries (2006) Ltd.

b) Manager of Engineering - Engineering Services for Ring Road and Corfield Street Upgrades - Pages 9 to 11

The Ring Road project was deferred to 2012 until current year budget deliberations moved this project forward to 2010. In conjunction with the Ring Road upgrade, it was also outlined in the Five Year Capital Plan that Corfield Street from Highway 19A to Stanford Avenue be upgraded to the new Downtown / Collector standard.

Recommendation: THAT Council direct Staff to engage Koers and Associates Engineering Ltd. for the design services for "Jensen Avenue (Ring Road) Completion and Corfield Street Upgrade", in the amount of \$191,870.00 (excluding GST);

AND THAT Council instruct Staff to amend the 2009 Financial Plan to reflect the engineering fees for "Jensen Avenue (Ring Road) Completion and Corfield Street Upgrade" capital project, appropriating the funds from prior years surpluses.

c) Deputy Corporate Administrator - Review of Corporate Policy Manual Applicable to the Department of Community Planning - Pages 12 to 19

The review of the City's Policy Manual is a project that has been identified by the Administration Department as one that needs to be done. Many of the City's policies are outdated, have become redundant by more recent programs and bylaws or need to be replaced. There also may be gaps in our manual that need to be filled (i.e. personnel and communication policies). Given the size of the project, the review will be done in segments and will be the subject of more than one report to Council. The purpose of this first report is to repeal the policies in the Development section of the manual that are outdated or redundant.

Recommendation: THAT the report from the Deputy Corporate Administrator dated May 25, 2009 entitled "Review of Corporate Policy Manual Applicable to the Department of Community Planning", be received;

AND THAT staff be instructed to repeal the following Corporate Policies:

- a) 3.27 Banner Themes
- b) 3.9 Community Park Banner
- c) 4.3 Planning Documentation Pick Up
- d) 4.4 Acknowledging Correspondence
- e) 4.5 Liquor Licencing Procedures
- f) 4.7 Park Land Dedication
- g) 4.8 Pioneer Crescent Access/Egress
- h) 4.9 Public Hearing Document Book
- i) 4.11 Engineering & Planning Comments Made to Development Applicants
- j) 4.14 Guidelines for Developers
- k) 4.15 Development Inquiry Responses
- l) 4.16 Temporary Propane Satellite Tanks
- m) 4.18 Non-Permitted Secondary Suites
- n) 4.20 Building Schemes & Design Controls
- o) 5.6 Engineering & Planning Comments Made to Development Applicants
- p) 5.8 Temporary Propane Satellite Tanks
- q) 8.5 Hedges or Shrub Height
- r) 8.14 Building Permits and Building Schemes

- d) Executive Assistant - Special Event Application - Cinema Under the Stars - Pages 20 to 23

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

Recommendation: THAT Alliance West Sports & Entertainment be granted permission to hold the "Cinema Under the Stars" special event on the sports field located in the Parksville Community Park on Thursday, July 16 and Saturday, August 1, 2009;

AND THAT the approval be granted on condition that the organizers adhere to the signed Terms and Conditions form signed May 19, 2009 attached to the report from the Executive Assistant dated May 20, 2009 entitled "Special Event Application - Cinema Under the Stars".

9. BYLAWS

- a) "Zoning and Development Amendment Bylaw, 2009, No. 2000.73" - Pages 24 to 25
Urban food gardens are the use of non-traditional, non-agricultural lands for the production of local fruits and vegetables for profit. An amendment to the Zoning Bylaw is required to permit urban food gardens.

(i) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.73" be read a first time.**

(ii) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.73" be read a second time;
AND THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.73" be advanced to a public hearing.**

10. NEW BUSINESS

11. NOTICE OF MOTION

12. SPECIAL BUSINESS (Closed/In Camera)

13. ADJOURNMENT

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TO BE ADOPTED

CITY OF PARKSVILLE

May 20, 2009

Minutes of the regular meeting of Council held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Wednesday, May 20, 2009 at 6:00 p.m.

- PRESENT:** His Worship Mayor E. F. Mayne
- Councillors: C. R. Burger
A. R. Greir
M. Lefebvre
C. J. Powell-Davidson
- Staff: F. Manson, Chief Administrative Officer
L. Kitchen, Deputy Corporate Administrator
G. Jackson, Director of Community Planning

1. ADOPTION OF MINUTES

- 09-120 Lefebvre – Powell-Davidson
THAT the minutes of the regular meeting of Council held May 4, 2009 be adopted. CARRIED.
- 09-121 Lefebvre - Burger
THAT the minutes of the special meeting of Council held May 11, 2009 be adopted. CARRIED.

2. APPROVAL OF AGENDA

- 09-122 Powell-Davidson - Lefebvre
THAT the report from the Director of Community Planning dated May 19, 2009 entitled "Consideration of a Zoning Bylaw Amendment to Permit Food Concession Trailers" be included on the agenda under Reports;
AND THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.74 be included on the agenda to receive two readings under Bylaws;
AND THAT the June 20, 2009 Council meeting agenda be approved as amended. CARRIED.

- 3. PRESENTATIONS - Nil**
- 4. DELEGATIONS - Nil**
- 5. UNFINISHED BUSINESS - Nil**
- 6. CORRESPONDENCE - Nil**
- 7. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE - Nil**

8. REPORTS

a) Committee of the Whole - May 11, 2009

09-123 THAT the report of the Committee of the Whole meeting held May 11, 2009 be received and the following recommendations considered:

(1) **Robert Laframboise - Establishing a Food Trailer in the Industrial Park**

Greir - Lefebvre

THAT Council refer the request of establishing a food trailer in the Industrial Park to staff for review and recommendation. CARRIED.

(2) **Director of Finance - Quarterly Budget Report**

Powell-Davidson - Burger

THAT the "Quarterly Budget Report" for the period January to March 2009 as submitted by the Director of Finance, be received for information. CARRIED.

(3) **Director of Community Planning - Consideration of a City Policy with Respect to Affordable Housing**

Lefebvre – Powell-Davidson

THAT staff be directed to prepare a policy which permits the waiving of development permit and building permit application fees associated with applications for developments [or that portion thereof] intended to provide affordable housing, that meets the City's definition of affordable housing; AND THAT staff prepare a bylaw for the purpose of implementing the development cost charge waivers that are permissible under Section 933.1 of the Local Government Act. CARRIED.

(4) **Director of Community Planning - Development Permit Amendment and Variance Permit for 500 Corfield Street**

Greir – Powell-Davidson

THAT staff commence the statutory notification process required as Council intends to consider granting a Development Variance Permit to Corfield Glades Development Limited, Inc. No. BC0817974 for the purpose of providing a Zoning Bylaw relaxation which would permit removal of the requirement for indoor recreation space on Parcel A (being a consolidation of Lots 30 and 31, see FB186963), Block 1438, Nanoose District, Plan VIP66125 [500 Corfield Street]. CARRIED.

(5) **Director of Community Planning - Consideration of City Position for Change of Hours to a "Liquor-Primary" Liquor Licence - 491 Island Highway East**

Greir - Burger

THAT having considered the issues and providing an opportunity for public input, a resolution be forwarded to the Liquor Control and Licensing Branch indicating that Council 'does not support' the permanent change

to the hours of liquor sales for the Ocean Lounge on Lot B, District Lot 4, Nanoose District, Plan 23567 [491 Island Highway East];
AND THAT having considered the issues and providing an opportunity for public input that a resolution is forwarded to the Liquor Control and Licensing Branch indicating Council's 'support' for a one year temporary change to the hours of liquor sales for the Ocean Lounge as follows:

ONE YEAR TEMPORARY CHANGE OF HOURS
Sunday, Monday, Tuesday and Wednesday - 11:00 AM to 11:00 PM
Thursday, Friday and Saturday - 11:00 AM to 1:00 AM

AND THAT Council's comments on the prescribed Liquor Control and Licensing Branch considerations are as per Schedule 'A' attached to and forming part of the Planner's report dated April 30, 2009;
AND FURTHER THAT the views of the local residents and businesses were solicited through newspaper advertisements, posted signage and delivered notices and that fourteen comments were received as per the attached Schedule 'B'. CARRIED.

(6) **Director of Community Planning - Consideration of Mandatory Water Catchment Systems**

Lefebvre – Powell-Davidson
THAT the requirement for all new single family home construction after January 1, 2010 to have water catchment/cistern systems that will allow for the collection of rain water for the watering of lawns, flower gardens and washing of cars be tabled at this time and brought forward for consideration as part of the water conservation program at the appropriate time. CARRIED.

b) **Chief Administrative Officer - Special Events Application, BC Bike Race - Monday June 29, 2009**

09-124 Greir – Powell-Davidson
THAT the report dated May 11, 2009 from the Chief Administrative Officer regarding the BC Bike Race be received;
AND THAT the request by the BC Bike Race to allow for the set up of a maximum of 200 tents in the Parksville Community Park for the evening of Monday, June 29, 2009, be approved. CARRIED.

c) **Chief Administrative Officer - Offer to Purchase City Owned Land at 201 Pym Street**

Councillor Burger declared a conflict of interest and left the meeting at 6:21 p.m.

09-125 Lefebvre - Greir
THAT the report from the Chief Administrative Officer dated April 29, 2009 entitled "Offer to Purchase the City Owned Land at 201 Pym Street (Lot 1, Plan 37388)" be received;
AND THAT Council approve in principal a three (3) year lease, as generally described in the May 11, 2009 report, with Ms. Nancy Anderson for a portion of Lot 1, Plan 37388 (201 Pym Street) for the period July 1, 2009 and ending

June 30, 2012 with provisions that the lease may be extended for one three (3) year renewal period;
AND FURTHER THAT Staff be directed to publish notice of the proposed disposition of property in accordance with Section 26 (3) of the Community Charter. CARRIED.

Councillor Burger returned to the meeting at 6:30 p.m.

d) **Chief Administrative Officer - Lease Agreement for 183 McVickers**

Councillor Greir declared a conflict of interest and left the meeting at 6:30 p.m.

09-126 Burger – Powell-Davidson
THAT the report dated May 5, 2009 for the Chief Administrative Officer regarding the lease agreement for 183 McVickers Street be received;
AND THAT the Mayor and Corporate Officer be authorized to sign the Lease as outlined in Schedule A attached to the May 5, 2009 report from the Chief Administrative Officer with Mr. Joe Friede for the property legally described as the East Half of Lot 11, District Lot 4, Nanoose District, Plan 6725 (183 McVickers Street) for the period of September 1, 2009 to and including August 31, 2012 at an annual rent of six thousand (\$6,000.00) dollars subject to Section 4.6 of the Lease Agreement. CARRIED.

Councillor Greir returned to the meeting at 6:43 p.m.

e) **Chief Administrative Officer - 745 Humphrey Road**

09-127 Greir - Lefebvre
THAT the report from the Chief Administrative Officer May 14, 2009 entitled "Transfer of City Owned Land to Habitat for Humanity (Mid Vancouver Island) Society, be received;
AND THAT the transfer of Lot 20, District Lot 74, Nanoose District, Plan VIP66777 (745 Humphrey Road) to the Habitat for Humanity (Mid-Vancouver Island) Society for use as affordable residential housing for the sum of \$1, be approved subject to the inclusion of provision for the property to be returned to the City with no compensation to the Habitat for Humanity Society in the event the property is not used for the purpose intended within a reasonable period of time;
AND THAT the Mayor and Corporate Officer be authorized to sign all agreements and documents required for the transfer;
AND FURTHER THAT \$69,062.35 be transferred from General Revenue Fund Prior Years Surpluses to the Open Space Development Cost Charge Reserve Fund. CARRIED.

f) **Director of Community Planning - Consideration of a Zoning Bylaw Amendment to Permit Food Concession Trailers**

09-128 Greir - Lefebvre
THAT the report from the Director of Community Planning dated May 19, 2009 regarding food concession trailers be received;
AND THAT the Mr. Robert Laframboise (Hot Dog Bob) be required to pay the anticipated newspaper advertising costs (approximately \$700.00) to permit this amendment to proceed;

AND FURTHER THAT Staff prepare an amendment bylaw to amend Zoning and Development Bylaw, 1994, No. 2000 in order to add Food Concession Trailer to the list of permitted land uses within the Industrial I-1 zone. CARRIED.

9. BYLAWS

a) "Zoning and Development Amendment Bylaw, 2009, No. 2000.74"

09-129 Lefebvre – Powell-Davidson
THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.74" be read a first time. CARRIED.

09-130 Burger – Powell-Davidson
THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.74" be read a second time;
AND THAT "Zoning and Development Amendment Bylaw, 2009, No. 2000.74" advanced to a public hearing. CARRIED.

10. NEW BUSINESS - Nil

11. NOTICE OF MOTION - Nil

12. SPECIAL BUSINESS - Nil

13. ADJOURNMENT

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

The meeting adjourned at 7:03 p.m.

Certified Correct.

Mayor



Corporate Administrator

DATE: May 22, 2009

MEMO TO: FRED MANSON
CHIEF ADMINISTRATIVE OFFICER

FROM: MIKE SQUIRE
MANAGER OF ENGINEERING

SUBJECT: SPRINGWOOD RESERVOIR NO 4 UPGRADE
OUR FILE NO. 5330-20-SPR RES 4

I. ISSUE

Award of Tender for "Springwood Reservoir No 4 Upgrade".

II. REFERENCE

City of Parksville Tender for "Springwood Reservoir No 4 Upgrade" – dated May 12, 2009.

III. BACKGROUND

On July 16, 2007, Council passed Resolution #07-226 authorizing staff to pre-qualify twelve (12) firms to submit bids for projects in the 2008 Capital Works Program. One of the projects identified was the "Springwood Reservoir No 4 Upgrade". This project involves replacing on-site asbestos cement watermain, installing a dedicated supply watermain to Reservoir No. 4, installing control valves, and commissioning Springwood Well No 10, Springwood Well No. 11 and Railway Well No. 8. In general, this is the last phase of the Springwood Complex upgrade that will further help improve water treatment disinfection, water circulation, replacement of aging infrastructure and allow potable water to be conveyed from one end of the system to the other as system demands require.

Tender packages were received by the following seven contractors, the bids were opened in public on Tuesday May 12, 2009, and have been found to be complete (costs include 5% GST):

Knappett Industries (2006) Ltd.	\$437,577.53
Hazelwood Construction Services	\$487,399.38*
Northridge Equipment	\$497,781.70
Windley Contracting Ltd.	\$557,294.34
Fournier Excavating Ltd.	\$560,910.00
Aggressive Excavating	\$613,175.33
Hub Excavating Ltd.	\$618,762.90

Knappett Industries (2006) Ltd. was the low bidder. Knappett Industries (2006) Ltd. has successfully completed Capital Works and Private Development projects within the City of Parksville in the past. They are considered qualified to carry out the subject works.

** Although the actual bid submitted by Hazelwood Construction Services was \$492,649.38, when the figures were checked, an error was identified which resulted in the actual cost being \$487,399.26. However this correction had no impact in their position within the bidding.*

Financial Implications:

Required Funding (Costs) and Available Funding (Budget)

The approximate total costs, including the low bid received and associated budgets for these projects, are summarized as follows:

COSTS (\$)	
Low Bid Received (GST Included)	\$ 437,577.53
Contingency	\$ 50,000.00
Engineering and Geotechnical	\$ 30,000.00
Less 5% GST * on low bid	\$ 20,837.03
TOTAL FUNDING REQUIRED (\$)	\$496,740.50
CURRENT AVAILABLE BUDGET (\$)	\$683,244.19

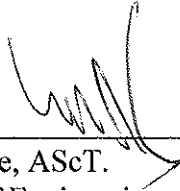
Options (Tender Award):

1. Accept the lowest bid received.
 2. Award the project to another bidder or reject the bids.
-
1. Council could accept the lowest bid received. This would allow completion of a high priority infrastructure upgrade project at the earliest possible date.
 2. Council could reject the bids. This would further delay the project.

It is recommended that Council Support Option 1.

Recommendation:

“That Council award the tender for the “Springwood Reservoir No. 4 Upgrade”, in the amount of \$437,577.53 (including GST), to Knappett Industries (2006) Ltd.”



Mike Squire, AScT.
Manager of Engineering

Lucky Butterworth
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



Fred Manson
Chief Administrative Officer

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DATE: May 22, 2009

MEMO TO: FRED MANSON
CHIEF ADMINISTRATIVE OFFICER

FROM: MIKE SQUIRE
MANAGER OF ENGINEERING

SUBJECT: ENGINEERING SERVICES FOR RING ROAD
AND CORFIELD STREET UPGRADES
OUR FILE NO. 5330-20-RING

I. ISSUE

Award of Engineering Services for "Jensen Avenue (Ring Road) Completion and Corfield Street Upgrade".

II. REFERENCE

City of Parksville 2009-2013 Draft Final Financial Plan
City of Parksville Purchasing Guidelines Policy No. 6.14, Division Two – Selection of Consultants
City of Parksville Official Community Plan Bylaw, 2002, No. 1370

III. BACKGROUND

Full detailed design drawings (ready for construction) of the Jensen Avenue extension to McVickers Street (Ring Road) were prepared by Koers Engineering on September 1994.

For various reasons, the Ring Road project was deferred to 2012 until current year budget deliberations moved this project forward to 2010. In conjunction with the Ring Road upgrade, it was also outlined in the Five Year Capital Plan that Corfield Street from Highway 19A to Stanford Avenue be upgraded to the new Downtown / Collector standard.

The original design drawings prepared by Koers and Associates Engineering Ltd. in 1994 are no longer valid as revisions to the Official Community Plan (OCP) in 2002 changed the Engineering Standards to the current Downtown Road Standard (RC6). This new standard incorporates visions in the OCP such as 3.0m wide sidewalks, ornamental streetlights, street trees, reduced lane widths, accommodations for cyclists, on-street parking, pedestrian safety and general streetscape features in an effort to identify the Downtown Core.

In order to save time, money and expedite this project, Staff directly contacted Koers and Associates Engineering Ltd. to propose an engineering fee budget estimate for updating the existing 1994 design to the new Downtown Core standard. The following is a summary of the fee proposal received from Koers and Associates Engineering Ltd. to complete the design of Ring Road and Corfield Street including geotechnical investigation, street lighting and electrical design, landscaping design, open house consultation and contract document preparation (excluding 5% GST):

Part A – Jensen Avenue Completion (Ring Road) \$ 106,570

Part B – Corfield Street Upgrade \$ 85,300

Koers and Associates Engineering is a local, highly recognized engineering firm that has completed many successful capital infrastructure projects for the City of Parksville and on private development projects within the City in the past. They are considered qualified to carry out the subject works.

Financial Implications:

In order to expedite this high priority project and start construction in 2010, engineering investigations and design need to commence immediately. Currently no funds for such engineering works are identified in the 2009 – 2013 Draft Final Financial Plan. Staff would need to make the necessary changes in the 2009-2013 Revised Financial Plan.

Options (Award):

1. Accept the budget fee proposal from Koers and Associates Engineering Ltd.
 2. Direct Staff to receive additional engineering service fee proposals from other qualified engineering firms.
-
1. Council could accept the engineering budget fee proposal received from Koers and Associates Engineering Ltd. and direct Staff to appropriately transfer funds to cover the engineering fees. Such budget adjustments would be reflected in the Revised 2009 Financial Plan. This would potentially save costs on engineering fees and allow completion of a high priority infrastructure upgrade project at the earliest possible date.
 2. Council could reject the engineering fee proposal from Koers and Associates Engineering Ltd. This would further delay the project and potentially result in higher engineering fees.

It is recommended that Council Support Option 1.

Recommendation:

That Council direct Staff to engage Koers and Associates Engineering Ltd. for the design services for "Jensen Avenue (Ring Road) Completion and Corfield Street Upgrade", in the amount of \$191,870 (excluding GST),


And That, Council instruct Staff to amend the 2009 Financial Plan to reflect the engineering fees for "Jensen Avenue (Ring Road) Completion and Corfield Street Upgrade" capital project, appropriating the funds from prior years surpluses.



Mike Squire, ASCT.
Manager of Engineering

Lucky Butterworth
Director of Finance

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



Fred Manson, CAO

MS/re

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May 25, 2009

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER
FROM: L. KITCHEN, DEPUTY CORPORATE ADMINISTRATOR
SUBJECT: REVIEW OF CORPORATE POLICY MANUAL APPLICABLE TO THE DEPARTMENT OF COMMUNITY PLANNING

ISSUE:

Review of Corporate Policies.

EXECUTIVE SUMMARY:

The review of the City's Policy Manual is a project that has been identified by the Administration Department as one that needs to be done. Many of the City's policies are outdated, have become redundant by more recent programs and bylaws or need to be replaced. There also may be gaps in our manual that need to be filled (i.e. personnel and communication policies). Given the size of the project, the review will be done in segments and will be the subject of more than one report to Council. The purpose of this first report is to repeal the policies in the Development section of the manual that are outdated or redundant.

REFERENCES:

Community Charter s. 146-150, s. 154, Schedule A s.4
City of Parksville Officers Bylaw, 1999, No. 1326
City of Parksville Corporate Policy Manual
Review of Primarily Chapter 4 Policies, Attached Schedule A

BACKGROUND:

The first step in the policy manual review is to make a distinction between bylaw and policies. In common terms a bylaw is a regulation passed by a body which derives its authority from another governing body. Bylaws are required to be obeyed, can be enforced with penalties and fines, challenged in court and must comply with other federal and provincial laws. Bylaws may be enforced through the justice system and offenders can be charged under the relevant provincial offence acts. In BC, local government bylaws must be given three readings before they can be adopted by a Council. All bylaws must be considered at two separate Council meetings before they become law.

A policy is a group of rules used to guide decisions and actions in order to achieve a desired result. People can be compelled to comply with a bylaw but can only be encouraged to comply with a policy. Policies are to be approved by resolution at a Council meeting. You will note that in past, some of the City's policies were approved by the Administrator of the day.

A review of the entire Corporate Policy Manual is being conducted. The first section completed has been the policies most applicable to the Planning Department that are contained in Section 4 of the manual. The rest of the policy manual was also reviewed in relation to areas that may be of interest or concern to the Planning and Building Inspections Department.

As a general rule a policy remains in effect until it is repealed by a subsequent policy or bylaw, or no longer is applicable. Policies can also become *ultra vires* or cease to be valid over time due to the introduction of new bylaws or provincial legislation changes. In order to repeal these policies and remove them from the Corporate Policy Manual, they need to be repealed by Council resolution.

Attached is a summary (Schedule A) outlining the Planning related policies and recommended action to be taken.

OPTIONS:

1. Repeal obsolete, invalid and redundant policies contained in the Corporate Policy Manual applicable to the Planning Department.
2. Maintain the status quo.

ANALYSIS:

Repealing obsolete, invalid and redundant policies applicable to the Planning Department is the first step of the overall Corporate Policy Manual review. All other Sections in the manual will also be reviewed.

SUSTAINABILITY/ENVIRONMENTAL IMPLICATIONS: N/A

FINANCIAL IMPACT: N/A

STAFF RECOMMENDATION

THAT the report from the Deputy Corporate Administrator dated May 25, 2009 entitled "Review of Corporate Policy Manual Applicable to the Department of Community Planning", be received;

AND THAT staff be instructed to repeal the following Corporate Policies:

- a) 3.27 Banner Themes
- b) 3.9 Community Park Banner
- c) 4.3 Planning Documentation Pick Up
- d) 4.4 Acknowledging Correspondence

- e) 4.5 Liquor Licencing Procedures
- f) 4.7 Park Land Dedication
- g) 4.8 Pioneer Crescent Access/Egress
- h) 4.9 Public Hearing Document Book
- i) 4.11 Engineering & Planning Comments Made to Development Applicants
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- q) 8.5 Hedges or Shrub Height
- r) 8.14 Building Permits and Building Schemes

Respectfully submitted,



LYNN KITCHEN
Deputy Corporate Administrator

Attachment – Schedule A

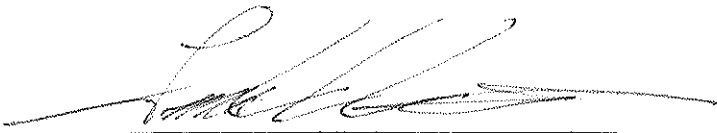
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DIRECTOR OF COMMUNITY PLANNING



GAYLE JACKSON
Director

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



FRED C. MANSON, CGA
Chief Administrative Officer

Schedule A

A review of Section 4 of the Policy Manual has resulted in several proposed changes:

1. Policy 3.27 – Banner Themes - Council Approved August 3, 2005 - This policy is for Banner themes. The banner themes have been reviewed and are now dealt with through Downtown Revitalization Strategies, storyline themes and cultural and natural history. **Recommendation – Repeal.**
2. Policy 3.9 – Community Park Banners – Administrator Approved August 7, 1992 - This Policy is to permit and regulate the banner within the Community Park. This policy is not relevant and is no longer required. **Recommendation – Repeal.**
3. Policy 4.2 – Boundary Extension Requests – Council Approved Dec. 19, 1977, Revised in 1994, 1996 & 1998 – To provide for the orderly growth of the municipality, promote OCP vision of community values and goals, combined with principles of sustainability, and to establish a position on incorporation of properties outside of the existing municipal boundaries - **CURRENT**
4. Policy 4.3 – Planning Documentation Pickup - Administrator Approved July 8, 1994 - This is routine office practice and doesn't need to be written down and enforced. **Recommendation – Repeal.**
5. Policy 4.4 - Acknowledging Correspondence - Administrator Approved November 17, 1993, Revised Dec. 21, 1998 - This policy is a duplicate of Policy 3.5 – *Acknowledging Correspondence*. The planning Staff does respond to all correspondence. **Recommendation – Repeal duplicate Policy 4.4.**
6. Policy 4.5 - Liquor Licence Procedures – Council Approved August 4, 1992 - Does not meet current legislation – unnecessary – **Recommendation - Repeal**
7. Policy 4.7 – Park Land Dedication - Council Approved May 7, 1990, Revised Dec. 21, 1998 - This is a policy regarding Park Land Dedication in a non-rental multiple family development. This cannot be a requirement of development and hasn't been required therefore shouldn't be included in policy. **Recommendation – Repeal**
8. Policy 4.8. - Pioneer Crescent Access/Egress. – Council Approved Feb. 5, 1979 - This policy is meant to establish access and egress restriction for commercial businesses located adjacent to Pioneer Crescent. This is covered by the provisions of the Development Permit Guidelines for the area in the Official Community Plan. **Recommendation – Repeal**
9. Policy 4.9 – Public Hearing Handbook – Council Approved May 25, 1993 - To ensure that all relevant background documents regarding OCP and Zoning Bylaw amendment applications are made available for viewing by the public prior to a statutory Public Hearing - Unnecessary as it represents customary and routine practice here and elsewhere – **Recommendation - Repeal**

10. Policy 4.11 – Engineering & Planning Comments Made to Development Applicants – Council Approved Feb. 3, 1992 - This policy is to establish the validity of the first comments made by either the Engineering or Planning Departments to a development applicant. This policy is in contravention to acts and bylaws in place regarding this. Bylaw 1261, Section 11.2 Servicing Agreement says that "All works and services to be constructed and installed to conditions service any proposed development of any lands shall be constructed and installed to the standards prescribed in Appendix 1 of this bylaw to the satisfaction of the Municipal Engineer at the expense of the owner prior to the approval of such development. . . ." Section 11.2 of the same Servicing Agreement then goes on to say in Subsection (f) "Acknowledges that the City does not confirm the completeness or accuracy of the design (construction) drawings nor accept responsibility for any costs or damages resulting from errors, omissions or deficiencies in said drawings,..." This Policy appears to be in contradiction of the Bylaw which was adopted and therefore makes this policy inapplicable. **Recommendation – Repeal**
11. **Policy 4.12 Strata Title Conversions** – Council Approved March 4, 1985, Revised Dec. 15, 1997 – To regulate the conversion of rental units into strata title units and to prevent the eviction of existing rental tenants **CURRENT**
12. Policy 4.13 – Council Street Naming: Grid Coordinate & Civic Address Numbering System - Approved April 7, 1986, Revised June 15, 1998 & Nov. 6, 2006 - This is the street naming and numbering policy and is currently under review so may be replaced in the near future. **Recommendation – RETAIN this policy and revisit once a more suitable policy or bylaw for street naming has been developed.**
13. Policy 4.14 – Guidelines for Developers – Council Approved May 25, 1993, Revised Sept. 7, 1993 & Feb. 6, 1995 - To establish a standard guideline for the requirement by development applicants to post public signage and to hold a public informational meeting. We currently have a sign guideline which we hand out at the front counter that replaces the sign guideline in the policy manual. Section 94 of the *Community Charter* covers the requirements for Public Notice. Bylaw 1422 establishes development application procedures and signage and notices requirements for bylaw amendments, subdivision approval and issuing of development permits. Therefore, these 3 things cover off the Policy 4.14 with current legislation and practice. **Recommendation – Repeal (if necessary, the sign guidelines handout be included in the Bylaw 1422)**
14. Policy 4.15 – Development Inquiry Responses – Administrator Approved August 5, 1989 - This is a policy about Development Inquiry Responses. The Freedom Of Information Bylaw 1205 specifies what records are available to the public. This policy is in contradiction to that bylaw. **Recommendation – Repeal**
15. Policy 4.16 – Temporary Propane Satellite Tanks - Council Approved November 18, 1991 - This policy outlines the steps for installation of temporary propane satellite tanks. This type of work is covered under Development Permits and fire department inspections. This policy is no longer valid as it is covered under legislation and regulations. **Recommendation – Repeal**

16. **Policy 4.17 – Service Connections Outside the Municipal Boundaries** - Council Approved Jan. 19, 1976, Revised Jan. 30, 1978, Mar. 5, 1984 & March 19, 1980 – no service connections to municipal services shall be provided to properties located outside of municipal boundaries. **CURRENT**
17. **Policy 4.18 – Non-Permitted Secondary Suites** – Council Approved Oct. 3, 1994, Revised Dec. 21, 1998 - This policy outlines the procedures for Staff to follow for non-permitted secondary suites. Although Parksville's Zoning and Development Bylaw allows secondary suites in all single family dwellings, some of the suites have not obtained a building permit or don't comply with the requirements of the bylaw. The BC Building Code outlines the requirements and the Bylaw allows secondary suites. These cover the requirements and therefore a policy is not required. **Recommendation – Repeal**
18. **Policy 4.20 – Building Schemes & Design Controls** - Council Approved March 6, 1995, Revised May 8, 1995 & Dec. 21, 1998 - This policy is to direct building schemes and design controls on residential neighbourhoods to compliment the character and design of surrounding neighbourhoods. This is not a requirement of a development proposal and is not implemented by planning Staff. Staff do not feel it is necessary to have this as a policy as these types of issues are reviewed during the development process and therefore, this policy is not required. **Recommendation – Repeal**
19. **Policy 4.23 – Encroachment Agreement** – Council Approved June 15, 1998, Revised Dec. 21, 1998 – To establish conditions for permitting small areas on municipal rights of way in the Downtown Core to be leased on an annual basis for open air restaurant or café seating by way of an encroachment agreement. **CURRENT**
20. **Policy 4.24 – Legal or Consulting Fees Associated with Development Application Processing** – Council Approved January 15, 2007 - To clarify whether the expense of doing so is to be incurred by the applicant or by the City - **CURRENT**
21. **Policy 4.25 – Development application Processing Sustainability** – Council Approved Feb. 19, 2007 – to educate about sustainability by providing development applicants with sustainability checklist and commenting on development proposals in a sustainability context. - **CURRENT**
22. **Policy 4.26 – Building Vapour Barrier** – Council Approved April 16, 2007 - To clarify that the City does not conduct Rainscreen inspections and to protect the City from liability - **CURRENT**
23. **Policy 4.27 – Development Application Files Closure & Extension** – Council Approved Sept. 5, 2007 – To set out the length of time that an approval is valid and to specify when a file is to be closed - **CURRENT**
24. **Policy 4.28 – Mobile Home Redevelopment** – Council Approved Nov. 19, 2007 – To apply where a proposed zoning amendment can be expected to result in the

redevelopment of a mobile or manufactured home park and displacement of tenants. Intent to improve notification and assistance provided to tenants required to relocate as a result of redevelopment – **CURRENT**

25. Policy 5.6 – Engineering & Planning Comments made to Development Applications – Council Approved February 13, 1992 - This Policy is the same as 4.11. This policy is covered in other legislation. **Recommendation – Repeal**
26. Policy 5.8 – Temporary Propane Satellite Tanks – Council Approved Nov. 18, 1991 - This policy is the same as 4.16 and is to do with installation of temporary propane satellite tanks. This is covered under Development Permits and Fire Department inspections. **Recommendation – Repeal**
27. Policy 8.5 – Hedges or Shrub Height – Council Approved Nov. 21, 1988 - This policy is to prohibit and control the height of trees and shrubs located on or adjacent to the property line. This policy is to ensure that the Council doesn't prohibit tree or shrub height on private land. The City isn't able to do this anyway so this is not an issue. **Recommendation – Repeal**
28. Policy 8.14 – Building Permits and Building Schemes – Council Approved March 6, 1995, Revised May 8, 1995 - This Policy is for compliance with building schemes in subdivisions. Building Schemes are not a City requirement but a developer's. Therefore we do not require or enforce them. **Recommendation – Repeal**

May 20, 2009

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: AMANDA HAYWOOD, EXECUTIVE ASSISTANT

**SUBJECT: SPECIAL EVENT APPLICATION - CINEMA UNDER THE STARS -
OUR FILE: 8100-01**

ISSUE:

A movie night for the public to be held on the sports fields in the Community Park - Thursday, July 16, 2009 and Saturday, August 1, 2009.

EXECUTIVE SUMMARY:

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

REFERENCE:

*Policy No. 8.22 – Applications for Special Events
Completed Parks Use Application Form (1) from Alliance West Sports & Entertainment
including the Terms and Conditions signed May 19, 2009.*

BACKGROUND:

A request has been received from Alliance West Sports & Entertainment to hold a movie night for the public on the sports field in the Parksville Community Park. The Regional District of Nanaimo has granted approval for them to use the sports fields to hold this second annual "Cinema Under the Stars" special event. The event is being held in association with Thrifty Foods and Parksville Downtown Business Association. The movie screen to be used is a giant, inflatable 40' x 20' screen provided by FreshAir Cinema who have been doing these kinds of events across Western Canada including Victoria, Comox, Port Alberni, Tofino and many others. This will be a free event for the public; any donations collected will be given to a local charity.

The movie company does not require power as they use their own generator for the projection system. They may require some power for perhaps a popcorn stand to give away popcorn by donation for a local charity. Further a couple of 10' x 10' tents will be located on site so that sponsors can market themselves and engage the community in some way.

The Fire Department, RCMP and Engineering & Operations were consulted on this application and no concerns have been expressed.

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OPTIONS:

Option 1: Deny the request.

Option 2: Approve the request with conditions.

Option 3: Approve the request without conditions.

ANALYSIS:

1. Denying the request outright would avoid the need to address the noted concerns. It would also deny consideration of what may be viewed as a positive community event;
2. The approval could be made conditional upon the applicant addressing legitimate issues and concerns to the satisfaction of the municipality and other appropriate authorities. Some minor interruption to vehicle, cycling and pedestrian traffic is possible during this event. These issues can probably be mitigated to ensure a successful, positive event;
3. Council could grant unconditional approval of the request. Given the City of Parkville is the authority and owner of the Community Park, with associated public responsibilities with respect to safety, access, utilities, and other matters, it is appropriate to consider applying reasonable conditions to address these issues;

It is recommended that Council support Option 2.

RECOMMENDATION:

THAT Alliance West Sports & Entertainment be granted permission to hold the "Cinema Under the Stars" special event on the sports fields located in the Parkville Community Park on Thursday, July 16 from 3:00 p.m. till 1:00 a.m. and on Saturday, August 1, 2009 from 6:00 p.m. till 1:00 a.m.;

AND THAT the approval be granted on condition that the organizers adhere to the signed Terms and Conditions form signed May 19, 2009 attached to the report from the Executive Assistant dated May 20, 2009 entitled "Special Event Application – Cinema Under the Stars".

Respectfully submitted,



AMANDA HAYWOOD
Executive Assistant**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

FRED MANSON
Chief Administrative Officer

Date of Application: May 19, 2009 Name of Event: CINEMA UNDER THE STARS
Name of Organization: Alliance West Spots + Entertainment Phone: 250.594.0077
Contact Name: DOUGLAS SMITH Bus. Phone: 250.594.0077
Mailing Address: 340 Whitnee Road Fax: _____
Qualicum Beach, BC Postal Code: V9K 1E1 E-Mail: dsmithmedia@slaw.ca
Alternate Contact: SHARON DAVIS Phone: 778.836.8566

Facility(ies) Required: PARKSVILLE COMMUNITY PARK

Main soccer field

(Please indicate requested areas of use on attached map if Community Park.)

Date(s) Requested: Sat. Aug. 1 / 2009 Hours of Use: 6pm - 1am
Thurs. July 16 / 2009 3pm - 1am.

Anticipated Number in Attendance: 1000 - 1,500

(Note: Please provide a list of any other groups coming under the umbrella of this event)

Purpose of Use: To provide public with free outdoor movie experience.
Held in association with Thrifty Foods + Parksville Downtown
Business Association

Road Closure Requested: Yes No Details: _____

Concession Requested: Yes No (Subject to Food Concession Policy 3.18)

Operated by Thrifty Foods portable concession trailer.

Note: You will be responsible for any damages done to irrigation systems as a result of stakes and poles placed without prior Parks Department approval.

See Reverse side for Terms and Conditions - Signature required prior to submission for consideration.

This portion to be completed by City of Parksville

Approval: Yes No

Date: _____

1. Ensure appropriate public access is maintained to all roads, park and adjacent facilities to the satisfaction of the City of Parksville, and provide written approval from the RCMP, the Fire Department and the Ambulance Service;
2. Provide all of the necessary traffic controls, parking and emergency access acceptable to the RCMP, the Fire Department and the Ambulance Service;
3. Ensure that any charitable organization members performing traffic control and event parking, clearly state that **any parking fee is strictly by voluntary donation**, and ensure that **this information is visibly posted at the site and mentioned in any event advertisement**;
4. Hold and save harmless the City from and against all claims and damages arising out of, or in any way connected with, the event;
5. Obtain and maintain during the term of this event, a comprehensive general liability insurance policy providing coverage of not less than \$5,000,000.00, naming the City of Parksville as an additional insured. A copy of the policy shall be delivered to the City a minimum of five working days prior to the event;
6. *For events held on the Parksville Civic and Technology Centre site*, obtain and maintain during the term of this event, a comprehensive general liability insurance policy providing coverage of not less than \$5,000,000.00, naming the City of Parksville, School District No. 69 [Qualicum] and Vancouver Island University as additional insureds. A copy of the policy shall be delivered to the City a minimum of five working days prior to the event;
7. Provide the City with a refundable security deposit of \$500.00 (to cover any loss or damage resulting from the event), to be delivered to the City a minimum of five working days prior to the event;
8. Maintain and, if required, refurbish all municipal property and infrastructure to an equal or better condition than that which existed prior to the event, all within 48 hours of the completed event, to the satisfaction of the City of Parksville;
9. Ensure collection of litter from the event site/s, arranging with a waste disposal company for removal/dumping of bins following the event;
10. Make arrangements for installation of portable toilets, in quantity suitable to the expected attendance, for the duration of the event;
11. Ensure that any and all concessions (approved by the City with regard to their standing contract with the operator/s of the Park concession), meet all applicable health and safety requirements;
12. Approval for use of private property is the sole responsibility of the organizer/s.

Douglas Smith

Printed Name of Authorized Representative

[Signature]

Signature

Alliance West Sports & Entertainment

Name of Organization

May 19 / 2009

Date Signed

CITY OF PARKSVILLE

BYLAW NO. 2000.73

Text Amendment – Amend USES PERMITTED IN ALL ZONES to add Urban Food Garden

A bylaw to amend the "City of Parksville Zoning and Development Bylaw, 1994, No. 2000".

The Municipal Council in open meeting assembled enacts as follows:

1. That "City of Parksville Zoning and Development Bylaw, 1994, No. 2000" be amended as follows:

a. Section 104 – DEFINITIONS of DIVISION 100: SCOPE AND DEFINITIONS by adding the following:

"urban food garden means the use of land on a limited scale for the growing, harvesting and wholesaling of fruits, vegetables and edible plants in accordance with Section 621 of this bylaw;"

b. In Division 600, GENERAL REGULATIONS, Section 602 – USES PERMITTED IN ALL ZONES by adding the following to Section 602.1:

"(e) Urban food garden"

c. In Division 600, GENERAL REGULATIONS, by adding a new Section 621 as follows:

"621 URBAN FOOD GARDEN

.1 Urban food gardens shall be conducted in accordance with the following:

(a) Production shall be limited to the growing and harvesting of fruits, vegetables and edible plants, but specifically excluding the growing of mushrooms;

(b) The total area which may be under cultivation on any given parcel shall not exceed 20% of the parcel area;

(c) Fruits or vegetables produced for sale or exchange are not available on the parcel for retail sale to the general public;

(d) No artificial lighting shall be used;

(e) No pesticides or herbicides shall be used;

- (f) Production shall not occur within a building except where a principal building exists on a parcel there may be one greenhouse or accessory building with a floor area of less than 10 m² that may be used;
- (g) Composting shall be contained and limited only to organic plant matter generated on the parcel and shall not create odour detectable off the property or generate nuisance;
- (h) Shall not create noise, dust, vibration, odour, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in the zoning district in question under normal circumstances wherein no urban food garden exists;
- (i) Shall not occur within 7.5 metres of the natural boundary of the sea or lake; or within 30 metres of the natural boundary of any other watercourse or source of potable water supply.
- (j) Shall be subject to "Tree Management Bylaw, 2006, No. 1415" and subsequent amendments thereto;

2. This bylaw may be cited for all purposes as "Zoning and Development Amendment Bylaw, 2009, No. 2000.73".

READ A FIRST TIME this day of , 2009

READ A SECOND TIME this day of , 2009

PUBLIC HEARING HELD this day of , 2009

READ A THIRD TIME this day of , 2009

ADOPTED this day of , 2009

Mayor

Corporate Administrator