

## **COUNCIL MEETING AGENDA**

**MONDAY, FEBRUARY 15, 2010 - 6:00 P.M.**

1. **ADOPTION OF MINUTES**

- a) of the Council meeting held February 1, 2010 - Pages 1 to 5

***Recommendation: THAT the minutes of the meeting of Council held February 1, 2010 be adopted.***

2. **APPROVAL OF AGENDA**

3. **PRESENTATIONS**

4. **DELEGATIONS**

- a) Mike Wansink, Island North Film Commission - Page 6  
*Regarding the Notice of Motion given February 1, 2010 regarding appointment of a Council liaison and to outline the benefits of association with the Island North Film Commission as opposed to an independent film liaison.*

5. **UNFINISHED BUSINESS**

6. **CORRESPONDENCE**

- a) Regional District of Nanaimo - Regional Growth Management Service Amendment Bylaw No. 1553.02 - Pages 7 to 8  
*This bylaw proposes to amend the requisition value for Regional Growth Management from \$561,900 by 2013 to \$450,000.*

***Recommendation: THAT the Council of the City of Parksville consents to the adoption of "Regional Growth Management Service Amendment Bylaw No. 1553.02, 2010", and the Regional District be notified accordingly.***

- b) Regional District of Nanaimo - Joint Civic Properties and Recreation Commission LS Amendment Bylaw No. 861.02 - Pages 9 to 12  
*This bylaw proposes to make housekeeping amendments to the establishing bylaw for the Recreation Coordinating Service in District 69.*

***Recommendation: THAT the Council of the City of Parksville consents to the adoption of "Joint Civic Properties and Recreation Commission Local Service Amendment Bylaw No. 861.02, 2009", and the Regional District be notified accordingly.***

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

8. **REPORTS**

a) **Committee of the Whole - February 1, 2010 - Page 13**

(1) **Director of Community Planning - Investigate the Possibility of Banning Cosmetic Pesticides with the Regional District of Nanaimo**

*The City has been involved with the Regional District of Nanaimo as part of the initial phase in their development of a cosmetic pesticide reduction education program. In the second phase of the program, the Regional District intends to develop a cosmetic pesticide restriction bylaw.*

**Recommendation: THAT the report from the Director of Community Planning dated January 18, 2010 entitled 'Investigate the Possibility of Banning Cosmetic Pesticides with the Regional District of Nanaimo' be received;**

**AND THAT the City continue to participate and coordinate with the Regional District of Nanaimo in the further advancement of a cosmetic pesticide reduction education program.**

(2) **Director of Community Planning - Consideration of Establishing a "Business Regulation Bylaw"**

*The Zoning and Development Bylaw, 1994, No. 2000 sets out permitted uses but does not address operational or nuisance impacts associated with specific uses. This report requests Council's approval to prepare a business regulation bylaw and an associated enforcement policy to address this issue.*

**Recommendation: THAT the report from the Director of Community Planning dated January 12, 2010 entitled 'Consideration of Establishing a "Business Regulation Bylaw"' be received;**

**AND THAT staff be directed to prepare a Business Regulation Bylaw addressing "noise and odour" and an associated Enforcement Policy.**

b) **Executive Assistant - 2010 Special Event Applications - Pages 14 to 17**

*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 the report from the Executive Assistant dated February 9, 2010 entitled "2010 Special Event Applications", be received;**

**AND THAT the following individuals/organizations be permitted use of the identified areas of the Community Park for special events during the specified times and in the areas outlined in the list of applications attached to the report from the Executive Assistant dated February 9, 2010 entitled "2010 Special Events Applications":**

**Rotary Club "Canada Day Celebrations" from June 30 till July 2, 2010;**

**AND THAT the following organizations be permitted use of City property and roads for special events at the specified times and on the roads outlined in the list of applications attached to the report from the Executive Assistant dated February 9, 2010 entitled "2010 Special Events Applications":**

**Royal Canadian Legion "Candlelight Tribute" on April 18, 2010;**

**Rotary Club "Canada Day Parade" on July 1, 2010;  
Bike for your Life Society "Bike for your Life" on August 8, 2010;  
Royal Canadian Legion "Remembrance Day Parade" on Nov. 11, 2010.  
AND FURTHER THAT the approval for each event be granted on condition that  
the organizers adhere to their signed Terms and Conditions forms.**

- c) Director of Community Planning - Appointment of New Advisory Design Panel Member  
- Pages 18 to 19

*The Terms of Reference for the Panel specifies that the panel is comprised of a maximum of five (5) voting members however to date the Panel has not been able to fulfill this requirement. A qualified candidate has applied to be a member for the Advisory Design Panel and this addition will meet the Terms of Reference and provide flexibility in obtaining a quorum.*

**Recommendation: THAT the report from the Director of Community Planning dated February 3, 2010 for consideration of the appointment of a new Advisory Design Panel member, be received;  
AND THAT Daryoush Firouzli be appointed to the Advisory Design Panel for the remainder of the current term of Council.**

- d) Manager of Budgets and Special Projects - Tangible Capital Asset Policy - Pages 20 to 30

*As Capital Assets are now required to be accounted for using Sec. 3150 of the Public Sector Accounting Board and amortizing them over their useful life, it is recommended a policy be implemented that provides overall direction for the capitalization of assets.*

**Recommendation: THAT the report from the Manager of Budgets and Special Projects dated January 29, 2010 entitled "Tangible Capital Asset Policy", be received;  
AND THAT the draft "Tangible Capital Assets Policy No. 6.16" attached to the Manager of Budgets and Special Projects report dated January 29, 2010, be approved.**

- e) Director of Engineering and Operations - Beachside Drive Connector to Island Highway West at Alberni Highway - Pages 31 to 40

*Staff have been directed to find options for Council to consider to replace Resolution #06-304, as part of the Transportation Study, to make access to the property located at 161 Island Highway West clearer.*

**Recommendation: THAT the report from the Director of Engineering and Operations dated February 8, 2010 for consideration of the connection of Beachside Drive to the Alberni Highway at the Island Highway West be received;  
AND THAT Council rescind resolution 06-304;  
AND THAT staff be directed to proceed with extension of Beachside Drive from McMillan through to Corfield Street, as opportunities through redevelopment or other funding mechanisms become available to achieve this goal;  
AND THAT staff be directed to bring forward an application for Council's consideration for the revised road standard for Beachside Drive.**

- f) Communications Officer - Monthly City News Page and Quarterly E-Newsletter - Pages 41 to 47

*Beginning in March 2010, publish a monthly City of Parksville news page in the Parksville Qualicum Beach News that will feature news, ideas and information of interest to residents of Parksville. In addition, the City will publish a quarterly newsletter to be emailed to subscribers with hard copies available at reception.*

**Recommendation: THAT the report from the Communications Officer dated February 10, 2010, entitled regarding Monthly City News Page and Quarterly E-Newsletter be received;**

**AND THAT Council direct staff to proceed with publishing each month, a news page in the Parksville Qualicum Beach News and a quarterly e-newsletter as proposed in the report from the Communications Officer dated February 10, 2010.**

- g) Fire Chief - Selection of Construction Manager for Fire Hall Expansion Project - Pages 48 to 63

*A total of three companies responded to the Expression of Interest for firms or individuals interested in acting as Contract Manager for the design and construction of expansion of the current fire hall.*

**Recommendation: THAT the report from the Fire Chief dated February 11, 2010 entitled "Selection of Construction Manager for Fire Hall Expansion Project", be received;**

**AND THAT Liberty Contract Management Inc. be awarded the contract for Construction Manager for the Fire Hall Expansion Project that includes construction management services at a base cost of \$120,000.00 (+ GST) plus additional Site Superintendent fees estimated at \$121,600.00 (+ GST) as stipulated in the Liberty Contract Management Inc. Fee Proposal.**

## 9. BYLAWS

- a) "Sanitary and Storm Sewerage System Amendment Bylaw, 2010, No. 1319.8"  
*Council resolution No. 09-287 of November 16, 2009 states that staff review the option of a bylaw amendment to permit two water and sewer connections on properties with carriage houses.*

**(i) Recommendation: THAT "Sanitary and Storm Sewerage System Amendment Bylaw, 2010, No. 1319.8" be adopted.**

- b) "Water Service System Amendment Bylaw, 2010, No. 1320.17"  
*Council Resolution No. 09-287 of November 16, 2009 states that staff review the option of a bylaw amendment to permit two water and sewer connections on properties with carriage houses. Also included is a housekeeping amendment to rename Schedule "C" to Schedule "A" as Schedules A and B were deleted via previous amendment bylaws.*

**(i) Recommendation: THAT "Water Service System Amendment Bylaw, 2010, No. 1320.17" be adopted.**

- c) "Downtown Revitalization Tax Exemption Bylaw, 2010, No. 1459" - Pages 64 to 79  
*At the February 1, 2010 meeting of Council, Resolution No. 10-025 instructed staff to bring forward "Downtown Revitalization Tax Exemption Bylaw, 2010, No. 1459" for reading*

consideration by Council. Further, this bylaw may only be adopted after notice is given as per Section 227 of the Community Charter.

- (i) **Recommendation: THAT "Downtown Revitalization Tax Exemption Bylaw, 2010, No. 1459" be read a first time.**
  - (ii) **Recommendation: THAT "Downtown Revitalization Tax Exemption Bylaw, 2010, No. 1459" be read a second and third time.**
- d) "Zoning and Development Amendment Bylaw, 2010, No. 2000.77" - Pages 80 to 82  
At the February 1, 2010 meeting of Council, Resolution No. 10-024(2) instructed staff to bring forward a zoning amendment bylaw to permit Food and Beverage Sales at the Rotary Peace Park Chamber of Commerce Visitor Centre.
- (i) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2010, No. 2000.77" be read a first time.**
  - (ii) **THAT "Zoning and Development Amendment Bylaw, 2010, No. 2000.77 be read a second time;  
AND THAT "Zoning and Development Amendment Bylaw, 2010, No. 2000.77" be advanced to a public hearing.**

## 10. NEW BUSINESS

## 11. NOTICE OF MOTION

- a) Councillor Burger - Updated Master Transportation Plan - From February 1, 2010 Regular Meeting of Council

**Recommendation: WHEREAS there appears to be significant confusion and concern within the community regarding elements of our Master Transportation Plan as updated by Boulevard Transportation Group.**

**AND WHEREAS we have been provided with only broad estimates of capital costs associated with the updated plan which could exceed sixty million dollars in capital spending.**

**AND WHEREAS the short and long term financial implications of this updated plan are key in determining what options we can afford to pursue given the limited nature of our tax base.**

**THEREFORE BE IT RESOLVED THAT staff be directed to provide preliminary cost estimates on all options now under consideration prior to further review or presentation to the public of the updated Master Transportation Plan.**

- b) Councillor Burger - Jensen Avenue Extension and Community Garden - From February 1, 2010 Regular Meeting of Council

**Recommendation: WHEREAS Boulevard Transportation Group, in their update of our Master Transportation Plan, did not indicate a need to complete the Jensen Avenue extension in the near term;**

**AND WHEREAS the Jensen Avenue extension and related works are now on hold pending completion of the review on our updated master transportation plan;**

**AND WHEREAS completion of this project was originally scheduled for 2012 in the City's capital spending program based on a set of spending priorities previously adopted by Council;**

***NOW THEREFORE BE IT RESOLVED that the Jensen Avenue extension project remain on hold and the Parksville Garden and Parkland Society be granted permission to maintain and utilize the garden site on McVickers Street until 2012.***

**12. SPECIAL BUSINESS (Closed/In Camera)**

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

**13. ADJOURNMENT**

ooOOoo

# TO BE ADOPTED

**CITY OF PARKSVILLE**

4694.  
**February 1, 2010**

Minutes of the meeting of Council held in the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Monday, February 1, 2010 at 6:34 p.m.



**PRESENT:** His Worship Mayor E. F. Mayne

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

Staff: F. Manson, Chief Administrative Officer  
G. Jackson, Director of Community Planning  
A. Haywood, Executive Assistant

1. **ADOPTION OF MINUTES**

Lefebvre - Powell-Davidson  
10-021 THAT the minutes of the meeting of Council held January 18, 2010 be adopted.  
CARRIED.

2. **APPROVAL OF AGENDA**

Powell - Greir  
10-022 THAT the February 1, 2010 Council meeting agenda be approved. CARRIED.

3. **PRESENTATIONS** - Nil

4. **DELEGATIONS** - Nil

5. **UNFINISHED BUSINESS**

Lefebvre - Greir  
10-023 THAT the City advise the Association of Vancouver Island and Coastal Communities that Parksville would like its name added to those vying to host the 2011 Association Convention. CARRIED.

6. **CORRESPONDENCE** - Nil

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

8. **REPORTS**

a) **Committee of the Whole - January 18, 2010**

10-024 THAT the report of the Committee of the Whole meeting held January 18, 2010 be received and the following recommendations considered:

- (1) **Director of Community Planning - Comments Submitted by the Parksville Community Garden and Parkland Society re: Proposed**

**Relocation of the Community Garden to Parksville Civic and Technology Centre Park**

Lefebvre - Greir

THAT the report from the Director of Community Planning dated January 4, 2010 entitled "Consideration of Comments Submitted by the Parksville Community Garden and Parkland Society with Respect to the Proposed Relocation of the Community Garden to the Parksville Civic and Technology Centre Park" be received for additional information.  
CARRIED.

- (2) **Director of Community Planning - Zoning Bylaw Amendment to the P-1 Zone to Permit Food and Beverage Sales at the Visitor Centre [1275 Island Highway East]**

Patterson - Lefebvre

THAT the report from the Director of Community Planning dated January 7, 2010 entitled "Consideration of a Zoning Bylaw Amendment to the P-1 Zone to permit Food And Beverage Sales at the Rotary Peace Park Visitor Centre on Park, Block 564, Nanoose District, Plan VIP60816 (1275 Island Highway East)" be received;  
AND THAT the advertising costs and any other "out of pocket" costs associated with the amendment process be submitted by the Parksville and District Chamber of Commerce;  
AND FURTHER THAT staff be directed to draft a zoning amendment bylaw and commence the statutory process for the property legally described as Park, Block 564, Nanoose District, Plan VIP60816 to permit the use of 'food and beverage sales'. CARRIED.

- (3) **Director of Community Planning - Proposed Terms of Reference for an Official Community Plan Review and Official Community Plan Advisory Committee**

Lefebvre - Powell-Davidson

THAT the report from the Director of Community Planning dated December 21, 2009 entitled "Proposed Terms of Reference for an Official Community Plan" be received;  
AND THAT staff be directed to prepare a draft citizen response survey including the estimated costs of mailout and data compilation, for Council's review;  
AND FURTHER THAT upon receipt and review of the results of the survey, Council revisit the requirement for an Official Community Plan review. CARRIED.

- (4) **Director of Engineering & Operations - Water and Sewer Connections on Properties with Carriage Houses**

Patterson - Lefebvre

THAT the report from the Director of Engineering and Operations dated January 12, 2009 entitled "Water and Sewer Connections on Properties with Carriage Houses", be received;  
AND THAT staff be directed to bring forward amendments to the Water Service System Bylaw No. 1320 and the Sanitary and Storm Sewerage Bylaw No. 1319 to specifically permit two water and sewer connections on properties with carriage houses. CARRIED.



b) **Deputy Corporate Administrator - Proposed Amendments to Downtown Revitalization Tax Exemption Bylaw**

10-025 Powell - Powell-Davidson  
THAT the report from the Deputy Corporate Administrator dated January 26, 2010 entitled "Proposed Amendments to Downtown Revitalization Tax Exemption Bylaw", be received;  
AND THAT staff be instructed to bring forward the draft "Downtown Revitalization Tax Exemption Bylaw, attached to the Deputy Corporate Administrator's report dated January 26, 2010 for reading consideration by Council. CARRIED.

c) **Executive Assistant - 2010 Special Event Applications**

10-026 Powell-Davidson - Patterson  
THAT the following individuals/organizations be permitted use of the identified areas of the Community Park for special events during the specified times and in the areas outlined in the list of applications attached to the report from the Executive Assistant dated January 29, 2010 entitled "2010 Special Events Applications":  
Beach Festival Society "Sand Sculpting Competition" from July 15 to August 16, 2010;  
Parksville Lion's Club "5th Annual International Kite Festival" on July 17 and 18, 2010;  
Coastal Community Credit Union "Family Beach Day" on July 25, 2010;  
Oceanside KidFest Society "KidFest" on August 22, 2010;  
AND THAT the following organizations be granted use of the Gazebo in Foster Park:  
RDN, Recreation & Parks "Drop In Playground Program" on weekdays July 5 to August 27, 2010 inclusive (other than August 2, 2010) from 8:30am to 3:30pm;  
AND THAT the following organizations be permitted use of City property and roads for special events at the specified times and on the roads outlined in the list of applications attached to the report from the Executive Assistant dated January 29, 2010 entitled "2010 Special Events Applications":  
Ballenas Secondary School "Dry Grad Prom Parade" on May 15, 2010;  
BC & Yukon Heart and Stroke Foundation "Big Bike Ride for Stroke" on June 2, 2010;  
Parksville & District Chamber of Commerce "Summer by the Sea Street Market" every Tuesday evening from June 15 to August 17, 2010 inclusive from 5:30pm - 9:30pm;  
AND FURTHER THAT the approval for each event be granted on condition that the organizers adhere to their signed Terms and Conditions forms. CARRIED.

9. **BYLAWS**

a) **"Firearms Regulation Bylaw, 2010, No. 1458"**

10-027 Lefebvre - Powell-Davidson  
THAT "Firearms Regulation Bylaw, 2010, No. 1458" be adopted. CARRIED.

b) **"Traffic Bylaw Amendment Bylaw, 2010, No. 1436.1"**

10-028 Powell - Lefebvre  
THAT "Traffic Bylaw Amendment Bylaw, 2010, No. 1436.1" be adopted. CARRIED.

c) **"Sanitary and Storm Sewerage System Amendment Bylaw, 2010, No. 1319.8"**

10-029 Lefebvre - Greir  
THAT "Sanitary and Storm Sewerage System Amendment Bylaw, 2010, No. 1319.8" be read a first time. CARRIED.

10-030 Lefebvre - Powell-Davidson  
THAT "Sanitary and Storm Sewerage System Amendment Bylaw, 2010, No. 1319.8" be read a second and third time. CARRIED.

d) **"Water Service System Amendment Bylaw, 2010, No. 1320.17"**

10-031 Greir - Patterson  
THAT "Water Service System Amendment Bylaw, 2010, No. 1320.17" be read a first time. CARRIED.

10-032 Lefebvre - Powell-Davidson  
THAT "Water Service System Amendment Bylaw, 2010, No. 1320.17" be read a second and third time. CARRIED.

10. **NEW BUSINESS**

a) **Deputy Corporate Administrator - Filming on City Owned Property**

10-033 Greir - Lefebvre  
THAT Wreck Productions be permitted use of City owned property at Top Bridge Park on or about February 16, 2010 for the purpose of filming a movie subject to the organizers addressing any issues and concerns the City might have and adhering to Filming Guidelines, Terms and Conditions as stipulated in Policy No. 3.29 – "Filming on City Owned Properties". CARRIED.

b) **Councillor Lefebvre - Oceanside Healthy Aging Initiative (OHAI) Committee**

10-034 Lefebvre - Greir  
THAT the City of Parksville participate in and support the objectives of the Oceanside Healthy Aging Initiative (OHAI) Committee;  
AND THAT Councillor Marc Lefebvre be appointed as council liaison to the Oceanside Healthy Aging Initiative Committee. CARRIED.

11. **NOTICE OF MOTION**

a) **Councillor Burger - Updated Master Transportation Plan**

Mayor Mayne gave notice that Councillor Burger will be bringing forward a motion at the February 15, 2010 Council meeting regarding the updated Master Transportation Plan.

b) **Councillor Burger - Jensen Avenue Extension and Community Garden**

Mayor Mayne gave notice that Councillor Burger will be bringing forward a motion at the February 15, 2010 Council meeting regarding the Jensen Avenue extension and the Community Garden.

c) **Councillor Powell-Davidson - Filming**

Councillor Powell-Davidson gave notice that following her return in early March, she will be bringing forward a motion for Council's consideration that the City of Parksville actively support, promote and work towards accommodating commercial and non-commercial film production companies in choosing Parksville as a filming destination and that Councillor Carrie Powell-Davidson be named Council's liaison in this matter.

**12. SPECIAL BUSINESS**

Lefebvre - Greir  
10-035 Pursuant to Sections 90 (1) (c) of the *Community Charter* Council proceed to a closed meeting to consider an item relating to labour. CARRIED.

Time 7:03 p.m.

Council reconvened at 7:34 p.m.


**13. ADJOURNMENT**

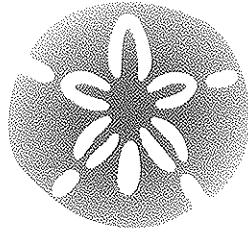
It was moved by Councillor Patterson and seconded by Councillor Powell that the meeting adjourn. CARRIED.

The meeting adjourned at 7:34 p.m.

Certified Correct.

\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Corporate Officer



# City of Parksville

AGENDA  
COUNCIL  
FEB 15 2010  
DATE

## REQUEST TO APPEAR AS A DELEGATION

TO BE HELD 15<sup>th</sup> Day - Feb Date, 2010 AT 6:00 P.M.

NAME OF PERSON MAKING PRESENTATION:  
Mike Wansink [Please print]

NAME OF APPLICANT IF OTHER THAN ABOVE: \_\_\_\_\_ [Please print]

NAME OF ORGANIZATION [if applicable]:  
Island North Film Commission

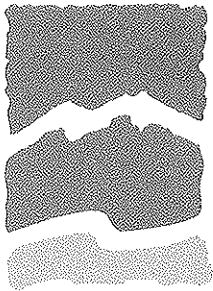
Mailing address: \_\_\_\_\_  
 1023 Harlequin Rd,  
 Qualicum Beach \_\_\_\_\_

Phone: 250 752 4757 Fax: \_\_\_\_\_  
 [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 presentation will outline the benefits of association with the Island North Film Commission as opposed to the establishment of an independent film liaison function directly with the film industry by the City of Parksville. The purpose of the presentation is to ensure that members of council are fully conversant with the benefits and risks associated with the motion before rendering their decision on the associated agenda item later in the meeting.

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*.



REGIONAL  
DISTRICT  
OF NANAIMO

January 27, 2010

RECEIVED  
JAN 29 2010  
CITY OF PARKSVILLE

AGENDA  
COUNCIL  
FEB 15 2010  
DATE

City of Parksville  
PO Box 1390  
Parksville, BC  
V9P 2H3

**Attention: Fred Manson**

Dear Mr. Manson:

**Re: Regional Growth Management Service Amendment Bylaw No. 1553.02**

The Board, at its regular meeting held January 26, 2010, introduced and read three times the above noted amendment bylaw. (copy attached) This bylaw proposes to amend the requisition value for Regional Growth Management. As part of the approval process, the Regional District of Nanaimo requires the City's consent to this bylaw.

It would be appreciated if your Council would endorse the following resolution:

MOVED \_\_\_\_\_, SECONDED \_\_\_\_\_, that the Council of the City of Parksville consents to the adoption of "Regional Growth Management Service Amendment Bylaw No. 1553.02, 2010" and FURTHER that the Regional District be notified accordingly.

Would you please return your consent to us following your next Council meeting.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Maureen Pearse  
Sr. Mgr. of Corporate Administration

MMP:nat

Attachments

6300 Hammond Bay Rd.  
Nanaimo, B.C.  
V9T 6N2

Ph: (250)390-4111  
Toll Free: 1-877-607-4111  
Fax: (250)390-4163

RDN Website: [www.rdn.bc.ca](http://www.rdn.bc.ca)

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1553.02**

**A BYLAW TO AMEND THE REQUISITION LIMIT  
IN THE REGIONAL GROWTH MANAGEMENT  
SERVICE ESTABLISHMENT BYLAW NO. 1553**

WHEREAS the Board has adopted a financial plan for the years 2009 to 2013;

AND WHEREAS the financial plan includes a requisition value for Regional Growth Management of approximately \$561,900 by 2013;

AND WHEREAS the Board considers an increase in the requisition value to \$450,000 be in the best interest of the service;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Section 6 of Bylaw 1553 is hereby repealed and the following substituted therefore:
  - "6. The maximum amount that may be requisitioned for the cost of this service shall be the greater of:
    - (i) Four Hundred and Fifty Thousand Dollars (\$450,000); or
    - (ii) the amount obtained by multiplying a property value tax rate of \$0.0185 per \$1,000 of net taxable values of land and improvements in the service area."
2. This bylaw may be cited as "Regional Growth Management Service Amendment Bylaw No. 1553.02, 2010".

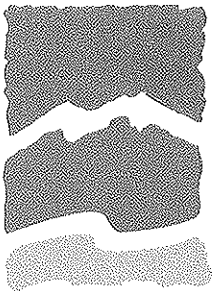
Introduced and read three times this 26th day of January, 2010.

Approved by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR. CORPORATE ADMINISTRATION



REGIONAL  
DISTRICT  
OF NANAIMO

January 27, 2010

RECEIVED  
JAN 29 2010  
CITY OF PARKSVILLE

AGENDA  
COUNCIL  
FEB 15 2010  
DATE

City of Parksville  
PO Box 1390  
Parksville, BC  
V9P 2H3

**Attention: Fred Manson**

Dear Mr. Manson:

**Re: Joint Civic Properties and Recreation Commission LS Amendment  
Bylaw No. 861.02**

The Board at its regular meeting of January 26, 2010 introduced and read three times the above noted amendment bylaw (copy attached). This bylaw proposes to make housekeeping amendments to the establishing bylaw for the Recreation Coordinating Service in District 69. As part of the approval process the District requires the City's consent to this bylaw.

It would be appreciated if your Council would endorse the following resolution:

MOVED \_\_\_\_\_, SECONDED \_\_\_\_\_, that the Council of the City of Parksville consents to the adoption of "Joint Civic Properties and Recreation Commission Local Service Amendment Bylaw No. 861.02, 2009" and FURTHER that the Regional District be notified accordingly.

Would you please return your consent to us following your next Council meeting.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Maureen Pearse  
Sr. Mgr. of Corporate Administration

MMP:nat

Attachments

6300 Hammond Bay Rd.  
Nanaimo, B.C.  
V9T 6N2

Ph: (250)390-4111  
Toll Free: 1-877-607-4111  
Fax: (250)390-4163

RDN Website: [www.rdn.bc.ca](http://www.rdn.bc.ca)

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 861.02**

**A BYLAW TO AMEND JOINT CIVIC PROPERTIES AND  
RECREATION COMMISSION LOCAL SERVICE  
ESTABLISHMENT BYLAW NO. 861, 1992**

WHEREAS the Board of the Regional District of Nanaimo adopted "Joint Civic Properties and Recreation Commission Local Service Establishment Bylaw No. 861, 1992" on July 14, 1992 in order to convert the authority of Division XXI of the Supplementary Letters Patent of the Regional District – Joint Civic Properties and Recreation Commission to a service operated under a bylaw;

AND WHEREAS the "Joint Civic Properties and Recreation Commission Local Service Establishment Bylaw No. 861, 1992" was amended by "Joint Civic Properties and Recreation Commission Local Service Area Amendment Bylaw No. 861.01, 2001";

AND WHEREAS the Board of the Regional District of Nanaimo wishes to further amend the service established by "Joint Civic Properties and Recreation Commission Local Service Establishment Bylaw No. 861, 1992";

NOW, THEREFORE, the Board of Directors of the Regional District of Nanaimo in open meeting assembled enact as follows:

1. "Joint Civic Properties and Recreation Commission Local Service Establishment Bylaw No. 861, 1992", is amended as follows:

(a) by deleting section 1 and replacing it with the following:

**1. Service**

The service established by this bylaw is the Northern Community Recreation Service (the "Service") for the purpose of organizing and conducting recreational programming and to acquire, construct, manage or otherwise provide property for pleasure, recreation and similar public uses, including recreation and cultural facilities of all types.

(b) by deleting section 2 and replacing it with the following:

**2. Participating Areas**

The City of Parksville, the Town of Qualicum Beach and Electoral Areas 'E', 'F', 'G' and 'H' shall be the participating areas.



- (c) by adding a new section 3 to read as follows:

**3. Boundaries**

The boundaries of the Service area are coterminous with the boundaries of the City of Parksville, the Town of Qualicum Beach, and Electoral Areas 'E', 'F', 'G' and 'H' (the "Service Area").

- (d) by renumbering the existing section 3 as section 4 and adding the heading "Annual Budget".

- (e) by deleting section 4 and replacing it with a new section 5 to read as follows:

**5. Cost Recovery**

As provided in section 803 of the *Local Government Act* the annual cost of providing the Service shall be recovered by one or more of the following:

- (a) property value taxes imposed on the converted value of land and improvements in the Service Area in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
  - (b) fees and charges imposed under section 363 of the *Local Government Act*;
  - (c) revenues raised by other means authorized by the *Local Government Act* or another Act; or
  - (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.
- (f) by renumbering the existing section 5 as section 6 and adding the heading "Maximum Requisition".
- (g) by renumbering the existing section 6 as section 7.
- (h) by deleting section 7 and replacing it with a new section 8 to read as follows:

**8. Citation**

This bylaw may be cited for all purposes as the "Northern Community Recreation Service Establishment Bylaw No. 861, 1992".

2. This bylaw may be cited for all purposes as "Joint Civic Properties and Recreation Commission Local Service Amendment Bylaw No. 861.02, 2009."

Introduced and read three times this 26th day of January, 2010.

Approved by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SR. MGR., CORPORATE ADMINISTRATION

February 2, 2010

**REPORT TO:           MAYOR AND COUNCIL**

**FROM:                COMMITTEE OF THE WHOLE**

**SUBJECT:            FEBRUARY 1, 2010 MEETING RECOMMENDATION**

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The following items were considered by the Committee of the Whole at its meeting held Monday, February 1, 2010:

**RECOMMENDATIONS**

- (1)    **Director of Community Planning - Investigate the Possibility of Banning Cosmetic Pesticides with the Regional District of Nanaimo**

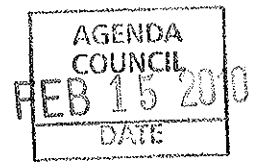
**THAT** the report from the Director of Community Planning dated January 18, 2010 entitled 'Investigate the Possibility of Banning Cosmetic Pesticides with the Regional District of Nanaimo' be received;  
**AND THAT** the City continue to participate and coordinate with the Regional District of Nanaimo in the further advancement of a cosmetic pesticide reduction education program.

- (2)    **Director of Community Planning - Consideration of Establishing a "Business Regulation Bylaw"**

**THAT** the report from the Director of Community Planning dated January 12, 2010 entitled 'Consideration of Establishing a "Business Regulation Bylaw"' be received;  
**AND THAT** staff be directed to prepare a Business Regulation Bylaw addressing "noise and odour" and an associated Enforcement Policy.

ED MAYNE, Chair  
COMMITTEE OF THE WHOLE

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**REPORT TO COUNCIL**

February 9, 2010

**MEMO TO:** FRED MANSON, CHIEF ADMINISTRATIVE OFFICER  
**MEMO FROM:** AMANDA HAYWOOD, EXECUTIVE ASSISTANT  
**SUBJECT:** 2010 SPECIAL EVENTS APPLICATIONS  
OUR FILE: 8100-01

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**ISSUE:**

Consideration of Special Events Applications for 2010.

**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 Event Application Forms, including Terms and Conditions signed and dated.*

**BACKGROUND:**

At the February 1, 2010 Council meeting a number of special events were approved for 2010. Since that time the City has received more applications and they are being presented to Council for consideration.

All organizers of approved events are required to maintain general liability insurance coverage during the event. The City must receive a copy of the valid insurance policy, as well as a \$500 refundable security deposit, a minimum of ten working days prior to the event in order for the event to proceed.

The main issues associated with special events requests are:

- The impacts of the event on pedestrians, traffic conditions and the public. In some instances there may be minor interruptions to traffic but these are required to be mitigated;
- Access to properties and services by emergency vehicles, the public, utility companies and the municipality;
- Public liabilities and damages that may result from the event.

Staff has reviewed the applications and determined that none of the events have scheduling conflicts and the above issues will be properly handled.

The Fire Department, RCMP and Engineering & Operations were consulted on all of these applications and no concerns with any of the proposed events have been expressed.

**OPTIONS:**

Option 1: Deny the requests

Option 2: Approve the requests with conditions.

**ANALYSIS:**

1. Denying the requests outright would avoid the need to address any concerns however this would also deny consideration of what may be viewed as positive community events;
2. The approvals could be made conditional upon the applicants addressing legitimate issues and concerns to the satisfaction of the City and other appropriate authorities. Given the City of Parksville is the 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.

**SUSTAINABILITY/ENVIRONMENTAL IMPLICATIONS:** - Nil

**FINANCIAL IMPLICATIONS:** - Nil

**RECOMMENDATION:**

**THAT** the following individuals/organizations be permitted use of the identified areas of the Community Park for special events during the specified times and in the areas outlined in the list of applications attached to the report from the Executive Assistant dated February 9, 2010 entitled "2010 Special Events Applications":

Rotary Club "Canada Day Celebrations" from June 30 till July 2, 2010;

**AND THAT** the following organizations be permitted use of City property and roads for special events at the specified times and on the roads outlined in the list of applications attached to the report from the Executive Assistant dated February 9, 2010 entitled "2010 Special Events Applications":

Royal Canadian Legion "Candlelight Tribute" on April 18, 2010;

Rotary Club "Canada Day Parade" on July 1, 2010;

Bike for your Life Society "Bike for your Life" on August 8, 2010;

Royal Canadian Legion "Remembrance Day Parade" on November 11, 2010.

**AND FURTHER THAT** the approval for each event be granted on condition that the organizers adhere to their signed Terms and Conditions forms.

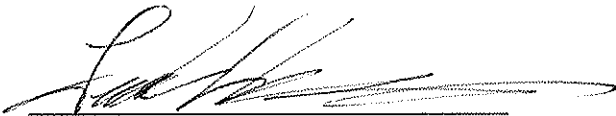
Respectfully submitted



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**AMANDA HAYWOOD**  
Executive Assistant

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**



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**FRED MANSON**  
Chief Administrative Officer

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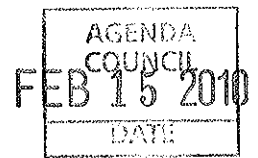
LIST OF APPLICATIONS**COMMUNITY PARK**

DATE	TIME	NAME	PURPOSE	LOCATION
Wed. June 30 till Friday, July 2	7:00am - 11:00pm	Rotary Club of Parksville	Canada Day Celebrations	Community Park (Concession requested - on July 1 only)

Use of City Streets for PARADES/RACES/WALKS/RUNS for the following events:

DATE	TIME	NAME	PURPOSE	LOCATION
Sunday, April 18	7:00pm - 8:30pm	Royal Canadian Legion	Candlelight Tribute	Start behind PCCC and walk along firelane to end at Cenotaph.
Thursday, July 1	11:00am - 1:30pm	Rotary Club of Parksville	Canada Day Parade	Start at Shelly Rd, go along Hwy 19A and end at Craig Street & Hirst Avenue.
Sunday, August 8	8:30am - 2:30pm	Bike for Your Life - VI Society	Bike for Your Life	Start at PCCC, Alberni Hwy, OMS, Alberni Hwy, PCCC
Tuesday, November 11	10:30am - 11:30am	Royal Canadian Legion	Remembrance Day Parade	Start on Hirst Ave to Craig Street, up Craig Street to Cenotaph at City Hall.

## COUNCIL REPORT



February 3, 2010

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

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

**SUBJECT: CONSIDERATION OF THE APPOINTMENT OF NEW ADVISORY DESIGN  
PANEL MEMBER**

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### **ISSUE:**

Appointment of a new Advisory Design Panel member.

### **EXECUTIVE SUMMARY:**

A qualified candidate has applied to be a member for the Advisory Design Panel. The Terms of Reference has specified that the panel is comprised of a maximum of five (5) voting members. To date the Panel has not been able to fulfill this requirement. The addition of a new panel member will meet the Terms of Reference and provide greater flexibility in obtaining a quorum.

### **REFERENCES:**

Advisory Design Panel Terms of Reference  
D. Firouzli Summary of Qualifications (to be distributed to Council at the meeting)

### **BACKGROUND:**

With only four members scheduling can be problematic. Due to scheduling difficulties the March and November 2010 meetings cannot be held.

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

### **OPTIONS:**

Council may:

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



**CONSIDERATION OF THE APPOINTMENT  
OF NEW ADVISORY DESIGN PANEL MEMBER**

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**ANALYSIS:**

1. As there is an appropriate, experienced candidate to appoint consideration of other options does not appear warranted.
2. Re-advertising for additional candidates will take time and Staff resources. During this process timeline the panel would be operating at minimum levels.

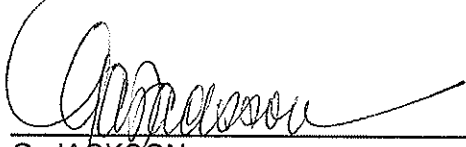
**FINANCIAL CONSIDERATIONS:**

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

**RECOMMENDATION:**

That the report from the Director of Community Planning dated February 3, 2010 for consideration of the appointment of a new Advisory Design Panel member be received;

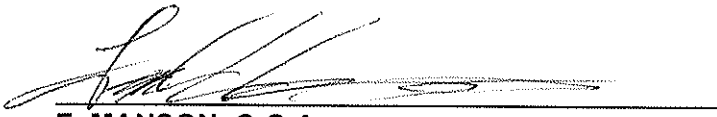
And That Daryoush Firouzli be appointed to the Advisory Design Panel for the remainder of the current term of Council.

  
\_\_\_\_\_  
G. JACKSON

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**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

  
\_\_\_\_\_  
F. MANSON, C.G.A.

January 29, 2010

**MEMO TO: Fred Manson, CGA, Chief Administrative Officer**

**FROM: Pamela Lovegrove, CMA, Manager of Budgets & Special Projects**

**SUBJECT: Tangible Capital Asset Policy**

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**Issue:**

To implement a policy that provides overall direction for the capitalization of assets

**Reference:**

Public Sector Accounting Board (PSAB) PS 3150: Tangible Capital Assets (TCA)

**Executive Summary**

Capital Assets are now required to be accounted for using section 3150 of the PSAB handbook. This includes capitalizing all assets (including roads that developers build) and amortizing them over their useful life. The Tangible Capital Asset Policy will provide guidance to staff on the items that are considered capital, the threshold limit of the assets and the useful life expectancy of the asset.

**Background:**

The Public Accounting Board has approved a new accounting standard (PS 3150) for reporting tangible capital assets (TCA's) on the financial statements of local governments effective January 1, 2009. This standard requires TCA's to be accounted for and reported as assets on the statement of financial position and to be amortized over the useful life of the assets in a rational and systematic manner.

Several associations, including the Government Finance Officers Associations (GFOA), Ontario Municipal CAO's Benchmarking Initiative(OMBI) and the Public sector Accounting Board( PSAB)as well as the Province of BC provided relevant information on the procedures and requirements to accomplish the change.

Following the guidelines set out by these and other organizations it was apparent that in order to maintain consistent ongoing records of all the tangible capital assets we control, new polices and procedures regarding the accounting treatment for these tangible capital assets needed to be developed. With the assistance of the engineering department and policies and documents from other municipalities and the above organizations, useful lives, amortization rates, and asset catagories were determined.

To assist all departments with understanding TCA's, what they are and their proper accounting treatment, the attached policy labeled Tangible Capital Assets – Policy 6.16 (Appendix 1) has been drafted.

**Options:**

1. Approve the TCA policy as written.
2. Direct staff to amend or adjust TCA policy
3. Do nothing

**Analysis:**

**Option 1. Approval of TCA policy:**

With the approval of the TCA policy, all City departments and their staff will have a document to assist in the determination of a TCA and its accounting treatment. The policy was reviewed by the City auditors and any concerns were addressed.

**Option 2. Direct Staff to amend or adjust the TCA policy**

Council may request that the policy be adjusted or amended as required to further meet the needs of the City.

**Option 3. Do Nothing.**

If the policy is not approved, then there will be no rules governing the accounting treatment of TCA's. This will make it increasingly more difficult for staff to maintain and work with an accurate and complete accounting of the City's TCA's


**Financial Implications:**

Without a financial policy in place to govern the treatment of TCA's, staff resources will be needed on an annual basis reviewing and adjusting the recording of TCA's to ensure they are PSAB compliant.

**Recommendations:**

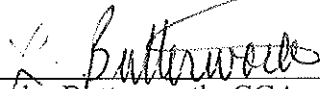
THAT the report from the Manager of Budgets and Special Projects dated January 29, 2010 entitled "Tangible Capital Asset Policy", be received;

AND THAT the draft "Tangible Capital Assets Policy No. 6.16" attached to the Manager of Budgets and special Projects report dated January 29, 2010, be approved.

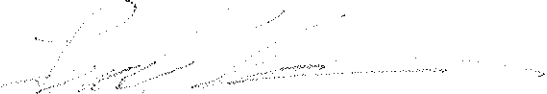


Pamela Lovegrove, CMA  
Manager of Budgets & Special Projects

**DIRECTOR OF FINANCE'S COMMENTS:**

  
\_\_\_\_\_  
Lucky Butterworth, CGA

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

  
\_\_\_\_\_  
Fred Manson, CGA

CITY OF PARKSVILLE

POLICY

SUBJECT: <b>Tangible Capital Assets</b>	POLICY NO: 6.16 RESO. NO: CROSS REF:
EFFECTIVE DATE: _____	APPROVED BY: Council
REVISION DATE:	RESO. NO: RESO. NO: CROSS REF: PAGE 1 OF 7

PURPOSE

The objective of this policy is to prescribe the accounting treatment for tangible capital assets. The principal issues in accounting for tangible capital assets are the recognition of the assets, the determination of their carrying amounts and amortization charges and the recognition of any related impairment losses.

SCOPE

This policy applies to all City departments and Boards falling within the reporting entity of the City of Parksville.

DEFINITIONS

**Tangible Capital Assets (TCA):** Assets having physical substance that:

- Are used on a continuing basis in the City’s operations;
- Have useful lives extending beyond one year;
- Are not held for re-sale in the ordinary course of operations

**Betterment:** Subsequent expenditures on tangible capital assets that:

- Increase the previously assessed physical output or service capacity;
- Lower associated operating costs;
- Extend the useful life of the asset; or
- Improve the quality of the output.

Any other expenditure would be considered a repair or maintenance and expensed in the period.

**Grouped Assets:** Assets that have a unit value below the capitalization threshold but have a material value as a group. A grouped asset will be considered for only the implementation of the TCA policy as a single asset with one combined value. Thereafter, the individual asset capitalization threshold will be considered to determine whether the asset is capitalized or expensed.

**Fair Value:** Fair value is the amount of consideration that would be agreed upon in an arm's length transaction between knowledgeable and willing parties.

**Capital Lease:** A capital lease is a lease with contractual terms that transfer substantially all the benefits and risks inherent in ownership of property to the City. For substantially all of the benefits and risks of ownership to be transferred to the lessee, one or more of the following conditions must be met:

- There is reasonable assurance that the City will obtain ownership of the leased property by the end of the lease term
- The lease term is of such duration that the City will receive substantially all of the economic benefits expected to be derived from the use of the leased property over its life span
- The lessor would be assured of recovering the investment in the leased property and of earning a return on the investment as a result of the lease agreement.

**Linear Assets:** Linear assets are assets generally constructed or arranged in a continuous and connected network. Linear assets include surface systems such as roads, sidewalks, bridges, street lights, and underground systems such as water distribution systems, wastewater collection systems, manholes, catch basins and storm drainage collection systems.

**POLICY**

Tangible capital assets should be capitalized and recorded according to the following thresholds:

<b>Asset Category ( See Appendix 1 for details)</b>	<b>Thresholds ( See Appendix 1 for details)</b>
Land	Capitalize Only
Land Improvements	\$10,000
Buildings	\$50,000
Building Improvements	\$50,000
Construction in Progress	Capitalize Only
Machinery and Equipment	\$10,000
Vehicles	\$10,000
IT Infrastructure	\$10,000
Infrastructure (e.g. water, wastewater, roads etc.)	\$50,000

- Works of art and historical treasures are not recognized as tangible capital assets.
- Assets with costs below the above thresholds are not capitalized or tracked.
- Capitalize betterments to existing assets when unit costs exceed the threshold.
- Further refinement to threshold levels will occur as the City develops an understanding of its asset and reporting needs. Improvements are capitalized when they extend the useful life of the asset.
- All DCC projects will be capitalized and amortized over the useful life of the asset.

1. Valuation

Tangible capital assets are recorded at cost, plus all ancillary charges necessary to place the asset in its intended location and condition of use. For PSAB 3150 implementation purposes, where historical cost records are not available, the City will discount the asset's estimated reproduction, replacement or appraised cost back to the year of acquisition to arrive at the asset's estimated original cost.

Cost of purchased assets is the gross amount of consideration paid to acquire the asset and includes all non-refundable taxes, duties, freight, delivery charges, installation and site preparation costs. Cost of land includes the purchase price plus legal fees, land registration fees, transfer taxes and any costs to make the land suitable for intended use, such as site improvements. When two or more assets are acquired for a single purchase prices, the purchase price is allocated based on the fair value of each asset at the time of acquisition or some other reasonable basis if fair value is not readily determinable.

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Cost of acquired, constructed or developed assets includes all costs directly attributable to the asset. Carrying costs, such as administrative costs and borrowing costs, are not capitalized.

The cost of donated or contributed assets is equal to the fair value at the date of contribution to the City. Fair value may be determined using market or appraisal values.

2. Componentization

Tangible capital assets may be accounted for using either the single asset or component approach.

The City of Parksville will use the single asset approach.

3. Categories

a) LAND

Land owned by the City includes parkland, land for City owned facilities and land under roads and sidewalks. All land owned by the City is segmented by each parcel held. City parkland and the land for City facilities and leased facilities is quantified and included in the City's land database.

b) LAND IMPROVEMENTS

Land Improvements includes park improvements playground equipment, trails, and fencing. Each asset when capitalized is separately recorded with an attached useful life.

c) BUILDINGS

Buildings are structures that have a roof and walls and stands more or less permanently in one place

d) CONSTRUCTION IN PROGRESS

Construction in progress contains capital projects underway but not complete or put to use. These projects are individually segmented and are capitalized if costs at completion exceed threshold limits.

e) VEHICLES, MACHINERY AND EQUIPMENT

Vehicles, machinery and equipment are segmented at unit level for threshold purposes.

f) I.T. INFRASTRUCTURE

Servers, PC workstations and laptops are considered operating expenditures. Specific assets that meet the threshold values will be capitalized.

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## g) WATER SYSTEM

The water system components include and are segmented by water mains, valves, pump stations and services. Aggregation for threshold purposes is by capital project. Capital projects when complete are recorded as assets by allocating costs to each component part.

## h) SEWER AND DRAINAGE SYSTEMS

The sewer system components include and are segmented by sewer mains, pump stations, manholes, catch basins and services. Aggregation for threshold purposes is by capital project. Capital projects when complete are recorded as assets by allocating costs to each component part.

## i) ROAD SYSTEM

Roads assets include assets intended for the direct purpose of vehicle or pedestrian travel or to aid vehicle or pedestrian travel. These assets include roads, lanes, sidewalks, traffic intersections, street lights, signage, and structures such as bridges. Capital projects when complete are recorded as assets by allocating costs to each component part.

4. Amortization

Amortization is an annual charge to expenditures for the use of a capital asset. The City sets amortization rates on a straight line basis based the on number of years in service less salvage value. The amortization method and estimate of useful life of the remaining unamortized portion is reviewed on a regular basis and revised when appropriate.

The asset categories are amortized as follows:

<b>Asset Category</b>	<b>Amortization of Cost less Savage Value</b>
Land	Not amortized
Land Improvements	Straight line over useful life of each asset unit
Buildings	Straight line over useful life of each asset unit
Building Improvements	Straight line over useful life of each asset unit
Construction in Progress	Not amortized
Machinery and Equipment	Straight line over useful life of each asset unit
Vehicles	Straight line over useful life of each asset unit
Infrastructure (e.g. water, sewer, roads etc.)	Straight line over average useful life of each segment

Amortization is calculated the year the asset is put into service, for the full year. Economic useful life is the number of years a tangible capital asset is expected to be in use and will be used for amortization purposes rather than physical useful life. Appendix I provides a general guide for useful life of assets.

A write down of assets occurs when reduction in future economic benefit is expected to be permanent and the value of future economic benefit is less than the TCA's net book value. A write down should not be reversed.

5. TCA Inventory – Disposal

Disposal of tangible capital assets is the responsibility of each Director. Each Director will notify the Director of Finance of such a disposal or when a tangible capital asset is taken out of service, destroyed or replaced due to obsolescence, scrapping or dismantling. The Finance department is responsible for adjusting the asset register and accounting records recording a loss/gain on disposal.

All disposals of Tangible Capital Assets are recorded in the City's financial statements in accordance with PSAB 3150.

APPENDIX I

**ASSET THRESHOLDS AND USEFUL ECONOMIC LIVES**  
**(General Guidelines)**

ASSET CATEGORY	THRESHOLDS	USEFUL LIFE
Land	Capitalize Only	Indefinite
Land Improvements		
Parks		
Playground Structures	15,000	10 - 20
Spray Pools	15,000	25
Tennis Courts	10,000	25
Sprinkler/Irrigation Systems	10,000	20- 40
Outdoor Lighting	10,000	20- 30
Athletic Field	10,000	20
Washrooms, concessions, Picnic Shelters	10,000	40 - 50
Beach Erosion	10,000	40
Parking Lots		
Gravel	10,000	45
Asphalt	10,000	45
Trails		
Paved	10,000	40
Gravel	10,000	15
Natural	10,000	10
Buildings	50,000	50
Building Improvements	50,000	50
Vehicles		
Cars & light Trucks	10,000	5 - 10
Fire Trucks	10,000	20
Machinery & Equipment		
General Equipment	10,000	5
Grounds Equipment & Machinery	10,000	10
Heavy Construction Equipment	10,000	20
Fire Dept Equipment	10,000	20
Office Furniture & Fixtures	10,000	10 - 20
IT Infrastructure		
Hardware	10,000	5
Software	10,000	10
Telephone System	10,000	25
Office Equipment		
Audio Visual	10,000	10
Photocopiers	10,000	5

ASSET CATEGORY	THRESHOLDS	USEFUL LIFE
INFRASTRUCTURE		
Road Systems		
Local		
Asphalt	50,000	45
Base	50,000	75
Arterial		
Asphalt	50,000	20
Base	50,000	75
Collector		
Asphalt	50,000	30
Base	50,000	75
Downtown		
Asphalt	50,000	40
Base	50,000	75
Industrial		
Asphalt	50,000	45
Base	50,000	75
Sidewalks		
Concrete	25,000	50
Asphalt	25,000	30
Lighting	10,000	40
Traffic Signals	25,000	40
Drainage Systems		
Detention Ponds	50,000	50
Mains	50,000	70
SCADA	10,000	15
Water Systems		
Supply system		
Mains	50,000	70
Dams	50,000	60
Reservoirs	50,000	80
Pump Stations	50,000	50
Wells	50,000	50
SCADA	10,000	15
Distribution System		
Mains	50,000	70
SCADA	10,000	15
Sewer Systems		
Mains	50,000	60
Pump, lift & transfer stations	50,000	50
SCADA	10,000	15

**DATE:** February 9, 2010

**MEMO TO:** FRED MANSON  
CHIEF ADMINISTRATIVE OFFICER

**MEMO FROM:** ALAN METCALF  
DIRECTOR OF ENGINEERING AND OPERATIONS

**SUBJECT:** BEACHSIDE DRIVE CONNECTOR TO ISLAND  
HIGHWAY WEST AT ALBERNI HIGHWAY  
OUR FILE NO. 5330-20-BDRV

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**Issue:**

Staff have been directed to find options for Council to consider to replace Resolution #06-304, as part of the Transportation Study, to make access to the property located at 161 Island Highway West clearer.

**Reference:**

- Council Resolution 09-280, dated November 16, 2009 and related October 20, 2009 background report.
- Council Resolution 06-304, and related December 6, 2006 background report.
- Beachside Drive Connection Assessment Report, prepared by Boulevard Transportation Group, dated January 28, 2010.
- Parksville Beach Resort Development Preliminary Project Overview Report, prepared by Focus Corporation, dated August 2009

**Background:**

Beachside Drive is a new road, running parallel to and north of Highway 19A, in the downtown area of the City of Parksville. The need for the facility was initially identified during the planning phases of the Beach Club Development, and a portion of that road was completed as part of that development. As recommended by staff to Council, Beachside Drive was constructed as a public road rather than a private facility. This approach provides improved traffic circulation in the downtown/beach area, and more options for access to the developing waterfront properties, as compared to private facilities. In an effort to meet with some of the requests of the developers of this site, Council approved a reduced road width and standard from the recommended 'downtown' section for this road.

The Beachside Drive extension from McMillan to Corfield, with consideration for potential connections to Highway 19A at Alberni Highway, was the subject of a report from the Director of Engineering and Operations, dated December 6, 2006. This report resulted in Council resolution 06-304 (attached), directing staff to proceed with the development of Beachside Drive,

to construct the facility to the same standard as Beachside Drive, to connect the facility to 19A at the Alberni Highway, and to connect the link to the second floor of the Beach Club parkade. As a result, Staff is under the direction to follow resolution # 06-304.

In a report to Council from the Director of Community Planning dated October 20, 2009 regarding consideration of the zoning amendment for the adjacent property at 161 Island Highway West, it was identified that the owner is not willing to participate in this approach as the subject property would be impacted by a loss of some site area affecting the building placement. This resulted in Council Resolution 09-280 directing staff to find options for Council to consider replacing Council Resolution #06-304, as part of the Transportation Study, to make access to the property at 161 Island Highway west clearer.

In order to find options for Council to consider, staff retained the services of a qualified consultant to prepare a report to readdress the proposed Beachside Drive extension, with consideration for potential connections to Highway 19A at Alberni. Along with the technical requirements, the report reassesses the need for the Beachside Drive connection as part of the downtown road network in consideration of the potential benefits of the connection in a broader community sense. These benefits were rationalized by the following considerations:

- Established community policies and objectives
- Downtown pedestrian network
- Road network connectivity
- Downtown economic development and urban design.

In considering the potential community benefits, both vehicle and pedestrian only benefits were explored. A brief summary of that report is provided in Appendix I to this report.

While a vehicle connection at Alberni Highway to Beachside Drive is desirable from a transportation circulation and connectivity perspective, there is no technical imperative for constructing a second access. In order to address downtown planning objectives and to improve downtown pedestrian and vehicle circulation, the Boulevard report recommends the need to extend Beachside Drive east through the Community Park, along with a significant pedestrian connection from the north terminus of Alberni Highway in the most direct route possible. While the proposed alignment of Beachside Drive has not been confirmed, based on the current alignment and the proposal from the applicant of the adjacent property, it is anticipated that further dedication will be required from the City owned lots to accommodate Beachside Drive Road alignment.

If no roadway connection is provided to Beachside Drive from the Island Highway, then the existing right in and right out could remain in place, and a connection be provided via this access to Beachside Drive for emergency vehicles. As well, in the interim until such time as Beachside Drive is completed, additional emergency access connection to the east end of Beachside Drive using the adjacent RV Park's driveway is desirable.

The City owns six small lots north of 19A between Craig Street and west of Alberni Highway. It is understood that this property was originally purchased by the City with the intent of

appropriately utilizing it in the community interest upon development of the beachfront area. It is further understood that the potential long-term development concepts for these lots included a civic public space, street oriented commercial use, and a public parking facility. The construction of the connector road from Alberni to Beachside Drive would effectively utilize more than half of these properties. In reassessing the connector road from Alberni Highway to Beachside Drive, the potential future use of these lands were taken into consideration. Figure 6(a), with an overview of the site, Figure 6 (c), showing the connectivity from Highway 19A to Beachside Drive, and Figure 7, showing the grade differential between 19A and Beachside Drive and potential building forms that may be envisioned as part of the future development of these properties, are provided in Appendix II of this report. It should be noted that whether or not there is adequate area to construct the potential building forms shown has yet to be determined or confirmed.

### **Options:**

1. Rescind Council resolution #06-304 and direct staff to proceed with the extending Beachside Drive from McMillan through to Corfield Street, as opportunities through redevelopment or other funding mechanisms become available to achieve this goal and that the road be constructed to the same modified standard as the recently constructed section of Beachside Drive to the west.
2. Maintain the status quo as per Council resolution # 06-304;
3. Council could direct staff to proceed on a different basis or defer the related decisions.

### **Analysis:**

1. Council could rescind resolution 06-304 and further direct staff to proceed with extending Beachside Drive from McMillan through to Corfield Street, using the same modified road cross section that was used for the newly constructed section of Beachside Drive, as opportunities through redevelopment or other funding mechanisms become available.

When resolution 06-304 was adopted by Council it was considered the best approach from the perspective of traffic circulation between and within the downtown core and the beachfront area. Along with the other benefits of facilitating access to the second floor of the Beach Club Hotel and improving traffic circulation, it was similar to a route suggested by the owners of the Parksville Beach Motel for the proposed development at that time. Since this resolution was passed, the development that was proposed at 161 Island Highway West did not proceed. The applicant is now proposing a different use and has indicated that they are not willing to participate in the previous approach regarding the road alignment. Both the report provided by Boulevard Transportation and the report submitted by Focus Corporation have identified that it is anticipated that the trips generated from the new proposal will be significantly less than the previous proposal.

While the Beachside Drive connector is still considered desirable from a traffic circulation perspective, analysis based on traffic capacity and roadway connection standards has determined that there is no technical imperative to constructing a secondary vehicle access

from Beachside Drive to Highway 19A. Improving downtown pedestrian circulation by providing a pedestrian link from the end of Alberni Highway to Beachside Drive and planning a future extension Beachside Drive through the Community Park appears to meet the planning objectives and address the needs of the waterfront development. At this time staff have not consulted with the Beach Club, Park Sands Beach Resort or the community regarding these options.

The modified road standard being proposed for Beachside Drive is a narrower right of way and does not allow for on street parking, which may be of concern to some residents. If it is Councils direction to extend Beachside Drive and to construct the road to the same modified standard that was used on the recently constructed portion to the west, staff will need to bring forward an application for Council's consideration to allow for the revised standard.

This option would allow the City to retain the six City owned lots adjacent to 19A. These lots represent a significant long-term opportunity to strengthen the pedestrian connection between the downtown and the waterfront, along with the potential for use as public space, commercial use or parking structure. Since the exact alignment of Beachside Drive has not been established, it is unclear what impact it may have on these lots, although it is anticipated that some dedication will be required to accommodate that alignment.

Establishment of the pedestrian links and extension of Beachside Drive from McMillan to Corfield are not required to be done immediately. More preliminary design should be done in order to prepare for opportunities through redevelopment or other funding mechanisms to achieve this goal.

2. Council could maintain the status quo and direct staff to proceed as per Council resolution 06-304

While this approach may viewed as desirable from an overall 'transportation' perspective based on the most recent reports received, there is no technical imperative for proceeding with the connection, and the proposed alignment does not appear to meet the needs of the owner of the property at 161 Island Highway West.

This option would also utilize more than half of the City owned property north of Highway 19A. It is recognized that there may be other potential future uses of this property to address other community desires.

3. Council could direct staff to proceed on a different basis, or defer the related decisions. This would require Council direction.

### **Financial Implications:**

A final design and estimate for the construction of the connector road between Highway 19A and Beachside Drive has not yet to be prepared. In anticipation of the construction and in accordance



with Council resolution #06-304, \$450,000 has been allocated in the 2010 capital budget for these works. In addition, the City is currently holding securities of approximately \$120,000 from the developers of the Beach Club taken at the rezoning stage as contribution towards an overall access solution. It was anticipated that these funds would be used to facilitate the access from the connector road to the newly constructed parkade. If it is Council's direction to rescind resolution 06-304, this project may need to be redefined, and funds allocated for other purposes. Further, if this is Council's direction, it is anticipated that the access to the Beach Club parkade will continue to be provided from the existing right, in right out connection at 19A.

If the connector road was constructed utilizing the City property it would reduce the value of the same. Estimates from 2006 established the value of these lots at \$738,000. The connector would effectively utilize about half of the property. Since the alignment for the extension of Beachside Drive has not been established, it is unclear what impact it may have on the value of these lots, although it is anticipated that some dedication will be required to accommodate that alignment.


**Recommendation:**

That, the report from the Director of Engineering and Operations dated February 8, 2010 for consideration of the connection of Beachside Drive to the Alberni Highway at the Island Highway West be received;


And that Council rescind resolution 06-304;

And that Council direct staff to proceed with extension of Beachside Drive from McMillan through to Corfield Street, as opportunities through redevelopment or other funding mechanisms become available to achieve this goal;

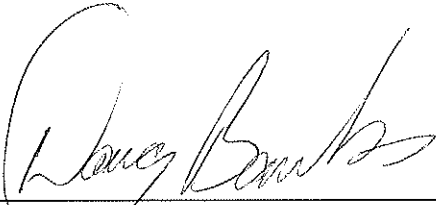
And that Council Direct staff to bring forward an application for Council's consideration for the revised road standard for Beachside Drive.

  
\_\_\_\_\_  
Alan Metcalf  
Director of Engineering and Operations

**DIRECTOR OF COMMUNITY PLANNING'S COMMENTS**

  
\_\_\_\_\_  
Gayle Jackson  
Director of Community Planning

**FIRE CHIEF'S COMMENTS**



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Doug Banks,  
Fire Chief

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**



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Fred Manson,  
Chief Administrative Officer

**DECEMBER 18, 2006**  
**REGULAR MEETING OF COUNCIL**

**8. REPORTS**

**c) Engineering and Public Works Services Committee Meeting – November 28, 2006**

06-304 THAT the report of the Engineering and Public Works Services Committee meeting held November 28, 2006 be received and the following recommendations considered:

1) Beachside Drive Connector

Johnston - Burger

THAT the report from the Director of Engineering, dated December 6, 2006 entitled "Beachside Drive" be received;  
AND THAT Staff proceed with the development of Beachside Drive, based on the recommendations and conclusions contained in Appendix II of the December 6, 2006 Director's report, including:

- i) Constructing the facility to the same standard adopted for the Beach Club site;
- ii) Connecting the facility to Highway 19A at the Alberni Highway;
- iii) Connecting the Alberni Highway link to the second floor of the planned Beach Club parkade;

AND FURTHER THAT staff negotiate with the adjacent waterfront developers to seek a contribution to the funding so as to advance construction timing. CARRIED.

**APPENDIX I**  
**BEACHSIDE DRIVE CONNECTION ASSESSMENT**

**Prepared by Boulevard Transportation Group**  
**Dated February 4, 2010**

**SUMMARY**

BEACHSIDEDRREVIEW-CITYOFPARKSVILLE

**5. SUMMARY**

There is no technical imperative for constructing a secondary access between Beachside Dr and Hwy 19a. Analysis determined that traffic volumes on properties adjacent to Beachside Dr do not warrant this second access, and emergency access can be facilitated in the short-term by the driveway of the adjacent property.

To address downtown planning objectives and to improve downtown pedestrian and vehicle circulation, there is a need to extend Beachside Dr through Community Park and for a significant pedestrian connection from the north terminus of Alberni Hwy and the waterfront using the most direct route possible. The development proposal being considered for the existing Parksville Beach Resort property is residential condominiums and includes a walkway on its eastern edge that permits pedestrian access between the waterfront and Beachside Dr.

The City-owned lots adjacent to Hwy 19a present a significant long-term opportunity to strengthen the pedestrian connection between the downtown and the waterfront, regardless of the type of development that results on the Beach Resort site. The concept for these sites includes a central public space, surrounding commercial uses, and a public parking structure to serve both the sites uses and surrounding land uses. Key to the concept is the pedestrian connection between Alberni Hwy and the Beach Resort site.

**5.1 Options**

While as previously reported a vehicle connection from Alberni to Beachside Drive is desirable, since there is no technical imperative to connect Beachside Dr at Alberni Hwy and analysis has determined that traffic volumes generated by adjacent properties do not warrant the second access, if the City decides not to seek to provide the connection the following option should be considered.

Option - Establishment of a significant pedestrian linking downtown to the waterfront at Alberni Hwy and 19a using the City owned properties, and extending Beachside Drive from McMillan through to Corfield St. These actions are not required to be done immediately. More preliminary design should be done in order to prepare for opportunities through redevelopment and other funding mechanisms to achieve this goal.

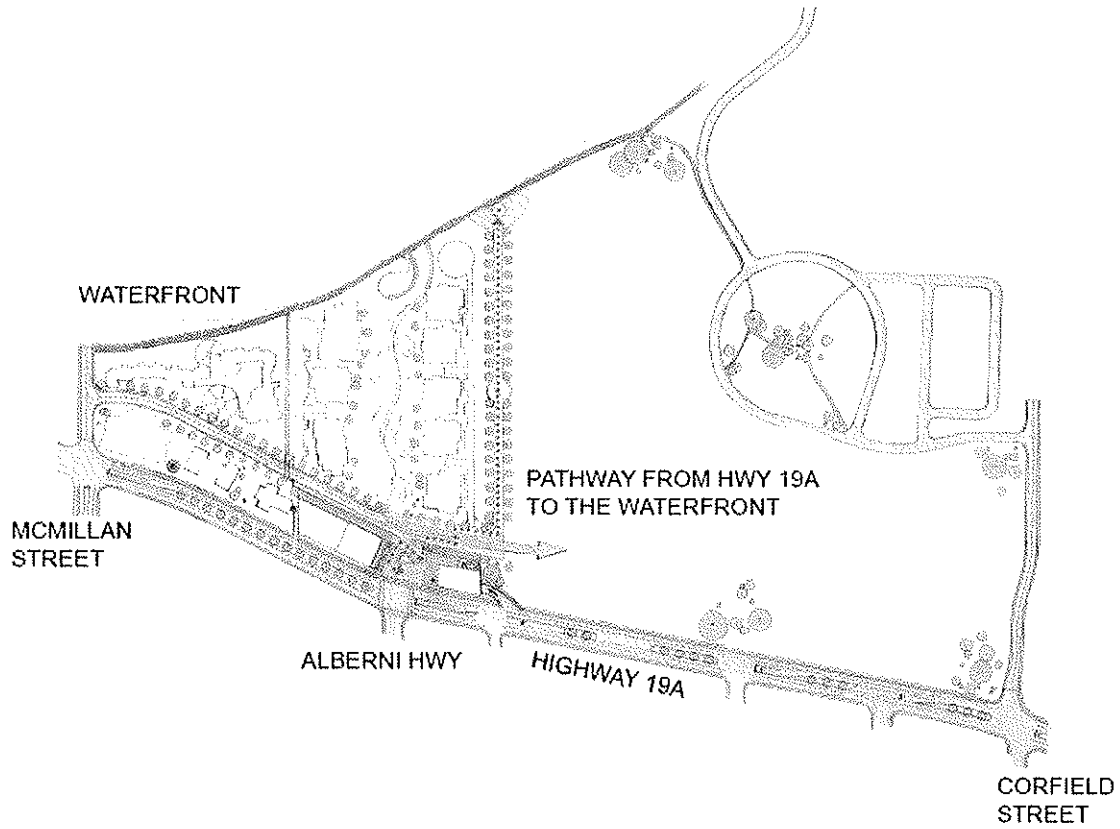
In the meantime the City should:

Retain the City owned properties to enable flexibility in designing the pedestrian link.

Seek to connect the existing right in right out access at the Beach Club Parkade with Beachside Dr.

PAGE 18  
BOULEVARD TRANSPORTATION GROUP

**APPENDIX II**



**Figure 6 (a): Overview of the design concept for the City-owned lots, showing connection from Highway 19A to the waterfront**

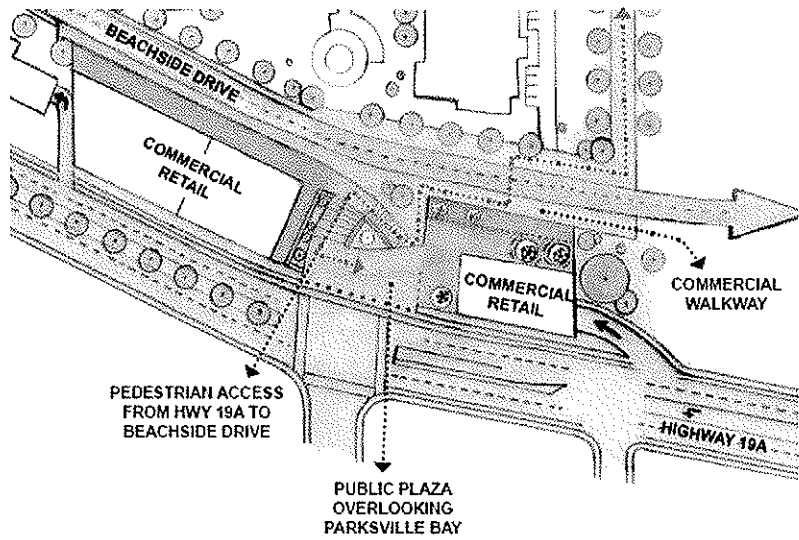


Figure 6 (C) Design concept for the City owned lots, showing improved connectivity from Highway 19A to Beachside Drive

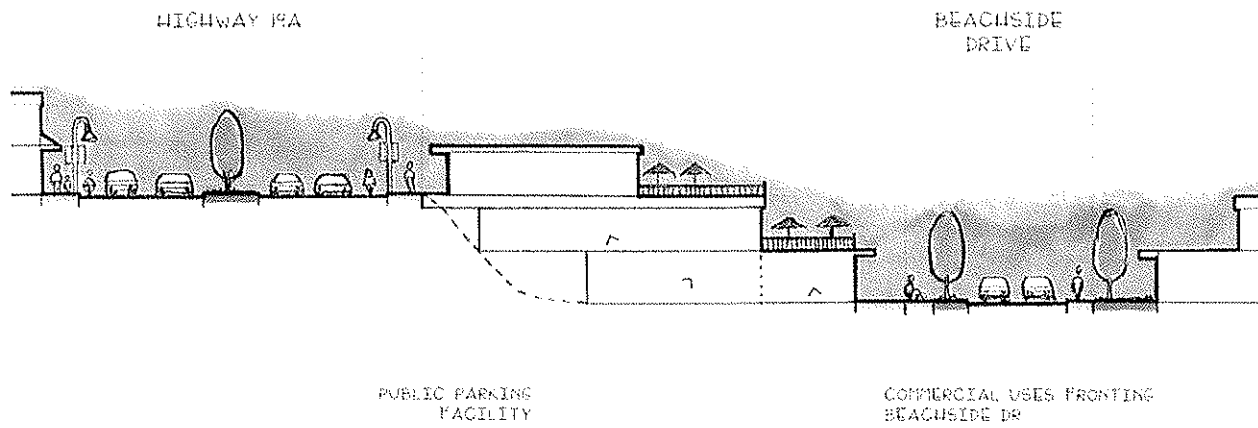


Figure 7 Cross section showing the grade differential Highway 19A and Beachside Drive and potential building forms

February 10, 2010

REPORT TO: F C MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: DEBBIE TARDIFF, COMMUNICATIONS OFFICER

SUBJECT: MONTHLY CITY NEWS PAGE AND QUARTERLY E-NEWSLETTER

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### ISSUE

To publish a monthly City of Parksville news page in the Parksville Qualicum Beach News and a quarterly e-newsletter.

### EXECUTIVE SUMMARY

Beginning in March 2010, publish a monthly City of Parksville news page in the Parksville Qualicum Beach News that will feature news, ideas and information of interest to residents of Parksville. In addition, the City will publish a quarterly newsletter to be emailed to subscribers with hard copies available at reception.

### BACKGROUND

As early as 2006, the need to strategically address communications, both internally and externally, was recognized by senior management and Council as a significant priority and subsequently, the need for a formalized communications strategy identified. The vision for communications should, at all times, reflect and support the City's vision, mission and corporate values. The goals of a communications process are to inform, motivate and/or achieve mutual understanding. A key component in a communications strategy is external communications; the objective being to improve public perception and understanding of the City of Parksville and its services.

The City advertises in local newspapers throughout the year with the majority of the advertising done as a statutory requirement. Because the City's issues are not always covered by the media and because at times, the information is insufficient to reflect the work of the City, two new methods of communicating with external audiences are suggested in this report; a quarterly e-newsletter and a monthly City News page in the Parksville Qualicum Beach News.

The City of Parksville has invested their advertising dollars in the Parksville Qualicum Beach News for many years now - readers are educated to look to the Parksville Qualicum Beach News for public notices/advisories. The Parksville Qualicum Beach News is the established newspaper of record, serving residents for more than 25 years. The News is recommended as it reaches the most residents on a consistent basis and is where the majority of the City's advertisements are placed.

### City News Page

A monthly City news page in a local newspaper would provide a consistent opportunity to inform the community about important City projects, events and issues. One single page placed in the same issue each month (ie second Tuesday of each month) would also provide a central location for ongoing City notification of meeting dates, public notices, construction advisories, changes in bylaws, etc. This is a method used by many municipalities including the City of Nanaimo (sample pages attached to this report).

### City E-Newsletter (E-Parksville)

The City is committed to open, two-way communications with residents and encourages input on municipal matters such as process, development, budgeting and priorities. The website already provides much of the content; however, an e-newsletter would allow the opportunity to provide information to the community in a less formal, structured way and over time, further engage citizens in the process - because we have delivered important municipal news directly to their inbox. It is recommended that an e-newsletter be issued quarterly with the purpose to inform residents and businesses of City projects, anticipate areas of interest, highlight departments and provide background and explanation.

Residents are curious and interested to know about the issues that Council and staff must address. As such, an e-newsletter should be able to address issues of interest to residents and keep them informed as to what the City is doing on their behalf. We would expect feedback on this newsletter to determine that residents are in fact receiving relevant information.

Adding a newsletter section to the "news and events" on the website is a relatively simple process. Email addresses would be collected voluntarily and quarterly, the City would advise subscribers by email (with a link) that the next issue is now online. (*City of Parksville's Municipal Newsletter is now available online at [www.parksville.ca](http://www.parksville.ca) - April 15, 2010, Volume No. 1-10*). Ideally, this e-newsletter would be monthly however, it is best to begin as a quarterly publication and grow to a monthly e-newsletter as it becomes an integral part of the City's communications. The first edition would be in April with subsequent issues in July, October, January and so on.

As well, notice would be included in the City news page advising that the newsletter is now online, include a brief summary of subjects in the e-newsletter and that hard copies are also available at City Hall and possibly other locations. Over time, the City will build its database of subscribers and information will be distributed directly to residents. To carry this one step further, the subscribers could also receive notification when something new is posted on the website, such as Council meeting agendas and this database of subscribers could be asked to complete a simple survey where input and response is needed quickly.

It should be pointed out that these new recommended opportunities (City news page, e-newsletter and website subscription service) must not be just about events and activities in the City. The City will build value and credibility if the subjects are about sustainability, ongoing projects, background information, successes, etc. The tone should be "informative" and "semi-informal". A list of possible topics for the City news page and e-newsletter is attached to this report.



Both publications will require a name or identity. The news page could be called City News, City View, City Views, City News Line, Our City, Inside City Hall, City Beat, City Notes, Parksville Perspective, etc and the e-newsletter should marry this identity.

### OPTIONS

Council may:

1. Direct staff to proceed with publishing a monthly news page in the Parksville Qualicum Beach News and a quarterly e-newsletter for residents as proposed in the report from the Communications Officer dated February 10, 2010.
2. Request additional information from staff.
3. Maintain the status quo.

### ANALYSIS

1. The City should take responsibility for telling its own story rather than expecting someone else to do it. Along with telling its own story, the City should proactively initiate communications and dialogue rather than simply responding to issues and events as they occur. Through strategic external communications, the City of Parksville can build community confidence by informing the public about the City's activities, decisions, policies and positions in a timely and proactive manner. A City news page and e-newsletter are just two of a variety of means to accomplish this goal.

The well-being of the City of Parksville and its citizens is affected by the success of the City's external communications. Open and proactive communications will ensure that the public receives clear, relevant and timely information from the City of Parksville about what must be known (bylaws, regulations); what should be known (contact information for City Hall, procedures, accomplishments) and then what would be identified as "nice to know" (proclamations, events, etc).

While providing this information, methods must continue to exist to encourage (and receive and integrate) input and feedback from the public into City policies, programs, services and initiatives. Through an effective process, the public should be confident that their knowledge of the City and their involvement in civic affairs is having a positive impact on the effectiveness of their local government and the quality of life in Parksville.

With consistency and meaningful content, the news page and e-newsletter will become a reliable and credible means of communicating with residents. Over time, these publications will grow in audience and become the "go to place" for information on City services, policies and activities, thereby providing less reliance on the media for key City messaging.

2. Request additional information from staff.
3. The need for improved external communications was identified in the 2007 communications audit and by residents in the 2008 satisfaction survey. Maintaining the status quo will do nothing to improve communications with the citizens of the City of Parksville.

### FINANCIAL IMPLICATIONS

A full page rate of \$600 (per issue) has been quoted by both the Parksville Qualicum Beach News and Oceanside Star. A portion of the cost each month will be offset by including on this page, advertisements or public notices that would typically be paid for separately. It is expected that each issue of the City news page will include at least two advertisements/notices which would normally cost between \$135 and \$240 per ad, depending on size. Therefore, it is anticipated that the additional annual cost would be about \$3,500.

The quoted full page rates are considerably less than the City's current rate for single advertisements. The rate of \$600 in the Oceanside Star and the Parksville Qualicum Beach News compares to full page rates of \$950 and \$1,115 respectively.

In 2008, a total of \$18,410 was spent on advertising; \$16,844 with the Parksville Qualicum Beach News and \$1,566 with the Oceanside Star.

The only costs associated with the publication of a quarterly e-newsletter would be to photocopy hard copies of the newsletter. Both publications would be coordinated by the communications office.

### RECOMMENDATION

THAT the report from the Communications Officer dated February 10, 2010, entitled regarding Monthly City News Page and Quarterly E-Newsletter be received;

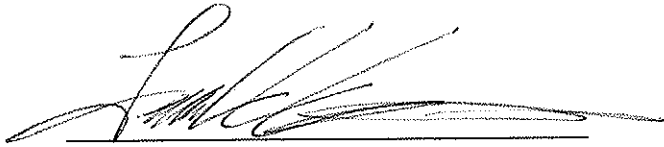
AND THAT Council direct staff to proceed with publishing each month, a news page in the Parksville Qualicum Beach News and a quarterly e-newsletter as proposed in the report from the Communications Officer dated February 10, 2010.



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**DEBBIE TARDIFF**  
Communications Officer

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**



**FRED MANSON**  
Chief Administrative Officer

I:\Users\Debbie\Publications and Reports\Reports

**Attachments:**

1. Copy of City of Nanaimo - *CITYnews* page
2. Partial list of possible subjects for City of Parksville news page and e-newsletter

## Possible Topics for the City News Page and E-newsletter

A variety of information designed to inform residents and promote the City of Parksville can be included in the City News Page and e-newsletter. Possible topics are included here, not in any particular order, and by no means a complete list. These subjects would be in addition to ongoing information that would include committees, meeting dates, regulatory notices, advisories, etc. These publications can keep the public informed on City activities, point out opportunities for participation and help citizens understand issues.

Summaries of "what's going on in City Hall", successes  
City identity, history of Parksville  
Work/role of committees - ADP, APC, etc  
Why attend a Council meeting, process for delegation/speaking  
What is difference between COTW and Council, public is always welcome  
How to provide comments or feedback  
Messages from departments about changes, procedures, enforcement  
Feature stories on a City department or person  
Comments from Mayor or CAO  
Get to know your Council  
Explanation of new Coat of Arms  
Website - how to use it, mapping, etc  
Opinion polls, surveys, questionnaires  
Notices of meetings, public hearings, etc  
Welcome new businesses, spotlight on existing businesses  
100 Jensen Avenue East - who is here, partnership, service to residents  
Election information  
Fire hall information - renovated fire hall, articles about the City's volunteer firefighters  
Relationship with RDN (ie fire projection agreement, garbage and recycling)  
What departments do/responsibilities, who do I call.  
Budget highlights  
Explanation of the "mill rate"  
Fee for service agreements - what are they?  
How to request a delegation to Council  
What sustainability means to the City of Parksville  
Official Community Plan - what is it, why is it needed, charts a course of action  
When is a building permit required, how to apply  
Informative articles on current land use topics, future uses of specific properties  
AquaStar information/updates - ie understanding residential water rates for large families  
Sustainable garden ideas, green ideas, water conservation  
Land use planning - what is it  
Explanation of bylaws  
Reasons/background of capital projects - how capital projects are chosen, priorities  
Public works projects/work in progress; what's next  
Projects and initiatives - opportunity to provide background, reason for decision  
Water system, infrastructure  
Road maintenance, where, when, why necessary  
Role of public works



# CITYnews

VOLUME 10, ISSUE 1 - JAN 2009

CITY OF NANAIMO MUNICIPAL GOVERNMENT REPORT

## ATTENTION DOG OWNERS!

**YOUR CURRENT DOG LICENCE EXPIRED ON 2008-DEC-31**



Renewal notices for 2009 licences were mailed in mid December. The licence fee for 2009 is \$25.00 per dog. A \$5.00 discount is applied to fees paid on or before January 31, 2009.

## COMMERCIAL VEHICLE OWNERS

### ATTENTION!

**YOUR CURRENT COMMERCIAL VEHICLE LICENCE EXPIRED DECEMBER 31/2008**

You may purchase your 2009 commercial vehicle licence decal at:

**Finance Department  
City Hall, 455 Wallace Street  
Nanaimo, BC V9R 5J6  
(Monday to Friday - 8:30 a.m. to 4:30 p.m.)**

Due to a change in legislation, Commercial decals have moved to a calendar year.

Regular fees apply for new decal holders.

You will be required to show a copy of your vehicle registration:

#### 2009 Fees:

Up to 2,800 kg	\$25.00
2,801 to 11,800 kg	\$30.00
11,801 to 20,000 kg	\$35.00
over 20,000 kg	\$40.00

City Bylaw No. 3175 requires commercial vehicles operating within the City of Nanaimo to have a commercial vehicle licence.

Failure to purchase a current licence could result in a fine.

## 2009 RESIDENT PARKING PASSES

### 2009 RESIDENT EXEMPT PARKING PASSES

Reminder for those residents who live in areas of the City where "Residents Only" parking restrictions apply:

**Your 2008 Resident Exempt Parking Pass expired on 2008-DEC-31**

2009 Resident Exempt Parking Passes are available at the Risk Management Office on the Second Floor, City Hall, 455 Wallace Street (250-755-4494). You will be required to provide proof of residence.

This may be in the form of a driver's licence utility bill or other documentation confirming your current address.

Also required is the vehicle information including the make, model, colour and licence plate number of your vehicle.

## ADVISORY COMMITTEES, BOARD AND COMMISSIONS

Nanaimo City Council is now accepting applications for appointments to the following advisory bodies.

Citizens who are interested in volunteering their time to sit on any of the named advisory bodies, are invited to obtain a 'COUNCIL APPOINTMENT APPLICATION FORM' from the Legislative Services Department, City Hall, 455 Wallace Street, Nanaimo, BC, 250-755-4405. Application forms are also available from the City's website: [www.nanaimo.ca](http://www.nanaimo.ca)

Committee	Term	# of Members	Staff Contact
Advisory Committee on the Environment	3 years ending December 31, 2011	3 At-Large 1 - Youth	Rob Lawrance 250-755-4483
Nanaimo Community Heritage Commission	3 years ending December 31, 2011	6	Chris Sholberg 250-755-4472
Social Planning Advisory Committee	3 years ending December 31, 2011	9	John Horn 250-755-4222
Parking Advisory Committee	3 years ending December 31, 2011	3	Linda J. Murray 250-755-4491
Grants Advisory Committee	3 years ending December 31, 2011	2	Ray Reimer 250-755-4413
Design Advisory Panel	3 years ending December 31, 2011	3	Gary Noble 250-755-4460 (Local 4302)
Nanaimo Athletic Commission	3 years ending December 31, 2011	3	Richard Harding 250-755-7516
Parks, Recreation and Culture Commission	3 years ending December 31, 2011	5	Richard Harding 250-755-7516
Board of Variance	3 years ending December 31, 2011	5	Kris Sillem 250-755-4430

Terms of Reference and additional information on the various Committees listed above may be obtained by contacting the applicable staff member noted beside each Committee.

In order to assist Council in making its selection, it is requested that persons wishing to apply for appointment to more than one committee, complete a separate application form for each position.

In order to be considered, completed application forms must be submitted to the:

Legislative Services Department, City Hall  
455 Wallace Street, Nanaimo, BC  
prior to 4:30 p.m. on Friday, January 30, 2009

## FINANCIAL PLAN

### 2009 - 2013 FINANCIAL PLAN

The 2009 - 2013 Five Year Financial Plan is currently under review. The following Council Meetings have been scheduled in order to review the plan:

- January 12th - 7:00 pm Shaw Auditorium
- January 26th - 7:00 pm Shaw Auditorium
- February 2nd - 4:30 pm City Hall Board Room
- February 9th - 7:00 pm Shaw Auditorium

Members of the public are encouraged to provide input into the Five Year Financial Plan. The opportunity to speak regarding budget issues is also available at all Regular and Committee of the Whole Council Meetings.

The Financial Plan is available on the City's website at [www.nanaimo.ca](http://www.nanaimo.ca) or copies are available for pick up at the City Hall Finance Department.

If you have any questions regarding the Financial Plan, please call (250) 755-4414 for assistance.

## CITY HAPPENINGS

- MON Jan. 26 COUNCIL MEETING  
7:00 pm in the Shaw Auditorium
- MON Feb. 02 COMMITTEE OF THE WHOLE  
4:30 pm in the City Hall Board Room
- THUR Feb. 05 PUBLIC HEARING  
7:00 pm in the Shaw Auditorium

## HOW TO REACH COUNCIL

**MAYOR**  
John Ruttan  
Res: 250-390-4724

**COUNCILLORS**  
Bill Bestwick  
Res: 250-753-7065  
Bill Holdom  
Res: 250-729-8983  
Diana Johnstone  
Res: 250-754-9996

Jim Kipp  
Res: 250-753-5212  
Larry McNabb  
Res: 250-758-2792  
Fred Pattie  
Res: 250-758-7575  
Lloyd Sherry  
Res: 250-729-7323  
Merv Unger  
Res: 250-756-0399

Email Address: [mayor@council@nanaimo.ca](mailto:mayor@council@nanaimo.ca)  
Phone: (250) 755-4400  
Fax: (250) 754-8263  
Mailing Address: 455 Wallace St., Nanaimo, BC V9R 5J6

**FOR MORE INFORMATION  
PLEASE SEE THE CITY'S WEBSITE AT:  
[www.nanaimo.ca](http://www.nanaimo.ca)**

COUNCIL REPORT

February 11, 2009

**MEMO TO:** FRED MANSON, CHIEF ADMINISTRATIVE OFFICER  
**FROM:** DOUG BANKS, FIRE CHIEF  
**SUBJECT:** SELECTION OF CONSTRUCTION MANAGER FOR  
FIRE HALL EXPANSION PROJECT FILE NO. 7360-20-FI

---

**ISSUE:**

Selection of a Construction Manager for the Fire Hall Expansion Project.

**EXECUTIVE SUMMARY:**

A total of three companies responded to the Expression of Interest for firms or individuals interested in acting as Contract Manager for the design and construction of expansion of the current fire hall.

**REFERENCES:**

*Purchasing Guidelines Policy (No. 6.14)*  
*Council Resolution No. 10-003*  
*Consultant Evaluation Form (Attachment #1)*  
*Terms of Reference (Attachment #2)*

**BACKGROUND:**

The three companies that responded with an expression of interest prior to the December 30, 2009 deadline (Liberty Contract management, Keith Paskin Project Management Services Ltd., and Windley Contracting Ltd.) were invited to submit proposals for construction management services for the Fire Hall Expansion Project. Keith Paskin Project Management Services Ltd. declined the request to submit a proposal for the Construction Management Services.

The proposals were reviewed in accordance with the City's Purchasing Guidelines Policy No. 6.14 and the Guidelines for Engaging Engineering Consultants for Designs and Studies. The City Review Committee consisted of Doug Banks – Fire Chief, Fred Pakala – Engineering Technologist, and Chris Lane – Volunteer Firefighter (with extensive construction project experience).

The following rating system was used to evaluate the proposals received.

.../2

Item	Description	Potential Points
1.	<b>Ability</b> - Demonstrated Ability to Perform the Work Required	15
2.	<b>Ability</b> - Demonstrated Project Management on Similar Projects	15
3.	<b>Ability</b> - Key Personnel	15
4.	<b>Ability</b> - Availability	10
5.	<b>Methodology</b> - Presentation	10
6.	<b>Methodology</b> - Schedule of Work	10
7.	<b>Methodology</b> - Work Plan	25
8.	<b>Methodology</b> - Quality of Support Resources	10
9.	<b>Past Experience</b> - Relevant Local Experience and General Expertise	40
	<b>Total</b>	<b>150</b>

The fee proposals provided were also reviewed in accordance with the terms of the Request for Proposal. The following table provides a comparison of both the Construction Management and the Site Superintendent estimates for the project.

Proposal	Construction Management Fee	Site Superintendent Estimate	Total
Liberty Contract Management	\$120,000	\$121,600	\$241,600
Windley Contracting Ltd.	\$169,000	\$84,000	\$253,000

**OPTIONS:**

1. Award the contract for Construction Manager for the Fire Hall Expansion Project.
2. Refer the matter back to staff.

**ANALYSIS:**

The proposals were rated (Attachment #1) based on methodology, past experience, ability to perform the work, and fees. The Committee's assessment is that the proposal from Liberty Contract Management Inc. best meets the requirements of the Terms of Reference for this particular project (Attachment #2).

The Fire Hall Expansion project has been identified as a priority for the City for construction in 2010.

**SUSTAINABILITY/ENVIRONMENTAL IMPLICATIONS: N/A**

.../3

**FINANCIAL IMPACT:** Funds for the project have been identified in the 2010 Capital Plan in the amount of \$3,000,000.00. The fees for both the Construction Management services and the Site Superintendent fees have been included in the budget for the project.

**STAFF RECOMMENDATION**

**THAT** the report from the Fire Chief dated February 11, 2010 entitled "Selection of Construction Manager for Fire Hall Expansion Project", be received;


**AND THAT** Liberty Contract Management Inc. be awarded the contract for Construction Manager for the Fire Hall Expansion Project that includes construction management services at a base cost of \$120,000.00 (+ GST) plus additional Site Superintendent fees estimated at \$121,600.00 (+ GST) as stipulated in the Liberty Contract Management Inc. Fee Proposal.

Respectfully submitted,

  
\_\_\_\_\_  
**DOUG BANKS**  
Fire Chief

Attachment

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

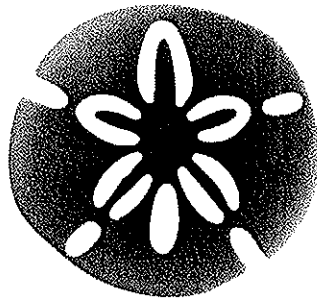
  
\_\_\_\_\_  
**FRED C. MANSON, CGA**  
Chief Administrative Officer



Fire Hall Expansion Project - CONSULTANT EVALUATION FORM DATE: 11/02/2010

	Reviewer:	FRP		DB		CL		AVG.		
	Consultant:	Liberty	Windley	Liberty	Windley	Liberty	Windley	Liberty	Windley	
<b>Ability</b>	Demonstrated Project Management on Similar Projects	15	9	15	10	15	13	15.0	10.7	15
	Key Personnel	12	9	12	10	13	9	12.3	7.0	15
	Demonstrated ability to perform work	15	12	15	12	15	15	15.0	13.0	15
	Availability	10	10	10	10	8	8	9.3	9.3	10
<b>Methodology</b>	Presentation	10	8	10	8	10	8	10.0	8.0	10
	Schedule of Work	8	6	9	8	10	8	9.0	7.3	10
	Work Plan	25	15	24	22	20	15	23.0	17.3	25
	Quality of Support Resources	8	6	10	9	10	9	9.3	8.0	10
<b>Past Experience</b>	Relevant Local Experience and General Expertise	40	24	35	30	35	30	36.7	28.0	40
	<b>TOTAL:</b>	143	99	140	119	136	115	139.7	108.7	150
	<b>%</b>	95%	66%	93%	79%	91%	77%	93%	72%	
	<b>RANK:</b>									
		<b>PROS</b>				<b>CONS</b>				
	<b>Liberty Contract Management</b> Surrey	Familiar with the project as they have been Multiple of examples of relevant experience Focus on Safety & Customer Care Specialized Expertise Considers need to keep current facility Has Industry specific advisor on staff Strong support staff				Based on Lower Mainland Lack local relationships Lack Site Safety Representatives				
	<b>Windley Contracting</b> Nanaimo	Locally based Focus on quality contractors Budget Respect Good contacts with Local trades				Lack relevant experience & expertise in Fire Lack focus on customer, warranties, & safety Not clear as to how they would keep current No Industry Specific Advisor				

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City of  
**Parksville**

***REQUEST FOR PROPOSALS***

*For the*

***CITY OF PARKSVILLE  
FIRE DEPARTMENT***

***BUILDING ADDITION/RENOVATION***

*For*

***PROJECT MANAGEMENT &  
CONSTRUCTION MANAGEMENT  
SERVICES***

File: 7360-20-FI

**PAGE**

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## 1. BACKGROUND

- Project is located at 160 West Jensen Street, Parksville, BC.
- Project includes up to a 4000 sq. ft. addition and renovation to the existing 6000 sq. ft. building to be determined through the design stage.
- Start Date – Design Phase- Estimated February, 2010 to April 2010
- Construction Phase – Estimated May 2010 to October, 2010.
- Completion date - November, 2010.
- The addition will be used specifically for operational requirements of the City of Parksville Fire Department and other operation functions.
- The building quality is institutional.
- The City of Parksville Fire Department operational requirements will have to be taken into consideration during construction to allow continuing and uninterrupted operation.
- The City of Parksville Fire Department building addition / renovation design committee will be involved in the approval process.
- An estimate for the final construction will be required to ensure adequate funding is in place before the construction phase can begin.
- A building permit will be required for the project.
- The Development Permit process, while not required, may be utilized to ensure better coordination of requirements.

## 2. SCOPE OF SERVICES:

An implementation plan will be developed for this project. The plan requires the provision of integrated project and construction management services in order to provide effective management of the project and to execute the work in the shortest possible time. The Project / Construction Manager (P/C Manager) will assume overall responsibility for project execution and will report to the Parksville Fire Department's Project Manager. The City's Capital Project Manager will be closely involved and will support the Parksville Fire Department Project Manager through all phases of the project.

The role of the P/C Manager will be as described in the CCA 5 contract document and may specifically include the following:

- Management and control of all aspects and all phases of the project from pre-design to commissions and move-in, at all times representing the best interest of the owner.
- Coordination and control of user group input.
- Direction and control of the project team.
- Management of design and engineering including site survey.
- Cost, schedule and scope control.
- Procurement of material, equipment and construction services.
- On-site management of all related construction work.

- Contract administration and cost control.
- Project accounting.
- Development, implementation and management of appropriate systems and procedures necessary to maintain control of issues related to scope, quality, time, cost, risk, resources, contracts, procurements and communications.
- Progress reporting as necessary or directed.
- Obtaining a building permit for the project and liaise with Bylaw and Licensing staff regarding the project.
- Neighbourhood consultation process will take place in the early stages of construction. The P/C Manager will be required to participate.

## **PRE-CONSTRUCTION**

The P/C Manager shall:

- Translate the City of Parksville Fire Department's requirements as it relates to the continued operational needs of a 24/7 business into a work program to accomplish the intent of the program.
- Establish the responsibilities of all parties to the project and coordinate them so that tasks are carried out efficiently.
- Carry out progressive review of the scope, cost and schedule on the project and assess changes and make recommendations as necessary.

## **PLANNING AND DESIGN**

The P/C Manager shall, in consultation with the City of Parksville Fire Department, define the requirements of the project, including, but not limited to:

- Define those items of process design, procurement and construction that are the responsibility of the City of Parksville Fire Department.
- Work with the architect to develop the conceptual design to a detailed design plan.
- Act as resource to the architect with respect to the type and quality of construction, and of materials to be used on the project.
- Collect and analyze existing engineering data and information applicable to the project.
- Coordinate field investigations of the site including surveys, geotechnical analysis, and materials testing.
- Provide cost estimates for review by the owner and the design team at the following stages: schematic design, at the end of

design development, and at 50% construction documentation review.

The P/C Manager shall prepare, or arrange to have prepared, a detailed implementation plan for the project which will include:

A complete review of statutory regulations to ensure that required applications are submitted and approvals obtained in a timely fashion to meet the project schedule. This will include, but not be restricted to: requirements of federal, provincial and municipal authorities with regards to grants, subsidized program, zoning and building permits, safety, fire, health regulations and pollution control.

- Legal and insurance requirements.
- A preliminary project budget and budget plan.
- The P/C Manager's proposed method of operation.

## **CONSTRUCTION MANAGEMENT SERVICES**

The P/C Manager will be required to provide a variety of services that will include, but not be limited to the following:

- Review site conditions and project documentation to become familiar with the project and environmental concerns and special requirements.
- Consult with the prime consultant and provide advice with respect to location, construction materials and construction costs.
- Assist City of Parksville Fire Department and consultants in preparing a schedule for the flow of drawings and other such pertinent information, best suited for uninterrupted performance of work.
- Cooperate with and assist the owner and all persons designated by the owner to prepare estimates for each stage of the work based on information available for the purpose of providing a budget.
- Manage budget and keep the City of Parksville Fire Department up-to-date by having a minimum of bi-weekly meetings which will include consultants, sub trades and owners.
- Revise and update estimates when necessary to reflect costs and timing concurrent with actual conditions.
- Provide evaluations for alternatives during design development to ensure that the most economical solutions are adopted.
- Continually monitor working drawings, show drawings and specifications to ensure that the cost of work does not exceed the agreed budget cost.

## **TENDERING COSTS**

- The P/C Manager shall prepare a report following the opening of quotes and tenders and make recommendations to the City of Parksville Fire Department for award of contracts.

## **SERVICES DURING CONSTRUCTION**

- Provide with the monthly applications for payment, sufficient information to enable the owner to make a simple evaluation of the application; each and every application must be supported by copies of suppliers' invoices, trade contractors' billing proof of payments, Statutory Declarations, and percentages of work done by each trade.
- The P/C Manager will not be permitted to change the final design drawings and specifications without prior consultation with the design consultant and without prior approval of the building committee. The P/C Manager shall be in full-time attendance at the construction site during all periods of construction activity.

## **POST CONSTRUCTION SERVICES**

- Manage all trade contractors up to total performance and ensure all deficiencies are corrected.
- Finalize accounts and settle all claims within three months of substantial completion.
- Coordinate final assembly and delivery of maintenance manuals, operating manuals, warranty documents and other related documentation.
- Implement warranty monitoring, administer guarantees by trade contractors, and expedite rectification of all warranty claims during warranty period.

### **3. CONFLICT OF INTEREST:**

To avoid the possibility of a conflict of interest the P/C Manager will not be permitted to undertake any portion of the construction work with their own forces or with companies in which they have a financial interest. The P/C Manager should not belong to any organization or bargaining group that would limit the PC Manager's ability to negotiate or work with trade contractors or suppliers that the City of Parksville Fire Department may wish to hire for the project.

**4. PROJECT SEQUENCE:**

In general, the project sequence is anticipated as follows and should be completed in a timely and expeditious manner.

<b>PHASE</b>	<b>ACTIVITIES</b>
<b>Phase I</b>	Finalization of project implementation plan
<b>Phase II</b>	Schematic design development and value analysis, articulation of specific design and performance objectives; project team sign-off
<b>Phase III</b>	Completion of design development; user-group sign-off, commencement of working drawings; building permit, demolitions permit
<b>Phase IV</b>	Tendering and construction phase
<b>Phase V</b>	Expected occupancy - November 2010

**5. MINIMUM QUALIFYING CRITERIA:**

The City of Parksville Fire Department's building addition/renovation project will be both complex and technically challenging and will involve the expenditure of substantial public funds. The project encompasses environmental and post-disaster design elements and will require close co-operation and co-ordination with multiple internal and external stakeholders in order to ensure successful execution within established budgets and time frames. Value analysis and quality assurance will be additional critical components of this project.

In order to ensure that sufficient abilities and experience can be brought to bear by the firm selected to provide project management services, the following minimum qualifying criteria will apply:

- a. Verifiable experience in providing project management services on public sector facilities projects of an equal or greater dollar magnitude involving an operational emergency facility involving 24/7 operations.
- b. Specific and verifiable experience in the provision of project management services on projects involving coordination between construction and an operating, public facility;

- c. Specific and verifiable previous experience in the successful development, implementation and facilitation of a team approach to project management, particularly in the context of projects involving compressed time frames, fixed budgets, multiple deadlines, and multiple stake holders;
- d. Demonstrated ability to access or provide from internal resources, the complete range of professional skill necessary for successful execution of the project;
- e. Verifiable record of "on time, on budget" delivery of projects of a similar nature and equal or greater dollar magnitude within the last five (5) years.

Firms not meeting these requirements will be disqualified from further consideration.

## 6. PROPOSAL REQUIREMENTS

### **Content and Format**

Firms wishing to respond to this Request for Proposals should present the requested information organized in the manner set out below. Compliance to format is essential in order to facilitate evaluation.

The proposal shall be submitted using a "Two Envelope System":

- A Proposal Envelope
- A sealed Fee Envelope

The **Proposal Envelope** shall contain three (3) copies of the proposal, which must include the following as a minimum:

- 1) A Corporate Profile of your company under the following sub headings:
  - a) Company History
  - b) Principal Officers
  - c) Project management experience
  - d) Current staffing and functional resources
  - e) Corporate objective, operating philosophy and special expertise
  - f) Major recent project management projects
- 2) A brief description of the format of the deliverables and methodology.
- 3) A detailed methodology, including tasks to be performed and resources assigned to the project.



- 4) A description of the format of the deliverables, including proposed submission details at the design, tender, award and construction stages.
- 5) A list of all personnel, details of all resources available to the key personnel for the project (computer equipment, software, etc.).
- 6) Any special resources or techniques that will be used to ensure that critical deadlines are met.
- 7) A project schedule in bar chart format, or similar format, using the same headings from the consultants proposed methodology.
- 8) Confirmation of Professional Liability Insurance coverage in the **minimum** amount of \$1,000,000 and Comprehensive General Liability Insurance Policy with not less than \$2,000,000 all inclusive together with a Standard Non-owned Automobile Liability and Statutory Conditions Endorsement. The City of Parksville shall be an Additional Named Insured.

The sealed **Fee Envelope** shall include the following as a minimum:

1. **Design/Tender Fees:** A fee structure, including a breakdown of fees using the same headings from the consultant's proposed methodology for the conceptual plan / report, detailed design, tender, and award phases, which shall include as a minimum:
  - Hourly charge-out rates and person-hour requirements for all personnel involved.
  - Sub-consultant fees, with similar details as above.
  - Disbursements, meetings and all other costs to complete the work.
  - Allowance for the Federal Goods and Services Tax (6 %).

The total upper limit cost of these fees must also be included.
2. **Construction Services Fees:** On a separate spreadsheet the consultants shall provide an estimated level of effort and fees as for construction services as follows:
  - Site inspection (full time & part time).
  - Geotechnical testing.
  - Project layout.
  - Final record drawing submission.
3. An explanation of the company's billing procedures.

The following points shall be applied to the preparation of the proposal:

- Any product service and other material provided by the consultant will become property of the City of Parksville.
- These terms of reference and the accepted proposal documents will form part of the contract made with the consultant.
- The successful consultant will be required to have and maintain a valid City of Parksville Business License for the duration of the project.
- Only personnel listed in the successful proposal shall perform the work unless otherwise approved by the City of Parksville.
- The successful consultant shall not address any communications directly to City Council. All communications shall be directed to the City of Parksville Fire Chief.
- Questions regarding the proposal should be addressed to Doug Banks, Fire Chief 250 954-4671, or via fax at (250)248-3925, or via email at [dbanks@parksville.ca](mailto:dbanks@parksville.ca)

## 9) SELECTION REQUIREMENTS CRITERIA AND PROCEDURE

The consultant will be rated and selected on the basis of:

Item	Description	Potential Points
1.	<b>Ability</b> - Demonstrated Ability to Perform the Work Required	15
2.	<b>Ability</b> - Demonstrated Project Management on Similar Projects	15
3.	<b>Ability</b> - Key Personnel	15
4.	<b>Ability</b> - Availability	10
5.	<b>Methodology</b> - Presentation	10
6.	<b>Methodology</b> - Schedule of Work	10
7.	<b>Methodology</b> - Work Plan	25
8.	<b>Methodology</b> - Quality of Support Resources	10
9.	<b>Past Experience</b> - Relevant Local Experience and General Expertise	40
	<b>Total</b>	<b>150</b>

Review of the proposals will be undertaken using the aforementioned two-envelope system. Under this system, the consultant will provide one (1) Proposal Envelope containing three copies of the proposal, and one (1) sealed Fee Envelope.

The proposals will be reviewed by a review committee, and evaluated based on the information provided in the selection criteria outlined in these Terms of Reference.

The City may open two (2) fee envelopes of the two top-rated proposals. Preference in awarding the project will be given to the consultant having the lower of the two fees, provided a reasonable level of effort and a reasonable timeframe have been allowed for in the proposal. If the quoted fee is within the assigned City budget for the project, the work will be awarded to the selected consultant. If the fee of the selected consultant exceeds the City budget, the City will attempt to negotiate a revised fee. If the negotiation process is unsuccessful, then the procedure will be repeated using the next highest rated consultant's proposal.

The City reserves the right to reject any or all proposals and to accept the proposal deemed most favourable in the interests of the City.

After the award of the contract, the fee envelopes of the unsuccessful consultants will be returned.

The City of Parksville shall not be obligated in any manner to any proponent whatsoever until a written agreement has been duly executed relating to an approved proposal.

**7. FEES:**

Proponents are required to quote:

1. A firm Fixed Fee for the Project/Construction Management of this project in accordance with CCA 5 which should include:

- Pre Construction Phase
- Construction Phase
- Post Construction Phase

2. Hourly charge out rates for:

- Site Superintendent
- Site Safety Officer
- Carpenters
- Labourers

The minimum rate of pay for work performed under this contract or under sub-contract shall be as classified in the current collective agreement between the City and the Canadian Union of Public Employees, Local 401. Should the City determine that any contractor is not complying with this requirement; the City will immediately exercise any and all rights it has under the contract and take such measures as may be appropriate under its contract with the contractor. The measures include, but are not limited to, termination of said contract. The City may require that the contractor provide copies of information stating the wage rates paid to its employees and the employees' entitlement for works on this contract.

**8. BUSINESS LICENSE AND LIABILITY INSURANCE:**

The successful contractor will be required to obtain a City of Parksville business license and provide liability insurance in an amount not less than \$2,000,000 with the City of Parksville added as an additional named insured. The successful contractor must also conform to all WCB requirements for British Columbia.

9. **ENQUIRIES:**

For further information regarding this Request for Proposal, contact Fire Chief, Doug Banks of the City of Parksville Fire Department by telephone at (250)248-3242, or by mail to the City of Parksville, P.O. Box 1390, Parksville, BC, V9P 2H3.

10. **OBLIGATION TO AWARD:**

Publication of this Request for Proposals and the resultant receipt of any submission does not imply a reciprocal obligation on the part of the City of Parksville Fire Department to award the work to any of the submitters.

The City of Parksville Fire Department or its agents will not accept any responsibility for costs or expenses incurred in replying to this Request for Proposals.

The City of Parksville Fire Department reserves the right to cancel this Request for Proposals for any reason without any liability to any proponent, or to waive irregularities at their own discretion.

Proposals shall be irrevocable until the City of Parksville Fire Department awards this Contract, or cancels this Request for Proposals, whichever first occurs.

The City of Parksville Fire Department Reserves the right to reject any or all Proposals, to negotiate with any firm submitting a proposal and to accept the proposal deemed most favourable in the interests of the City of Parksville Fire Department.

11. **RETURNS:**

Submitters should indicate whether submissions should be returned or destroyed on completion of the selection process.

12. **FREEDOM OF INFORMATION :**

The City of Parksville Fire Department is subject to the provisions of the Freedom of Information and Protection of Privacy Act. As a result, while Section 21 of the Act does offer some protection for a third party business interest, the City of Parksville Fire Department cannot guarantee that any information provided to the City of Parksville Fire Department can be held in confidence.

CITY OF PARKSVILLE

BYLAW NO. 1459

DOWNTOWN REVITALIZATION TAX EXEMPTION

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**WHEREAS** under the provisions of Section 226 of the *Community Charter* the Council may by bylaw adopt a tax exemption program for the purpose of encouraging revitalization in a portion of the municipality;

**AND WHEREAS** Council wishes to establish a revitalization tax exemption program to encourage property investment and revitalization in the Revitalization Area;

**AND WHEREAS** Council's objective is to offer incentives to stimulate and reinforce private sector development initiatives in the Revitalization Area by promoting property investment within the Downtown Commercial zone and to reinforce the City's investment in infrastructure upgrades and beautification projects;

**AND WHEREAS** the *Community Charter* provides that a revitalization tax exemption program bylaw may only be adopted after notice of the proposed bylaw has been given in accordance with Section 227 of the *Community Charter* and this notice has been given;

**NOW THEREFORE** the Council of the City of Parksville, in open meeting assembled enacts as follows:

**Title**

1. This Bylaw may be cited for all purposes as the "Downtown Revitalization Tax Exemption Bylaw , 2010, No. 1459".

**Interpretation**

2. In this Bylaw:

**Agreement** means a Revitalization Tax Exemption Agreement, as set out in Schedule "C" (as may be amended from time to time without a requirement to amend this Bylaw) attached hereto and forming part of this Bylaw, between the owner of property located in the Revitalization Area as set out in Schedule "A", attached hereto and forming part of this Bylaw, and the City of Parksville.

**Application** means a Revitalization Tax Exemption Application, as set out in Schedule "B" (as may be amended from time to time without a requirement to amend this Bylaw), attached hereto and forming part of this Bylaw, from the owner of a property located in the Revitalization Area as set out in Schedule "A" attached hereto and forming part of this Bylaw.

**Assessment Authority** means the Provincial Government assessment authority that provides property assessments on an annual basis for all property owners in the province.

**Assessed Value** has the same meaning as set out in the *Assessment Act*.

**Certificate** means a Revitalization Tax Exemption Certificate as set out in Schedule "D" (as may be amended from time to time without a requirement to amend this bylaw), attached hereto and forming part of this Bylaw.

**Commercial Use** means retail trade and services, office, bank, food catering facility, cinema or movie theatre, shopping centre, transportation terminal, mixed commercial/residential or hotel as defined in the City of Parksville's Zoning and Development bylaw.

**Corporate Officer** means the Corporate Officer of the City of Parksville who is authorized to execute the documentation necessary to give effect to the provisions of this Bylaw, including the Agreement as set out in Schedule "C", attached hereto and forming part of this Bylaw.

**Municipal Property Tax** means the municipal tax payable, excluding other property taxes such as School, Regional District, Regional Hospital District and specified area levies.

**Owner** means the legal registered owner of property located in the Revitalization Area as set out in Schedule "A" attached hereto and forming part of this Bylaw, and any subsequent owner of the Property or any parts into which the Property is subdivided, and includes any person who is a registered owner in fee simple of the Property from time to time.

**Property** means the legally described land and improvements located in the Revitalization Area as set out in Schedule "A", attached hereto and forming part of this Bylaw, to which a Revitalization Tax Exemption is applied for and as legally described in the Agreement as set out in Schedule "C", attached hereto and forming part of this Bylaw and the Certificate as set out in Schedule "D", attached hereto and forming part of this Bylaw.

**Revitalization Area** means an area designated and shown on Schedule "A" attached hereto and forming part of this Bylaw.

### **Program**

3. There is established a revitalization tax exemption program which includes the following:
  - (1) Revitalization Tax Exemptions authorized under this Bylaw apply to property located within the Revitalization Area as set out on Schedule "A" attached hereto and forming part of this Bylaw carrying out:
    - (a) Construction of a new improvement where the Property's use is commercial in nature and where the development has a construction value in excess of \$10,000.00; or
    - (b) Alteration of an existing improvement where the Property's use is commercial in nature and where the alteration has a value in excess of \$10,000.00.
  - (2) Any construction of a new improvement or alteration of an existing improvement as outlined in Section 3 (1) of this Bylaw undertaken prior to the submission of an

Application for a Revitalization Tax Exemption will not be eligible for consideration.

- (3) Application is to be made to the Corporate Officer at the same time as a City of Parksville Building Permit is issued to the owner of property located in the Revitalization Area as set out in Schedule "A", attached hereto and forming part of this Bylaw, to carry out any construction of a new improvement or alteration of an existing improvement as outlined in Section 3 (1) of this Bylaw.
- (4) The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the increase in the assessed value of the improvements on the Property between:
  - (a) The calendar year before the construction or alteration began, as outlined under Section 3 (1) of this Bylaw; and
  - (b) The calendar year in which the construction or alteration, as outlined under Section 3 (1) of this Bylaw, is completed.
- (5) The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as outlined in Section 3 (1) of this Bylaw, as a result of the Revitalization Tax Exemption.
- (6) The maximum term of a revitalization tax exemption is five (5) years.
- (7) The amount of Revitalization Tax Exemptions authorized under this Bylaw to calculate the general municipal property tax payable, excluding other property taxes such as School, Regional District, Regional Hospital District and specified area levies, is equal to any increase in the assessed value of improvements on the Property attributed to construction or alterations as outlined in Section 3 (1) of this Bylaw. The maximum amount of the exemptions provided under this bylaw is 100% of the municipal property tax payable on the increase in the assessed value.

#### **Conditions**

4. This bylaw applies only if the following conditions are met:
  - (1) The property is located in the area shown on Schedule "A", attached hereto and forming part of this Bylaw; and
  - (2) Construction of a new improvement where the development has a construction value in excess of \$10,000.00 or alteration of an existing improvement where the alteration has a value in excess of \$10,000.00; and
  - (3) The property's use is commercial in nature; and
  - (4) The owner of the property has entered into an Agreement with the City, as set out in Schedule "C", attached hereto and forming part of this Bylaw; and
  - (5) An Occupancy Permit has been issued within twenty-four (24) months of the Revitalization Tax Exemption Application, as per Schedule "B" attached hereto and forming part of this Bylaw, being accepted by the City.



### **Application Process**

5. If an Owner wishes to qualify for a Revitalization Tax Exemption under this Bylaw, the Owner must complete the application process to the satisfaction of the Corporate Officer, who is authorized to execute the documentation necessary to give effect to the provisions of this Bylaw, prior to September 30<sup>th</sup> in the year prior to the year in which the exemption is requested. The application process requires submission of the following:
- (1) A completed written Application, as per Schedule "B" attached hereto and forming part of this Bylaw, made at the time of issuance of a Building Permit.
  - (2) Proof that all taxes assessed and rates, charges, and fees imposed on the property have been paid, and where taxes, rates, or assessments are payable by installments, proof that all installments owing at the date of the Application have been paid; any provision for Development Cost Charge installments shall be pursuant to Section 933 of the *Local Government Act* and Regulation 166/84.
  - (3) Description of the new improvements or the alteration of the existing improvement that would be eligible under the bylaw for a municipal tax exemption;
  - (4) An Application fee in the amount of \$100; and
  - (5) A copy of the Agreement as set out in Schedule "C", attached hereto and forming part of this Bylaw, duly executed by and on behalf of the Owner.
  - (6) A copy of the Occupancy Permit issued upon completion of the construction of a new improvement or alteration or alteration of an existing improvement as outlined in Section 3 (1) of this Bylaw.

### **Revitalization Taxation Exemption Certificate**

6. Once the conditions established in Section 3, Section 4, Section 5, and the Agreement set out in Schedule "C", attached hereto and forming part of this Bylaw, have been met, a Certificate must be issued for the property in accordance with the Agreement.
7. The Certificate must, in accordance with the conditions established in Section 3 and the Agreement set out in Schedule "C", attached hereto and forming part of this Bylaw, specify the following:
- (1) The amount of the Revitalization Tax Exemption or the formula for determining the Revitalization Tax Exemption;
  - (2) The term of the Revitalization Tax Exemption;
  - (3) The conditions on which the Revitalization Tax Exemption is provided;
  - (4) That a recapture amount is payable if the Certificate is cancelled and how that amount is to be determined.

8. A Certificate does not apply to taxation in a calendar year unless the Certificate is received by the Assessment Authority on or before October 31 in the preceding year.

**Recapture Amount**

9. In the event that the conditions under which a Certificate was issued are no longer met by the Owner, as set out in Section 10, resulting in cancellation of a Certificate, the Owner must remit to the City a recapture amount equal to the value of the exemption received after the date of the cancellation of the Certificate.

**Cancellation of Certificate**

10. A Certificate may be cancelled at the request of the property owner or if any of the conditions specified in the Certificate are not met. A Certificate will be cancelled if:
- a. The Owner breaches any covenant or condition of this bylaw or the Agreement set out in Schedule "C", attached hereto and forming part of this Bylaw;
  - b. The Owner has allowed the property taxes to go into arrears to become delinquent; or
  - c. The property is put to a use that is not commercial in nature.
11. A Certificate cancellation does not apply to taxation in a calendar year unless the Certificate is cancelled on or before October 31 in the preceding year.

**Severability**

12. If any section, subsection or phrase of this Bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the section, subsection or phrase may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.
13. Any enactments referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

**Repeal**

14. Bylaw "Downtown Revitalization Tax Exemption Bylaw, 2007, No. 1433" and all amendments thereto are hereby repealed.

READ A FIRST TIME this

READ A SECOND TIME this

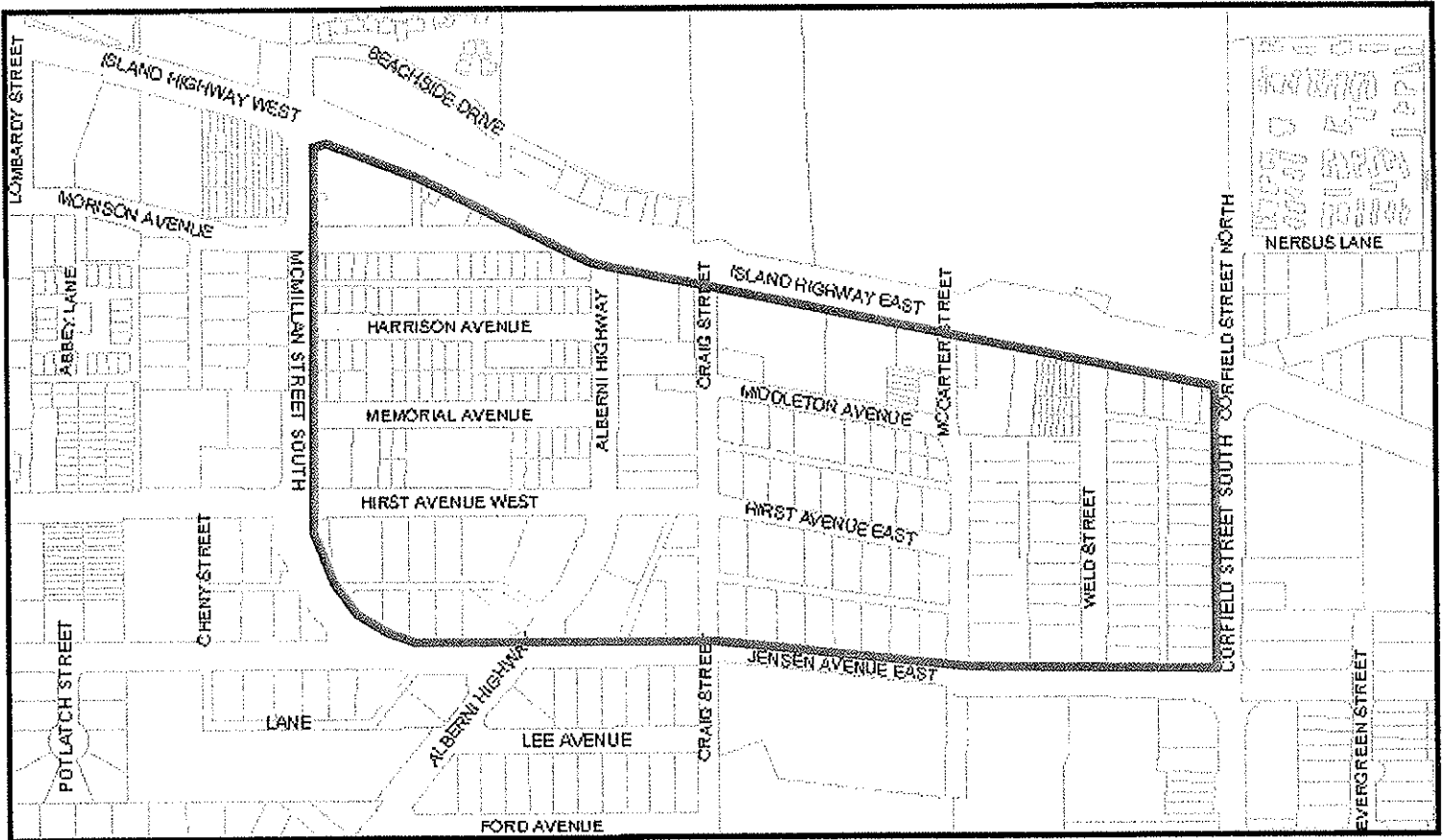
READ A THIRD TIME this

ADOPTED this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

SCHEDULE "A"  
REVITALIZATION AREA



**SCHEDULE "B"**

**REVITALIZATION TAX EXEMPTION APPLICATION**

Date \_\_\_\_\_ Receipt No. \_\_\_\_\_ Application No. \_\_\_\_\_

Property Owner/Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_ Cell No. \_\_\_\_\_

**Subject Property:**

Roll No. \_\_\_\_\_ Civic Address \_\_\_\_\_

Legal Description \_\_\_\_\_

Zoning Designation \_\_\_\_\_

Current Use \_\_\_\_\_

Current Assessed Value \_\_\_\_\_

Description of Proposed Revitalization \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Year(s) Applying For: \_\_\_\_\_

Value of Construction: \_\_\_\_\_ Building Permit No. \_\_\_\_\_

Note: Additional Information may be required.

I hereby certify that the above information is to my knowledge accurate, and that I have received and read the Downtown Revitalization Tax Exemption Bylaw No. 1459 and applicable schedules.

\_\_\_\_\_  
Signature Property Owner/Applicant

\_\_\_\_\_  
Date

**SCHEDULE "C"**

**REVITALIZATION TAX EXEMPTION AGREEMENT**

This Agreement dated for reference the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

BETWEEN

\_\_\_\_\_  
*Name & Address of Owner (hereinafter called the "Owner")*

The Property to which the tax exemption applies is in the City of Parksville and is legally described as:

AND

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

(hereinafter called the "City")

**WHEREAS** the City has under the Bylaw defined in this Agreement established a Revitalization Tax Exemption Program for the purpose of encouraging revitalization of an area of the municipality;

**AND WHEREAS** Council's objective is to offer incentives to stimulate and reinforce private sector development initiatives in the Revitalization Area by promoting commercial use property investment within the Downtown Revitalization Area and to reinforce the City's investment in infrastructure upgrades and beautification projects;

**AND WHEREAS** the Property that is the subject of this Agreement is located in an area designated by the City as a Revitalization Area legally described as \_\_\_\_\_

\_\_\_\_\_  
(hereinafter referred to as the "Property")

**AND WHEREAS** the Owner is a registered Owner in fee simple of the Property defined in this Agreement;

**AND WHEREAS** the Property's use is commercial in nature and shall remain an approved commercial use for the duration of this Agreement;

**AND WHEREAS** this Agreement contains the terms and conditions respecting the provision of a municipal property tax exemption under the Bylaw defined in this Agreement;

**AND WHEREAS** the Owner and the City wish to enter into this Agreement and register it against the title to the Lands as a covenant under section 219 of the *Land Title Act*.

**THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants and agreements contained in this Agreement and the payment by the Owner to the City consideration in the amount of \$10.00 (Ten Dollars), the receipt and sufficiency of which are acknowledged by the City, the City and the Owner covenant and agree with each other as follows:

## **DEFINITIONS**

1. In this Agreement the following words have the following meanings:

"Agreement" means this Agreement, including the standard charge terms contained in the Agreement, together with the General instrument defined in this Agreement

"Assessed Value" means the recent assessed value of the Property as determined by the assessment authority in the area in which the Property is located; if such value is not available then the assessed value means the highest price in terms of money that the real property will fetch under all conditions requisite to a fair sale with the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus as estimated by a real estate appraiser accredited in the jurisdiction in which the property is located.

"Bylaw" means "Downtown Revitalization Tax Exemption Bylaw , 2010, No. 1459".and any amendments to it.

"Commercial Use" means retail trade and services, office, bank, food catering facility, cinema or movie theatre, shopping centre, transportation terminal, mixed commercial/ residential or hotel as defined in the City of Parksville's Zoning and Development bylaw.

"Dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release or agree to do any of those things.

"General Instrument" means the Form C under the Land Title (Transfer Form) Regulations as amended, and all schedules and addenda to the Form C charging the land and citing the terms and conditions of this Agreement as the "standard charge terms" for the purposes of the Form C;

"Owner" means the legal registered owner and any subsequent owner of the Property or any parts into which the Property is subdivided, and includes any person who is a registered owner in fee simple of the Property from time to time;

"Property" means the legally described land and improvements to which a Revitalization Tax Exemption is applied for and as legally described in this Agreement.

## **TERM**

2. The Owner covenants and agrees with the City that the term of this Agreement is:
  - (a) Five years commencing on January 1 of the first calendar year after the calendar year that the Revitalization Tax Exemption Certificate is issued.

**APPLICABLE IMPROVEMENTS**

3. The Revitalization Tax Exemption authorized under the bylaw applies to:
- (a) Construction of a new improvement where the value of the construction referred to in the Building Permit is in excess of \$10,000.00; or
  - (b) Alteration of an existing improvement where the alteration referred to in the building permit is in excess of \$10,000.00.

Any construction of a new improvement or alteration of an existing improvement as outlined in this section that is undertaken prior to the Application for a Revitalization Tax Exemption will not be eligible for consideration.

**REVITALIZATION TAX EXEMPTION CERTIFICATE**

4. (a) Once the Owner has completed the construction of the new improvement or alteration on an existing improvement referred to in Section 3 of this Agreement and the City has issued an Occupancy Permit under the City's Building Regulation Bylaw in respect of the new improvement or alteration of an existing improvement, the City must issue a Revitalization Tax Exemption to the Owner for the Property if the Owner and the Property are otherwise in compliance with this agreement.
- (b) A Revitalization Tax Exemption Certificate must, in accordance with the Bylaw and this Agreement, specify the following:
- (i) the amount of the Revitalization Tax Exemption or the formula for determining the exemption
  - (ii) the term of the Revitalization Tax Exemption
  - (iii) the conditions on which the Revitalization Tax Exemption is provided
  - (iv) That a recapture amount is payable if the Revitalization Tax Exemption Certificate is cancelled and how that amount is to be determined.
- (c) A Revitalization Tax Certificate or cancellation does not apply to taxation in a calendar year unless it is issued or cancelled, as applicable, on or before October 31, in the preceding year.

**REVITALIZATION TAX EXEMPTION**

5. So long as a Revitalization Tax Certificate in respect of the Property has not been cancelled, the Property is exempt, to the extent, for the period and subject to the conditions provided in the Revitalization Tax Exemption Certificate, from municipal

property taxation excluding other property taxes such as School, Regional District, Regional Hospital District and specified area levies.

6. The amount of Revitalization Tax Exemptions authorized under this Bylaw to calculate the general municipal property tax payable (excluding other property taxes such as School, Regional District, Regional Hospital District and specified area levies) is equal to any increase in assessed value of improvements on the Property attributed to the building permit issued as a result of the new construction of an improvement or the alteration of an existing improvement, as outlined in Section 3 of this Agreement .
7. The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the increase in the assessed value of the improvements on the Property between:
  - (a) the calendar year before the construction or alteration began, as outlined in Section 3 of this Agreement; and
  - (b) the calendar year in which the construction or alteration as outlined in Section 3 of this Agreement is completed.
8. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to new construction of an improvement, or an alteration of an existing improvement, as outlined in Section 3 of this Agreement, as a result of the Revitalization Tax Exemption.
9. The revitalization tax exemption may be cancelled by the City:
  - (a) on the request of the Owner;
  - (b) if the Property's use is changed to one that is not included in "Downtown Revitalization Tax Exemption Bylaw , 2010, No. 1459";
  - (c) the Owner breaches any covenant or condition of the Bylaw or this Agreement;
  - (d) the Owner has allowed the property taxes to go into arrears or to become delinquent; or
  - (e) the Property is put to a use that is not permitted in the Downtown Revitalization Area.
10. To maintain a revitalization tax exemption approval an Occupancy permit must be issued within twenty-four (24) months of the Revitalization Tax Exemption application being approved.

## **RECAPTURE**

11. In the event that the conditions under which a Certificate was issued are no longer met by the Owner, as set out in Section 9, the Owner must remit to the City a recapture amount equal to the value of the exemption received after the date of the cancellation of the Certificate.



**OWNERS OBLIGATIONS**

12. The Owner must pay to the City the cost of all development cost charges and costs of tie-ins of works and services associated with the new improvements or alterations to improvements, to existing storm and sanitary sewers, water mains, water meters, driveways, and other municipal services prior to the issuance of a Revitalization Tax Exemption Certificate.
13. The Owner must comply with:
  - (a) all enactments, laws, statutes, regulations and Orders of any authority having jurisdiction, including bylaws of the City; and
  - (b) All federal, provincial, municipal and environmental licenses, permits and approvals required under applicable enactments.

**OBLIGATIONS OF CITY**

14. The City must issue a Revitalization Tax Exemption Certificate to the Owner in respect of the Property once the Owner has applied for and obtained an Occupancy Permit from the City under the City's Building Regulation Bylaw, in force from time to time, in relation to the new improvements or alterations to an existing improvement, so long as the Owner and the Property are otherwise in compliance with the Bylaw and this Agreement.

**CITY'S RIGHTS AND POWERS**

15. Nothing contained or implied in this Agreement prejudices or affects the City's rights and powers in the exercise of its functions or its rights and powers under any public and private statutes, bylaws, orders, or regulations to the extent the same are applicable to the Property, all of which may be fully and effectively exercised in relation to the Property as if this Agreement had not been executed and delivered by the Owner.

**GENERAL PROVISIONS**

16. The City of Parksville Revitalization Tax Exemption Bylaw, 2010, No. 1459 and amendments thereto form an integral part of this Agreement.
17. It is mutually understood, agreed and declared by and between the parties that the City has made no representations, covenants, warranties, guarantees, promises, or agreements (oral or otherwise), expressed or implied, with the Owner other than those expressly contained in this Agreement.
18. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the City and this Agreement may only be modified by agreement of the City with the Owner.

19. This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.
20. The Owner shall, on the request of the City, execute and deliver or cause to be executed and delivered, all such further transfers, agreements, documents, instruments, easements, statutory rights of way, deeds and assurances, and do and perform or cause to be done and performed, all such acts and things as may be, in the opinion of the City, necessary to give full effect to the intent of this Agreement.
21. Time is of essence of this Agreement.
22. This Agreement constitutes the entire agreement between the Owner and the City with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written of the City with the Owner.
23. The covenants set forth in this Agreement shall charge the Property pursuant to Section 219 of the *Land Title Act* and shall be covenants the burden of which shall run with the Property and bind the Property and every part or parts thereof, and every part to which the Property may be divided or subdivided, whether by subdivision plan, strata plan, or otherwise.
24. The covenants set forth in this Agreement shall not terminate if and when a purchaser becomes an Owner in fee simple of the Property or any portion thereof, but shall charge the whole of the interest of such purchaser and shall continue to run with the Property and bind the Property and all future owners for the time being of the Property or any portion thereof, except the Owner will be entitled to a partial discharge of this Agreement with respect to any subdivided Property on acceptance of the works and on compliance by the Owner with all requirements under this Agreement with respect to the subdivided portion of the Property.
25. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the City and this Agreement may only be modified by agreement of the City with the Owner, or discharged by the City pursuant to the provisions of Section 219 of the *Land Title Act* and this Agreement. All of the costs of the preparation, execution and registration of any amendments or discharges shall be borne by the Owner.
26. No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement; and waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
27. This Agreement is not intended to create a partnership, joint venture or agency between the Owner and the City.
28. This Agreement shall be construed according to the laws of the Province of British Columbia.
29. Any reference in this Agreement to the City or the Owner includes their permitted assigns, heirs, successors, officers, employees and agents.

30. Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and either delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

To the Owner at:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

And

To the City at:

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

**Attention: Corporate Officer**

or to such other address to which a party hereto from time to time notifies the other parties in writing.

31. This Agreement is effective from and after the reference date in this Agreement, but only if this Agreement has been executed and delivered by the Owner executed by the City.
32. Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and covenants of the Owner contained in this Agreement, and of all matters incidental to them, is solely that of the Owner.
33. The Owner represents and warrants to the City that:
- a) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into and performance of this Agreement;
  - b) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;

- c) neither the execution and delivery, nor the performance, of this Agreement shall breach any other Agreement or obligation, or cause the Owner to be in default of any other Agreement or obligation, respecting the Property; and
- d) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

IN WITNESS WHEREOF the parties have affixed their hands and seals and where a party is a corporate entity, the corporate seal of that company has been affixed in the presence of its duly authorized officers effective the day and year first recited above.

Signed, Sealed and Delivered by the  
City of Parksville in the presence of:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
Witness

\_\_\_\_\_  
CORPORATE OFFICER

\_\_\_\_\_  
Witness

Signed by the Owner of the Above  
Noted Property in the presence of:

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
Witness

\_\_\_\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_

\_\_\_\_\_  
Witness

SCHEDULE 'D'

CERTIFICATE

Section 226 of the Community Charter

In accordance with the City of Parksville Downtown Revitalization Tax Exemption Bylaw, 2010, No. 1459 and in accordance with a Revitalization Tax Exemption Agreement dated for reference the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ (the "Agreement") entered into between the City of Parksville (the "City") and \_\_\_\_\_ (the "Owner"), the registered owner(s) of the property described below (the "Property"):

This **Certificate** certifies that the Property is subject to a revitalization tax exemption in an amount equal to the amount of any increase in municipal property taxes which would otherwise be payable as a result of any increase in the assessed value of land and improvements on the Property between the years \_\_\_\_\_ (the calendar year before the commencement of construction of the project) and \_\_\_\_\_ (if the Certificate is issued before October 31, the following calendar year; if after October 31 then the year following the following calendar year) (the "Tax Exemption").

The Property to which the tax exemption applies is in the City of Parksville and is legally described as:

PID \_\_\_\_\_ Legal Description: \_\_\_\_\_

The Tax Exemption applies to \_\_\_\_ calendar years commencing with the year \_\_\_\_ and ending with the year \_\_\_\_\_.

The tax exemption is provided on the following conditions:

1. The Owner does not breach any covenant or condition in the Agreement and performs all obligations to be performed by the Owner set out in the Agreement
2. The Owner has not sold all or any portion of his or her equitable or legal fee simple interest in the Property without the transferee taking an Assignment of the Agreement, and agreeing to be bound by it;
3. The Owner, or a successor in title to the Owner, has not allowed the property taxes for the Property to go into arrears or to become delinquent; or
4. The Property's use is commercial in nature and shall remain an approved commercial use for the duration of the Agreement.

If any of these conditions are not met then the Council of the City of Parksville may cancel this Certificate. If such cancellation occurs, the Owner of the Property, or a successor in title to the Owner as the case may be, shall remit to the City an amount equal to the value of the exemption received after the date of the cancellation of the certificate.

\_\_\_\_\_  
Corporate Officer  
City of Parksville

Date \_\_\_\_\_

**CITY OF PARKSVILLE**

**BYLAW NO. 2000.77**

**Text and Map Amendment – to permit Food and Beverage Sales  
at 1275 ISLAND HIGHWAY EAST**

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:

"**food and beverage sales** means an accessory use where food and beverages are sold to the public from a concession contained within a building, a mobile food cart, or a food concession trailer and is for immediate consumption;"

"**mobile food cart** means a non-motorized mobile cart with a maximum area of 5.0 m<sup>2</sup>, from which food and/or drink is dispensed, and where the entire stock of goods offered for sale is carried and contained in the cart and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use;"

- b. Section 201 - INTERPRETATION of DIVISION 200 ZONING DISTRICT SCHEDULES, by replacing subsection .11 as follows:

**".11 SUFFIX "A" or "B"**

The suffix "A" or suffix "B" attached to a zone designation denotes a special sub-zone where additional uses are permitted, subject to the regulations of the zone in which the suffix is applied."

- c. Section 207 Public Institutional P-1 of 207.1, DIVISION 200 ZONING DISTRICT SCHEDULES by adding after subsection 207.1A:

**"207.1.B On a parcel containing an -1B designation:**

Permitted Land Uses	Minimum Lot Size
Food and beverage sales	N/A

"

2. By rezoning the following land from the Public Institutional (P-1) Zone to Public Institutional (P-1B):

Park (1275 Island Highway East), as shown shaded on the map attached as Schedule "A".

This bylaw may be cited for all purposes as "Zoning and Development Amendment Bylaw, 2010, No. 2000.77".

**READ A FIRST TIME** this    day of            , 2010

**READ A SECOND TIME** this    day of            , 2010

**PUBLIC HEARING HELD** this    day of            , 2010

**READ A THIRD TIME** this    day of            , 2010

**RECEIVED THE APPROVAL OF MINISTRY OF TRANSPORTATION and  
INFRASTRUCTURE** this    day of            , 2010

**ADOPTED** this    day of            , 2010

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Corporate Officer

