

COUNCIL MEETING AGENDA

MONDAY, AUGUST 16, 2010

Immediately following the adjournment of the Committee of the Whole Meeting

1. ADOPTION OF MINUTES

- a) of the Public Hearing held July 19, 2010 - Pages 1 to 3
"Official Community Plan Amendment Bylaw, 2010, No. 1370.12" - to facilitate a rezoning to permit the conversion of a motel and restaurant into an affordable multiple family residential building and restaurant by changing the Future Land Use Map designation; and "Zoning and Development Amendment Bylaw, 2010, No. 2000.79" - to permit the conversion of a motel and restaurant into an affordable multiple family residential building and restaurant.

Recommendation: THAT the minutes of the Public Hearing held July 19, 2010 be adopted.

- b) of the Council meeting held July 19, 2010 - Pages 4 to 7

Recommendation: THAT the minutes of the Council meeting held July 19, 2010 be adopted.

- c) of the Special Council meeting held July 30, 2010 - Page 8

Recommendation: THAT the minutes of the special meeting of Council held July 30, 2010 be adopted.

2. APPROVAL OF AGENDA

3. PRESENTATIONS

4. DELEGATIONS

5. UNFINISHED BUSINESS

6. CORRESPONDENCE

- a) Dawn Barry - Watermark Development - 161 Island Highway West - Pages 9 to 12

Recommendation: THAT the correspondence from Dawn Barry, dated July 28, 2010 regarding Watermark Development (161 Island Highway West), be received.

- b) Stan Gauthier - Official Community Plan Advisory Committee - Page 13

Recommendation: THAT the correspondence from Stan Gauthier, dated July 30, 2010 regarding the Official Community Plan Advisory Committee, be received.

- c) Sam D. Cosco - Official Community Plan Advisory Committee - Pages 14 to 15

Recommendation: THAT the correspondence from Sam D. Cosco, dated August 2, 2010 regarding the Official Community Plan Advisory Committee, be received.

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

8. **REPORTS**

a) Staff Stg. Hunter - RCMP Quarterly Report - Verbal

b) Committee of the Whole - July 19, 2010 - Page 16

(1) Amber Scotchburn - Oceanside Youth Employment Program

Recommendation: THAT the City provide a letter of support to Service Canada for the 21 week Youth Employment Program targeting at risk youth between the ages of 15-30 years to help them find employment or return to school, proposed by Amber Scotchburn.

(2) Chief Administrative Officer - Development Process Review

Recommendation: THAT the report from the Chief Administrative Officer dated July 13, 2010 regarding a development process review, be received; AND THAT staff be directed to explore alternative delivery methods for a comprehensive review of the City's development processes to include a review and validation of existing practices, stakeholder input, best practices recommendations, and development of a comprehensive procedures manual, for Council's consideration; AND FURTHER THAT a maximum amount of \$5,000.00 be authorized as a contingency for consulting services, if required.

c) Director of Community Planning - Provision of City Comment Regarding the Draft Regional Growth Strategy - Pages 17 to 19

The Regional District of Nanaimo is now formally asking the City to confirm whether there is general agreement with the April 29, 2010 draft of the Regional Growth Strategy prior to public release.

Recommendation: THAT the report from the Director of Community Planning dated July 27, 2010 regarding the City's comment to the draft Regional Growth Strategy, be received; AND THAT the Regional District of Nanaimo be advised that the City has no major concerns with the April 29, 2010 Regional Growth Strategy document.

d) Deputy Corporate Administrator - Fees and Charges Bylaw Amendment - Pages 20 to 22

Legislation to enact the Harmonized Sales Tax (HST) was passed by the Government of Canada and Government of BC and took effect July 1, 2010. The Fees and Charges Bylaw requires amendment to reflect this increase in taxes. It is proposed to amend the Fees and Charges bylaw to add the wording "plus applicable taxes" to the fee charges.

Recommendation: THAT the report from the Deputy Corporate Administrator dated July 23, 2010 regarding an amendment to the Fees and Charges Bylaw to reflect the increase in taxes, be received; AND THAT staff be directed to bring forward an amendment to "Fees and Charges Bylaw, 2007, No. 1421" for Council's consideration.

- e) Director of Community Planning - Unsightly Lots [552 Sandlewood Drive and 30 Ponderosa Drive] - Pages 23 to 25

These properties are the source of complaints regarding overgrown grass and weeds on vacant properties. Staff is following Council Policy 3.14 and Property Maintenance Bylaw, 2003, No. 1383 in attempt to gain compliance from the property owner.

Recommendation: THAT the report from the Director of Community Planning dated August 10, 2010 regarding unsightly lots legally described as Lots 23 and 79, District Lot 15, Nanoose District, Plan VIP84144 (552 Sandlewood Drive and 30 Ponderosa Drive), be received;

AND THAT if Council is not satisfied with the explanation, or if there is no explanation from the property owner, Council may direct staff to proceed with direct enforcement by giving the owner written notice of ten (10) days from the date of this Council meeting to clean up the property themselves;

AND THAT the notice advises of specific clean up requirements, indicate the specific area requested to be cleaned up, and the consequences if the requested work is not completed;

AND FURTHER THAT at the expiration of the ten (10) days following delivery of the notice, if clean up has not been completed, either City staff or a private contractor shall undertake the specified clean up and expenses incurred shall be listed with an invoice directed to the registered owner. If such expenses are not paid by the end of the current year, the cost will be added to the property taxes pursuant to Sections 64 and 258 of the Community Charter.

9. BYLAWS

- a) "Municipal Ticket Information Amendment Bylaw, 2010, No. 1444.2"
Ability to use a ticket as a tool to deal with owners who do not clean up after their dog defecates on public property.

(i) Recommendation: THAT "Municipal Ticket Information Amendment Bylaw, 2010, No. 1444.2" be adopted.

- b) "Outdoor Burning Amendment Bylaw, 2010, No. 1428.2"
Campfires cannot be larger than 0.5 metres in height and 0.5 metres in diameter. Previously campfires were permitted to a maximum size of one-metre by one-metre.

(i) Recommendation: THAT "Outdoor Burning Amendment Bylaw, 2010, No. 1428.2" be adopted.

- c) "Housing Agreement Authorization Bylaw, 2010, No. 1466"
The City has received a Housing Agreement proposal for 25 affordable housing units on behalf of 658780 B.C. Ltd., Inc. No. 658780 for the above-noted properties.

(i) Recommendation: THAT "Housing Agreement Authorization Bylaw, 2010, No. 1466" be adopted.

- d) "Official Community Plan Amendment Bylaw, 2010, No. 1370.12"
The applicant is seeking to undertake an internal conversion of the existing Post and Lantern Motel into a 25 unit affordable rental multiple family building for low-income wage earners with the existing restaurant proposed to be retained which requires an affordable multiple family land use designation.
- (i) **Recommendation: THAT "Official Community Plan Amendment Bylaw, 2010, No. 1370.12" be read a third time.**
- e) "Zoning and Development Amendment Bylaw, 2010, No. 2000.79"
The applicant is seeking to undertake an internal conversion of the existing Post and Lantern Motel into a 25 unit affordable rental multiple family building for low-income wage earners with the existing restaurant proposed to be retained which requires a comprehensive development CD-22 zone.
- (i) **Recommendation: THAT "Zoning and Development Amendment Bylaw, 2010, No. 2000.79" be read a third time.**
- f) "Fees and Charges Amendment Bylaw, 2010, No. 1421.2" - Page 22
Legislation to enact the Harmonized Sales Tax (HST) was passed by the Government of Canada and Government of BC and took effect July 1, 2010. The Fees and Charges Bylaw requires amendment to reflect this increase in taxes. It is proposed to amend the Fees and Charges bylaw to add the wording "plus applicable taxes" to the fee charges.
- (i) **Recommendation: THAT "Fees and Charges Amendment Bylaw, 2010, No. 1421.2" be read a first time.**
- (ii) **Recommendation: THAT "Fees and Charges Amendment Bylaw, 2010, No. 1421.2" be read a second and third time.**

10. NOTICE OF MOTION

11. NEW BUSINESS

12. SPECIAL BUSINESS (Closed/In Camera)

Pursuant to Sections 90 (1) (c) and (e) of the *Community Charter* Council proceed to a closed meeting to consider items relating to labour relations and the acquisition, disposition or expropriation of land or improvements.

13. ADJOURNMENT

ooOOoo

TO BE ADOPTED

CITY OF PARKSVILLE

JULY 19, 2010

Minutes of the Public Hearing held in the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Monday, July 19, 2010 at 6:00 p.m.

PRESENT: His Worship Mayor E. Mayne

Councillors: C. R. Burger
A. R. Greir
M. Lefebvre
T. C. Patterson
S. E. Powell

Staff: F. Manson, Chief Administrative Officer
L. Kitchen, Deputy Corporate Administrator
D. Banks, Fire Chief
G. Jackson, Director of Community Planning
B. Russell, Manager of Current Planning
D. Tardiff, Communications Officer

1. Mayor Mayne called the Hearing to order at 6:00 p.m.
2. Mayor Mayne advised the purpose of the Public Hearing was to consider certain bylaws which, if adopted, will amend the "Official Community Plan Bylaw, 2002, No. 1390" and "Zoning and Development Bylaw, 1994, No. 2000", and all submissions either in writing or verbally, will be taken into consideration by the Municipal Council when the proposed bylaws are presented for third reading at a future date. The Chair introduced the bylaws on the Public Hearing agenda that will be considered.
3. **OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW, 2010, NO. 1370.12**

To facilitate a rezoning to permit the conversion of a motel and restaurant into an affordable multiple family residential building and restaurant by changing the Future Land Use Map designation from Tourist Commercial to Affordable Multiple Family Residential Development on the subject properties.

ZONING AND DEVELOPMENT AMENDMENT BYLAW, 2010, NO. 2000.79

To permit the conversion of a motel and restaurant into an affordable multiple family residential building and restaurant by changing the zone from Tourist Commercial CS-2 to a new Comprehensive Development CD-22 zone on the subject properties.

The Deputy Corporate Administrator advised notice of this Public Hearing was advertised by being posted on the notice board at the Parksville Civic and Technology Centre on July 9, 2010 and by being in *The News* issues of July 9, 2010 and July 13, 2010. On July 9, 2010, 113 notices were mailed to the owners and occupiers of all real property within 50 metres (164 ft.) of the area subject to the amendment bylaws.

The Deputy Corporate Administrator advised that as of July 19, 2010 correspondence regarding the proposed bylaws had been received. Copies of the correspondence have been included in the Public Hearing document book for viewing by the public.

The Chair invited views and comments from persons present in the gallery who would be affected by proposed Official Community Plan Amendment Bylaw, 2010, No. 1370.12 and Zoning and Development Amendment Bylaw, 2010, No. 2000.79.

Vince Jandrisch - 272 Island Highway West

- Owner of the Post and Lantern
- have applied for CMHC loan; held public open house; hired a property management company to manage security, routine maintenance, lease agreements for tenants, and evictions
- security cameras will be installed
- pest control and beautification of the building and grounds are planned
- interior design will ensure efficient units

Maria Maslovat - 286 Morison Avenue

- resident in property across from Post and Lantern
- concerns with past history of that building as well as with others in the neighbourhood
- asked if the City had the authority to insist owners of rental properties manage them properly and clean them up
- concern that the rent being asked for is too high - how do you choose your tenants - what if the applicant is on social assistance and cannot afford to pay that kind of rent
- if the applicant follows through with all their plans, this would relieve a number of concerns

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

Michelle Jones - 177 Weld Street

- Engineer for the project
- traffic study completed and she concurs with the recommendations made
- Engineering comments conclude that sidewalk from McDonald's to Morison Avenue and curb and gutter along east side of Lombardy Street is necessary
- if this was a normal project, DCC's would be waived
- ask that the City waive any off site charges

Caroline Waters - 479 West Hirst Avenue

- committed to new Official Community Plan and we should let this review go forward before approving this project
- we have this opportunity to look at the whole downtown area - let the process play out so everyone is working with a level playing field rather than rezone this one project, regardless of its merit

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

Vince Jandrisch - 272 Island Highway West

- rental rate in \$500 range may seem high, but is all inclusive
 - can't bar social assistance people, but tenants will be screened and monitored
 - not for people on assistance but for working poor
 - CMHC funding will expire at end of March 2011
4. Before declaring the hearing adjourned, Mayor Mayne advised that Council cannot entertain further submissions or correspondence from the public on the proposed bylaws.

5. **ADJOURNMENT**

Mayor Mayne declared the Hearing adjourned at 6:22 p.m.

Certified Correct.

Chair


Corporate Officer

TO BE ADOPTED

CITY OF PARKSVILLE

July 19, 2010

Minutes of the meeting of Council held at the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Monday, July 19, 2010 at 6:02 p.m.

PRESENT: His Worship Mayor E. F. Mayne

Councillors: C. Burger
A. Greir
M. Lefebvre
T. Patterson
S. Powell

Staff: F. Manson, Chief Administrative Officer
L. Kitchen, Deputy Corporate Administrator
D. Banks, Fire Chief
G. Jackson, Director of Community Planning
B. Russell, Manager of Current Planning
D. Tardiff, Communications Officer

1. PUBLIC HEARING

10-186 Lefebvre - Patterson
THAT Council resolve into a Committee of the Whole to consider the Public Hearing for "Official Community Plan Amendment Bylaw, 2010, No. 1370.12" and "Zoning and Development Amendment Bylaw, 2010, No. 2000.79", the purpose of which is to facilitate a rezoning that would permit the conversion of a motel and restaurant into an affordable multiple family residential building and restaurant (272 Island Highway West). CARRIED.

Time 6:00 p.m.

The Council meeting reconvened at 6:22 p.m.

10-187 Lefebvre - Burger
THAT Council resolve into a Committee of the Whole. CARRIED.

The Council meeting reconvened at 7:40 p.m.

2. ADOPTION OF MINUTES

10-188 Lefebvre - Greir
THAT the minutes of the meeting of Council held July 5, 2010 be adopted. CARRIED.

3. APPROVAL OF AGENDA

10-189 Lefebvre - Burger
THAT Item #9 (c) be removed from the agenda;
AND THAT the July 19, 2010 Council meeting agenda be approved as amended. CARRIED.

4. PRESENTATIONS

- a) Fire Chief Doug Banks presented the 20 year Exemplary Service Medal to Deputy Fire Chief Marc Norris.

5. DELEGATIONS - Nil

6. UNFINISHED BUSINESS - Nil

7. CORRESPONDENCE - Nil

8. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE - Nil

9. REPORTS

a) Committee of the Whole – July 5, 2010

10-190 THAT the report from the Committee of the Whole meeting held July 5, 2010 be received and the following recommendations considered:

(1) **Director of Community Planning - Application for Development Permit to Facilitate Construction of a 29 Unit Residential Strata Development [251 Mills Street]**

Greir - Lefebvre

THAT the report from the Director of Community Planning dated June 23, 2010 for the issuance of a development permit at 251 Mills Street be received;

AND THAT a development permit with variance be issued to Radcliffe Development Corporation, Inc. No. 89655 to facilitate the overall site plan and construction of a 29 unit residential strata development comprised of 5 two-storey wood frame buildings and associated landscaping on Lot 1, District Lot 4, Nanoose District, Plan VIP53013 (251 Mills Street) with a variance to:

- Section 405.2 by relaxing the width of aisle requirement from 7.5 m to 6.6. m for 90 degree parking;
- Section 414.1 by eliminating the requirement for an enclosed refuse removal area;

AND FURTHER THAT the landscaping security in the amount of \$140,000.00 be received prior to the issuance of the permit, for the purpose of assuring the completion of site landscaping. CARRIED.

b) Fire Chief – Amendment to Outdoor Burning Bylaw

Lefebvre - Powell

10-191 THAT the report from the Fire Chief dated July 12, 2010 entitled “Amendment to Outdoor Burning Bylaw” be received;

AND THAT an amendment to “Outdoor Burning Bylaw, 2007, No. 1428”, Sections 4 a) and b) to reflect the size of fires permitted from 1 square metre to 0.5 square metres, be brought forward for Council consideration CARRIED.

d) **Deputy Corporate Administrator – Housekeeping Amendments to Special Events Applications Policy**

Greir - Powell
10-192 THAT the report from the Deputy Corporate Administrator dated July 9, 2010 entitled "Housekeeping Amendments to Special Events Applications Policy No. 8.22" be received;
AND THAT "Applications for Special Events Policy No. 8.22" be replaced with the Draft Applications for Special Events Policy, that places the responsibility for all bookings of the Community Park picnic shelter with the City, amends the policy number from 8.22 to 3.30, amends the Community Park kios name to "gazebo" and includes the addition of application forms for the picnic shelter and McMillan Street gazebo, attached to the Deputy Corporate Administrator's report dated July 9, 2010. CARRIED.

e) **Communications Officer – Resident/Citizen Survey 2010**

Powell - Greir
10-193 THAT the report from the Communications Officer dated July 14, 2010 entitled "Resident/Citizen Survey – 2010" be received;
AND THAT the results, including all resident comments from the 2010 Resident Survey, be received and made available for the public to review. CARRIED.

9. **BYLAWS**

a) **"Municipal Ticket Information Amendment Bylaw, 2010, No. 1444.2"**

Lefebvre - Powell
10-194 THAT "Municipal Ticket Information Amendment Bylaw, 2010, No. 1444.2" be read a first time. CARRIED.

Powell - Greir
10-195 THAT "Municipal Ticket Information Amendment Bylaw, 2010, No. 1444.2" be read a second and third time. CARRIED.

b) **"Outdoor Burning Amendment Bylaw, 2010, No. 1428.2"**

Powell - Lefebvre
10-196 THAT "Outdoor Burning Amendment Bylaw, 2010, No. 1428.2" be read a first time. CARRIED.

Greir - Powell
10-197 THAT "Outdoor Burning Amendment Bylaw, 2010, No. 1428.2" be read a second and third time. CARRIED.

10. **NOTICE OF MOTION**

11. **NEW BUSINESS** - Nil

12. SPECIAL BUSINESS

10-198 Lefebvre - Powell
Pursuant to Section 90 (1) (c) and (g) of the *Community Charter* Council proceed to a closed meeting to consider an item relating to labour relations and potential litigation affecting the municipality. CARRIED.

Time 7:51 p.m.

Council reconvened at 9:03 p.m.

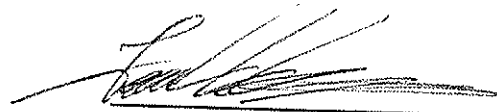
13. ADJOURNMENT

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

The meeting adjourned at 9:03 p.m.

Certified Correct.

Mayor



Corporate Officer

TO BE ADOPTED

4755.

July 30, 2010

CITY OF PARKSVILLE

Minutes of the special meeting of Council held at the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Friday, July 30, 2010 at 9:00 a.m.

PRESENT: His Worship Mayor E. F. Mayne

Councillors: C. Burger
A. Greir
M. Lefebvre
T. Patterson
S. Powell
C. Powell-Davidson

Staff: Lucky Butterworth, A/Chief Administrative Officer
L. Kitchen, Deputy Corporate Administrator
D. Banks, Fire Chief
G. Jackson, Director of Community Planning
D. Tardiff, Communications Officer

1. APPROVAL OF AGENDA

10-199 Greir - Lefebvre
THAT the July 30, 2010 special Council meeting agenda be approved.
CARRIED.

2. REPORTS

10-200 Greir – Powell-Davidson
THAT the report from the Fire Chief dated July 26, 2010 entitled “Contract Award for Civil Works for the Fire Hall Expansion Project”, be received;
AND THAT Council award the contract for the required civil works for the Fire Hall Expansion project to Parksville Heavy Equipment in the pre-tax amount of \$97,150.00. CARRIED.

10-201 Powell-Davidson - Lefebvre
THAT the report from the Director of Finance dated July 27, 2010 regarding the 2009 Statement of Financial Information, be received;
AND THAT Council approve the Statement of Financial Information for the year ended December 31, 2009. CARRIED.

3. ADJOURNMENT

It was moved by Councillor Lefebvre and seconded by Councillor Greir that the meeting adjourn. CARRIED.

The meeting adjourned at 9:07 a.m.

Certified Correct.

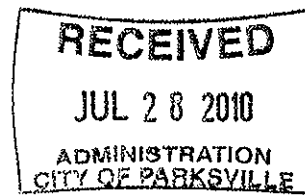
Mayor

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L. Butterworth

A/Corporate Officer



OPEN LETTER TO MAYOR, COUNCIL AND CITY STAFF:

I attended the public information meeting held by Walbern Developments for their latest proposed development of the Parksville waterfront. I left this meeting very concerned and troubled at the conflicting information and lack of detail presented by the Developer's Consultants. I thought the tone of this meeting was somewhat bullying and therefore offensive in nature, with the intent to intimidate residents into accepting the Developer's wishes. Some concerns expressed and questions asked that were dismissed, glossed over or need to be addressed by the City of Parksville include:

ECONOMICS

- What are the anticipated tax revenues vs the increased infrastructure costs?
- What are the costs of maintaining roads into this proposed development?
- An assertion was made that new shopping dollars will help revitalize downtown. How exactly would this development revitalize downtown where the Beach Club hasn't?
- All developers of large properties have touted "economic benefits" to the taxpayers of Parksville, yet our businesses still seem to struggle. This declaration would seem to be false, given the recent growth Parksville has seen.
- What is the potential economic cost? Will Parksville continue to attract day and weekend visitors (who number in the hundreds of thousands per year), if we lose another swath of our waterfront by walling it off with concrete and compacting more and more people into a smaller space?

HOUSING

- Parksville seems to have a number of existing unsold residential units in addition to existing and planned developments, including:
 - o the Lions' rental housing on Jensen and Corfield
 - o Corfield Glades (60 houses) still being built
 - o continued building in Maple Glen despite existing empty units
 - o new development of 29 units on McVickers St.
 - o proposed developments for Despard Ave. and Renz Rd.
 - o proposed development of a seniors complex on McMillan St.

- Is the developer's new proposal going to be affordable for the average citizen of Parksville? When I asked this question at the open house, a consultant stated they didn't know, they hadn't gotten that far. Funnily enough, someone managed to pull some numbers out of a hat, as the Oceanside Star quoted prices from \$350K to \$650K. Given the prime and exclusive location, I don't think these numbers should be given too much credence. Is this current development an enclave for the privileged at the expense of our taxpayers?

ROADS

- The centre road into this new development is being touted as "public access", yet the road ends approx. 2/3 of the way along the row of townhouses, and parking spaces are called "visitor parking". The public can drive on it but cannot park on it? Does this mean extra parking for this development at taxpayers' expense? Anyone trying to access the beach from this point will have to walk approx. 1/3 of the length of the development in order to reach the beach. That's not exactly "public access". Are taxpayers' responsible for liability insurance?
- Will owners in this new development fight to eliminate public parking on a public access road?
- The current road proposed extends Beachside Dr. and dead-ends at the property line. Some RDN maps show an eventual thru-road which will take a chunk out of the Community Park in order to bring this road back to Highway 19A. Is there some long-term plan citizens haven't been let in on?

RE-ZONING

- All we know for sure at this point is that the Developer wants to increase density, increase height restrictions and build a residential complex. Sound familiar?
- How does this re-zoning benefit the taxpayers of Parksville? Economic benefits are dubious at best, and we lose all sight of greenery, water, mountains and sky-line and replace it with a development that seems too large for the property. Sound familiar?
- We have no idea what the proposed development will actually look like – we could wind up with something quite different than the hasty sketches provided. Sound familiar?
- Is this re-zoning in line with sustainable development?
- Is this kind of re-zoning appropriate at the onset of an overdue OCP review?

CITY SURVEY RESULTS

- A majority of respondents were attracted to Parksville by its natural setting and don't want that to change.
- Most people were dissatisfied with the form and character of new development on the waterfront.
- With varying frequency, ¾ of the respondents are regular waterfront and Community Park visitors.
- A majority want City Council to address the issues of protection of natural areas and resources (ocean) and water conservation.
- When asked what about Parksville needed to change, almost every comment included the mention of the preservation and protection of our waterfront.

OFFICIAL COMMUNITY PLAN

- The first objective of the Official Community Plan - "*The outstanding natural features of the City; the waterfront, the Englishman River....must be preserved and enhanced...*" – how does this proposed elimination of our skyline agree with that objective?
- The second objective of the OCP is to maintain a small town atmosphere – how does this proposed development in any way enhance this value?
- The fourth objective is the enhancement of recreational facilities, "*...most importantly along the waterfront...*" – how does this development do that?

As we are all well aware, the residents and City Staff are undertaking a much-needed review of the OCP. This is the worst time for elected officials to push through such a significant and (apparently) un-formed development proposal. Your own recent survey backs this up – is there any reason to think a more formal and widespread review will change this? Can the Developer produce any recent case rulings to suggest a Court would order a City to grant a re-zoning under these (or any) circumstances?

ETHICS

The residents of Parksville do not owe land speculators/developers anything. When a person purchases land as an investment, they are not owed a specific profit at a time of their choosing

(just as when ones buys stocks as an investment). What no speculator/developer has a right to do is to tell residents they owe their very city to outside profits.

The OCP and other bylaws are not to be treated as a game in which a winning outcome is to beat the City's expressed and implied requirements or goals. One of the three stated purposes of the Official Community Plan is "...to provide residents and developers alike with a reasonable degree of certainty regarding City policy and the future form and character of different areas of the City." If successive Mayors and Councilors had abided by this bylaw, (as is their duty) perhaps our City employees would not now be harangued and bullied by Developers wanting to ensure their profits before the advent of a new OCP or installation of newly elected officials. Following the OCP (as required by law), would have removed uncertainty and provided some consistency and stability for everyone. Just "plan the work, and (allow staff to) work the plan".

The Mayor and Councilors of Parksville have a duty to the citizens and those doing business in Parksville to abide by the existing OCP while a serious and inclusive review is conducted.

I formally request that my letter be included in the City's official record, that it be publicly available, and that it be included on the agenda of the next Council Meeting.

Sincerely,

D. Barry

Parksville, BC

DAWN BARRY
116 BUTLER AVENUE
PARKSVILLE BC V9P 1L2 250-248-5268

Lynn Kitchen

From: Stan Gauthier [master350@shaw.ca] 283 Crabapple Cresc. V9P 2R9
Sent: July 30, 2010 5:33 PM
To: Council
Subject: TO: MAYOR, COUNCIL AND RELEVANT STAFF

TO: MAYOR, COUNCIL AND RELEVANT STAFF:

Inasmuch as the chair of the APC has stated that

The new committee for the OCP review may include some members of existing committees;

And inasmuch as all members of the new OCP committee MUST be residents of Parksville,

Therefore would you please identify all existing Committee members who do not reside in Parksville;

And explain why non-residents are eligible to participate in such committees.

And please explain where, on the city's web site, the background of all committee members might be found.

"I formally request that this correspondence be included in the City's official record, that it be publicly available, and that it be included on the agenda of the next Council Meeting.

Respectfully yours
Stan Gauthier, Vice-President, Parksville Residents Association.

Amanda Haywood

From: Sam Cosco [sdcosco@shaw.ca]
Sent: Monday, August 02, 2010 8:24 AM
To: Council
Subject: Re: OCP and OCP advisory committee



S.D. Cosco
470 Harnish Ave.,
Parksville, BC V9P 1J1
Ph: 250 248 3565
Email: sdcosco@shaw.ca

August 2, 2010

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

council@parksville.ca

Mayor, Council & Staff: I am pleased that our city is beginning an OCP review process as I believe it is time for our council to take square aim at the future and set this community on the path to establishing its environmental footprint, determining if this footprint is compatible with our contiguous natural community and ensuring that our community aims to become carbon neutral within a timeline ending 2020 or earlier. If our small, well educated and wealthy – compared to other community’s world wide – can not meet these aims, then one may wonder if there is any hope for humanity on a world wide scale. It is incumbent that Parkville’s residents adopt a community plan that will reflect these aspirations and establish a time line that is as short as possible in meeting them. We can not address issues of sustainability without defining it first and knowing whether or not we are acting within or beyond its parameters.

To this end I believe that our OCP advisory committee (OCP AC) must be comprised of members who accept that these goals are necessary and understand that we as a city can employ our assets and energy in making these goals a reality. I expect that such a committee can be drawn from amongst those residents who live here and are free from those sources of vested interest that may find these aims incompatible with their economic agendas.

It should be established prior to development that this community’s footprint is indeed small enough and benign to the needs of our natural community and that which is required to sustain its biodiversity as well as ensuring any development within our borders is compatible with our future goals.

It should be established that our OCP AC can survey our population at large to ensure that its ideas generally reflect the aspirations of its residents. I believe it would be helpful for our local government to communicate these aims to our residents in an interactive manner so that our residents understand the importance of and what sustainability is.

I have looked at the OCP advisory commission’s role, composition and duties and would like to make the following suggestions that would ensure that our future OCP truly has environmental integrity and community support. Our next OCP should be seen as a document inspired by our residents and developed from our

community's local expertise. One should think our OCP AC can act in a manner to ensure that this is in fact the case. The following changes to this body and its modus operandi should help assure these aims:

Section 2.4 states that the OCP AC will connect with key stakeholder groups. While any particular group should receive consideration it should be made clear to every group that its needs must be seen in context to those of our natural environment and of the single largest group within Parksville, namely its residents.

Section 2.5 should also include a civically funded process to allow the OCP AC to survey the community in a statistically valid manner. Public information meetings involving this committee, city staff, council members, the community at large and experts from relative fields should be able to be held.

Section 2.6 states that our council is not bound by the recommendations of the OCP AC. I think if the OCP AC has done a verifiably sound job in determining that our residents are on side with environmentally sound positions of civic management then one may wonder why council would not desire to accept the wishes of a community majority. To this end surveys and referenda may be required to determine if particular ideas deserve a place in our next OCP. Council should then ensure that those ideas desired by our community become part of our OCP. Clearly, an idea or process desired by a community majority should be supported by and acted upon by its representatives.

Under membership and composition of this committee, I believe this committee must be a vested interest free body. Such a body should be composed of well informed community residents. To this end social, economic and environmental considerations beyond any committee's relative expertise can be dealt with by involving the public at large and experts from the domain in question.

I do not believe that it is appropriate for this new committee to have members from other current committees.

Members chosen for the OCP AC should be selected from those residents who apply and have indicated their areas of interest and expertise in their letter of application. Naturally, fields indicated as requiring representation in our OCP would be used in exploring the suitability of the residents so applying. That said any vested interest puts a committee member in a conflict of interest so such an individual has no role on this committee.

Section 7.8 needs to be changed so that a topic requiring public education/information &/or expert advise can occur. The OCP AC can not work from an information vacuum. If a public meeting is deemed to be necessary by this committee then council and staff should aim to discuss the matter with the committee and see that those needs required to develop an authentic, accurate and sensible OCP are met.

I hope council will see that these suggestions should establish a competent committee that can interact with our community in a fair and responsible manner and help produce an OCP suitable for the 21st century. I would also request that that this letter not only be included in the city's official record and be available to the public but also I would hope that it be included on the agenda of the next council meeting. I would be happy to speak to the need for an environmentally sound OCP and the nature of the OCP AC chosen to assist in its content.

Sincerely,

S.D. Cosco

July 20, 2010

REPORT TO: MAYOR AND COUNCIL

FROM: COMMITTEE OF THE WHOLE

SUBJECT: JULY 19, 2010 MEETING RECOMMENDATIONS

The following items were considered by the Committee of the Whole at its meeting held Monday, July 19, 2010:

RECOMMENDATION

1. Amber Scotchburn – Oceanside Youth Employment Program

THAT the City provide a letter of support to Service Canada for the 21 week Youth Employment Program targeting at risk youth between the ages of 15-30 years to help them find employment or return to school, proposed by Amber Scotchburn.

2. Chief Administrative Officer – Development Process Review

THAT the report from the Chief Administrative Officer dated July 13, 2010 regarding a development process review, be received;
AND THAT staff be directed to explore alternative delivery methods for a comprehensive review of the City's development processes to include a review and validation of existing practices, stakeholder input, best practices recommendations, and development of a comprehensive procedures manual, for Council's consideration;
AND FURTHER THAT a maximum amount of \$5,000.00 be authorized as a contingency for consulting services, if required.



ED MAYNE, Chair
COMMITTEE OF THE WHOLE

COUNCIL REPORT



July 22, 2010

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

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

SUBJECT: PROVISION OF A CITY COMMENT TO THE REGIONAL DISTRICT OF NANAIMO REGARDING THE DRAFT REGIONAL GROWTH STRATEGY

Issue:

Provision of a City comment to the Regional District of Nanaimo regarding the draft Regional Growth Strategy

Executive Summary:

The Regional District of Nanaimo is now formally asking the City to confirm whether there is general agreement with the April 29, 2010 draft of the Regional Growth Strategy prior to public release.

References:

May 6, 2010 letter from the Regional District of Nanaimo
Draft Regional Growth Strategy dated April 29, 2010

Background:

The Regional District of Nanaimo commenced a process to update the Regional Growth Strategy approximately three years ago. On February 3rd Council discussed the Regional Growth Strategy, based on the draft available at that date, and determined that Staff should attend any working meetings pertaining the Regional Growth Strategy so as to monitor the progress and establish whether the City's interest was being met. The initial reaction of Council members based on the early draft was that the goals and objectives were highly supportable, but that the level of detail contained within the supporting policies was excessive for the nature of the document. Both Council members and some Staff members attended an all day workshop session hosted by the Regional District of Nanaimo for member municipalities. All regular Intergovernmental Advisory Committee meetings were attended by Staff. Overall, considerable participation went into the Regional Growth Strategy process by the City.

A draft was finalized on April 29th as a culmination of all of the work by Regional District of Nanaimo Staff with input of Intergovernmental Advisory Committee members. The Regional District of Nanaimo is now formally asking the City to confirm whether there is general agreement with this draft. Any concerns are to be identified to the Regional District of Nanaimo and if such concerns are minor the draft will be released to the public and the community engagement initiative will proceed. Any significant concerns would prompt additional meetings first, ahead of public release.

... /2

**PROVISION OF A CITY COMMENT TO THE
REGIONAL GROWTH STRATEGY**

Options:

Council may:

1. Advise the Regional District of Nanaimo that it has no major concerns with the document.
2. Advise the Regional District of Nanaimo that it does have concerns and specify them.
3. Seek additional information before providing comment.

Analysis:

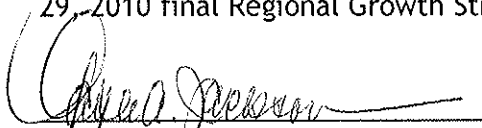
The Regional Growth Strategy is an important document to the City in that the City's own Official Community Plan will be required to fall in line with the Regional Growth Strategy. This version of the 'new' Regional Growth Strategy compared to existing one, is now more sustainability based, consistent with the requirements of the *Local Government Act*. It is expected that the draft content respecting the Vision (3.1), Sustainability principles (3.2) and, the Goals (4.1) will garner widespread support by all parties subject to the Regional Growth Strategy. It should also be noted that the level of detail in the policy content has been significantly reduced since the initial plan. The process of having the Staff representatives work through the draft to monitor policies and content and to 'wordsmith' yielded general 'Staff' level of agreement about the content.

If the document is viewed from a 'purist' planning perspective, in isolation of the realities on the ground there are still a few areas that could be improved if the goal is to use the document to 'restrict' the activities of others. Nevertheless, these areas were not ignored and were 'improved' to the extent possible in one step. An example of this scenario pertains to "Rural Village Centres"; a designation which appears to make less sense over time, but, which is realistically impossible to eliminate in one step. Despite that a few such examples can be generated, the overall document has achieved, what appears to be a reasonable balance of interests and goals. In this regard Staff cannot flag any major on-going concerns with the April 29th draft document.

Recommendation:

That the report from the Director of Community Planning dated July 22, 2010 regarding "Provision of a City comment to the Regional District of Nanaimo regarding the draft regional growth strategy" be received;

And That Regional District of Nanaimo be advised that the City has no major concerns with the April 29, 2010 final Regional Growth Strategy document.


G. A. Jackson

GAJ/sh
Attachment

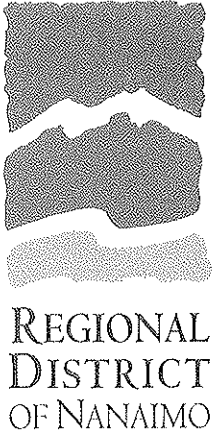
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CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:


F. MANSON, C.G.A.

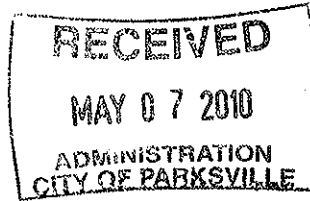
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May 6, 2010

Fred Manson
City Manager
City of Parksville
P. O. Box 1390
Parksville, BC V9P 2H3



Dear Fred:

RE: Regional Growth Strategy

Please find enclosed a copy of the updated Draft Regional Growth Strategy (RGS) for your review. I would like to take this opportunity to thank all of you that participated in the staff discussions on the Draft RGS. Through the contributions of all jurisdictions, I am hopeful that we have now been able to address all of the outstanding concerns raised with earlier versions of the document.

As discussed at the April 23rd meeting, our next step is to request municipal staff to present the Draft RGS to your respective Councils to confirm that your elected officials are in agreement with the proposed revisions. After presentation to Council, we are asking that municipal staff report back to the RDN with any outstanding concerns identified by your Council. If these concerns are minor and do not require further meetings between the RDN and the Municipalities, RDN staff will prepare to release the Draft RGS to the public and proceed with a community engagement initiative.

In order to plan for the next phase in the community engagement process, we are asking municipal staff to report back to us on your timeline for presenting the Draft RGS to your Council for concurrence. If, through this review, a municipality identifies a significant issue that has not yet been addressed, we will schedule another meeting with municipal staff to resolve the outstanding issue prior to its public release.

Thank you again for all of your efforts and contributions towards the RGS Review process. I believe we have a revised draft RGS that will serve the region well in its goal to become more sustainable. I look forward to hearing from you.

Sincerely,

Carol Mason
Chief Administrative Officer

cc: Gayle Jackson

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

July 23, 2010

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER
FROM: LYNN KITCHEN, DEPUTY CORPORATE ADMINISTRATOR
SUBJECT: AMENDMENT TO FEES AND CHARGES BYLAW

ISSUE

To update "Fees and Charges Bylaw, 2007, No. 1421" to reflect the change in tax rate that has been recently implemented.

EXECUTIVE SUMMARY

Legislation to enact the Harmonized Sales Tax (HST) was passed by the Government of Canada and Government of BC and took effect July 1, 2010. The Fees and Charges Bylaw requires amendment to reflect this increase in taxes. It is proposed to amend the Fees and Charges bylaw to add the wording "plus applicable taxes" to the fee charges.

REFERENCES:

Fees and Charges Bylaw, 2006, No. 1421
Fees and Charges Amendment Bylaw, 2008, No. 1421.1

BACKGROUND

Most municipal services were exempt from GST and consequently are now exempt from HST. However, the City sells certain items that were subject to GST and are therefore now subject to HST. In the Fees and Charges Bylaw the 5% GST applicable to some of the fees is included in the fees established.

In August 2008 minor amendments to the fee schedules were brought forward that primarily consisted of adding new items to the schedules, not increasing the prices being charged. The City has not amended the majority of prices contained in the fees and charges bylaw since 2007. By including the phrase "plus applicable taxes" in the body of this bylaw, in essence we are adding a 5% fee increase to the non exempt fees. HST will then be applied for those items not exempt from tax.

OPTIONS

1. Amend Fees and Charges Bylaw, 2006, No. 1421 to provide the flexibility to charge taxes on fees that are not exempt from taxes.
2. Maintain the Status Quo

ANALYSIS

1. Adding the phrase "plus applicable taxes" in the body of the bylaw provides flexibility if the tax rates should change over time, as the bylaw would allow the City to apply whatever tax rate is set by Senior levels of government without the city having to absorb those taxes. Further, by keeping the fees as is in the schedules attached to the bylaw, and not removing the 5% GST component contained in non exempt fees, in essence we are providing an across the board 5% price increase on our portion of the fees. The HST will then also be applied to the fees for those items not exempt from taxes.
2. Maintaining the status quo would mean the City would be retaining less money on the fees that are subject to tax for the items contained in the Fees and Charges bylaw because the fees are taxes included. Before HST the City paid 5% of the fee to GST and retained 95% of the fee. Now the City will only retain 88% of the fees as 12% is paid to HST, unless the bylaw is changed. By including the tax rate within the fees charged, it means the bylaw schedules would require amendments any time there was a fluctuation in the tax rate.

FINANCIAL IMPLICATIONS

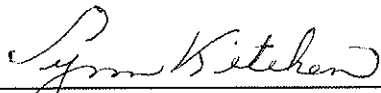
The City does not sell many products or supply services that are subject to HST. If the City does not change the bylaw to add the HST and chooses to absorb the HST, the annual cost to the City will be less than \$1,000.00.

SUMMARY/CONCLUSIONS

Amending "Fees and Charges Bylaw, 2007, No. 1421" to indicate that applicable taxes will be charged on items for sale by the City that are not exempt from tax provides for flexibility within the bylaw if the tax rates fluctuates and provides clarity to the public.

RECOMMENDATION

THAT the report from the Deputy Corporate Administrator dated July 23, 2010 entitled "Amendment to Fees and Charges Bylaw" be received;
AND THAT staff be directed to bring forward an amendment to "Fees and Charges Bylaw, 2007, No. 1421" for Council's consideration.



LYNN KITCHEN, Deputy Corporate Administrator

DIRECTOR OF FINANCE/ ACTING CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



LUCKY BUTTERWORTH
A/Chief Administrative Officer

CITY OF PARKSVILLE

BYLAW NO. 1421.2

A BYLAW TO AMEND "FEES AND CHARGES BYLAW, 2007, NO. 1421".

WHEREAS it is necessary to amend the Fees and Charges Bylaw, 2007, No. 1421;

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

1. THAT Section 1 of "Fees and Charges Bylaw, 2007, No. 1421", be amended as follows:
 - a) Adding the words "plus applicable taxes" after the words "various fees and charges".

2. This bylaw may be cited for all purposes as "Fees and Charges Amendment Bylaw, 2010, No. 1421.2"

READ A FIRST TIME this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

ADOPTED this day of

Mayor

Corporate Officer

COUNCIL REPORT

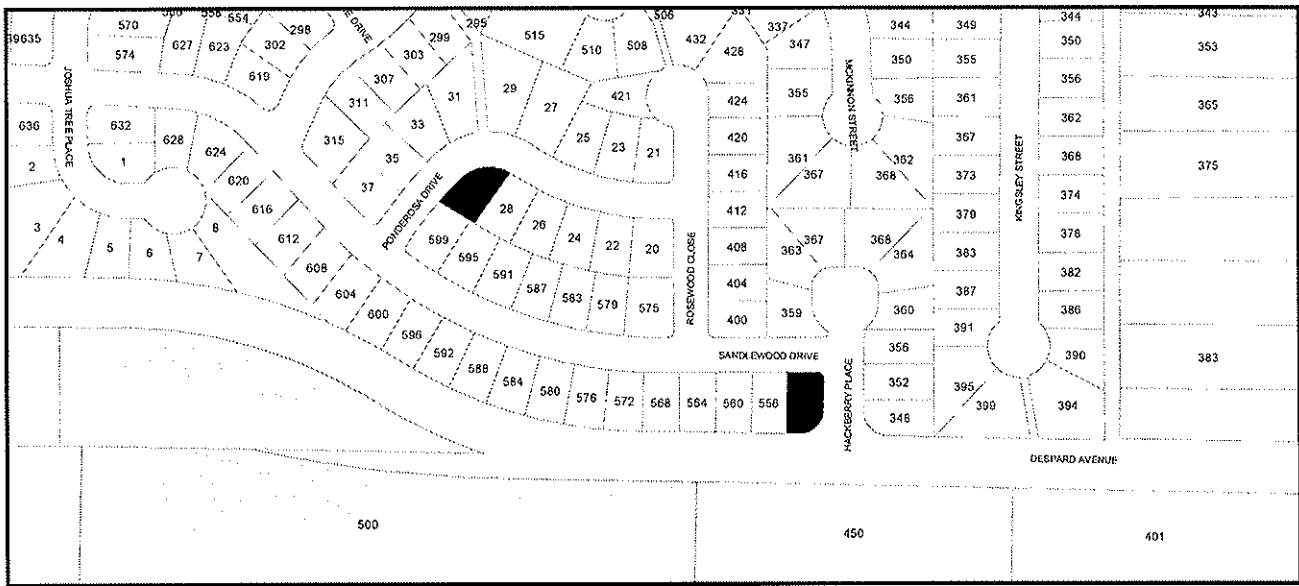
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AUG 16 2010
DATE

August 10, 2010

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

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

SUBJECT: UNSIGHTLY LOTS LEGALLY DESCRIBED AS LOTS 23 AND 79, DISTRICT LOT 15, NANOOSE DISTRICT, PLAN VIP84144 (552 SANDLEWOOD DRIVE AND 30 PONDEROSA DRIVE)



Issue:

Consideration of enforcement options of Property Maintenance Bylaw, 2003, No. 1383.

Executive Summary:

These properties are the source of complaints regarding overgrown grass and weeds on vacant properties. Staff is following Council Policy 3.14 and Property Maintenance Bylaw, 2003, No. 1383 in attempting to gain compliance from the property owner.

Reference:

Photos of property (PowerPoint)

UNSIGHTLY LOTS 23 AND 79, DISTRICT
LOT 15, NANOOSE DISTRICT, PLAN VIP84144

Background:

As a result of complaints, the above noted properties were noted to be in contravention of the "Property Maintenance Bylaw, 2003, No. 1383", Section 5. It was noted that these properties are of concern regarding overgrown and untended growth.

These properties are vacant and owned by a non-resident developer. The condition of these properties is the cause of complaints regarding the unsightly nature due to overgrown grass and weeds. A letter has been sent to the property owner to make them aware of the properties condition and that the current condition was contrary to the Property Maintenance Bylaw. This is the second year in a row that Staff has referred these properties to Council as the owner did not clear the property prior to receiving an order from Council to bring it into compliance with the Bylaw.

As a result of the above history, a letter has been sent to the property owner requesting the clearing of the above vacant lots, giving the property owner or agent a period of ten (10) days to comply. It was also noted in the letter that failure to comply would result in this matter being forwarded to Council for deliberation and a recommendation to Council that the City undertake clearing of this property and the expense of such clearing, including a \$500.00 processing fee be applied to property taxes as of December 31, 2010.

Options:

Council may:

1. Do nothing.
2. Direct Staff to proceed with direct enforcement further to Property Maintenance Policy No. 3.14.

Analysis:

1. Doing nothing may send a message that it is permissible to contravene a City bylaw. Complaints will continue from residents and the risk of a possible grass fire will increase with uncontrolled growth and dry weather.
2. Council could decide to direct Staff to take direct enforcement action which will send a clear message that compliance with City bylaws is expected and that there is a standard for property maintenance in the City.

As of August 16, 2010, the owner of the properties listed below has not yet complied with the terms of the letter.

Civic: 552 Sandlewood Drive and 30 Ponderosa Drive
Legal: Lots 23 and 79, District Lot 15, Nanoose District, Plan VIP84144
Issue: Overgrown and untended growth

Financial Implications:

There are no financial implications to the City in terms of the cost of cleanup. However, Staff time invested in prompting owner responsiveness is notable in terms of: receiving complaints, making contact, record keeping and report writing and exceeds the \$500.00 administration fee. Any work undertaken by the City will be billed to the property owner and any amount unpaid at the end of the year will be added to the property taxes pursuant to Sections 64 and 258 of the *Community Charter*.

Sustainability Implications:

There are no direct sustainability implications with this action.

Recommendation:

THAT the report from the Director of Community Planning dated August 10, 2010 regarding unsightly lots legally described as Lots 23 and 79, District Lot 15, Nanoose District, Plan VIP84144 (552 Sandewood Drive and 30 Ponderosa Drive) be received;

AND THAT if Council is not satisfied with the explanation, or if there is no explanation from the property owner, Council may direct Staff to proceed with direct enforcement by giving the owner written notice of ten (10) days from the date of this Council meeting to clean up the property themselves;

AND THAT the notice advises of specific clean up requirements, indicate the specific area requested to be cleaned up, and the consequences if the requested work is not completed;

AND FURTHER THAT at the expiration of the ten (10) days following delivery of the notice, if clean up has not been completed, either City Staff or a private contractor shall undertake the specified clean up and expenses incurred shall be listed with an invoice directed to the registered owner. If such expenses are not paid by the end of the current year, the cost will be added to the property taxes pursuant to Sections 64 and 258 of the *Community Charter*.

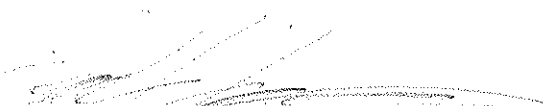


G. A. JACKSON

AD/sh

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CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.