

COMMITTEE OF THE WHOLE MEETING AGENDA

MONDAY, AUGUST 16, 2010 - 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the Committee of the Whole meeting held July 19, 2010 - Pages 1 to 2

2. PUBLIC PRESENTATIONS

- a) Mark McGorman - McGorman MacLean, Chartered Accountants
Presentation of Audited Financial Statements as of December 31, 2009
- b) Mehdi Naimi - Rough Diamonds Creative Arts Society - Page 3
Presentation to Council regarding an application for Grant-in-Aid. The purpose is to support the programming at the Young Arts Market (168 Alberni Highway) with a grant equivalent to the annual rent.

3. CORRESPONDENCE - Nil

4. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

5. STAFF PRESENTATIONS

- a) Director of Community Planning - Consideration of an Accessibility Upgrade Rebate Application - Pages 4 to 5
The accessibility upgrade rebate application process requires that an application be reviewed and pre-qualified by the Committee of the Whole prior to the applicant proceeding with the upgrade works.

Recommendation: THAT the report from the Director of Community Planning dated July 21, 2010 entitled "Consideration of Accessibility Upgrade Rebate Application – File No. 6440-01-ACC (2010-01)", be received; AND THAT the application assigned File No. 6440-01-ACC (2010-01) be pre-qualified for rebate eligibility.

- b) Director of Community Planning - Consideration of an Accessibility Upgrade Rebate Application - Pages 6 to 7
The accessibility upgrade rebate application process requires that an application be reviewed and pre-qualified by the Committee of the Whole prior to the applicant proceeding with the upgrade works.

Recommendation: THAT the report from the Director of Community Planning dated July 22, 2010 entitled "Consideration of Accessibility Upgrade Rebate Application – File No. 6440-01-ACC (2010-02)", be received; AND THAT the application assigned File No. 6440-01-ACC (2010-02) be pre-qualified for rebate eligibility.

- c) Director of Community Planning - Final Subdivision Approval with a Security - Pages 8 to 13

The Local Government Act (Section 940) and the City's Subdivision Servicing Bylaw, 1996, No. 1261 are inconsistent. This report proposes ways to make the City's bylaw consistent with the Local Government regulations.

Recommendation: THAT the report from the Director of Community Planning dated November 10, 2009 entitled "Final Subdivision Approval with Security", be received;

AND THAT staff be directed to amend Section 11.2 of the "Subdivision Servicing Bylaw, 1996, No. 1261" to make it consistent with Section 940 of the Local Government Act;

AND THAT staff be directed to draft a policy for Council consideration that indicates that Council authorizes staff to enter into a "Final" servicing agreement only when 50% of the works, based on the dollar value, are complete;

AND FURTHER THAT staff be directed to prepare a restrictive covenant for use indicating that building permits not be issued until subdivision servicing works have received "substantial completion".

- d) Director of Community Planning - Consideration of Establishing a "Business Regulation Bylaw" - Pages 14 to 26

In January, 2010 the topic of establishing a Business Regulation was brought to Council's attention. This is a follow up report as, since that time, input has been received on the topic from the Chamber of Commerce and the Parksville Downtown Business Association.

Recommendation: THAT the report from the Director of Community Planning dated July 28, 2010 regarding the establishment of a business regulation bylaw, be received;

AND THAT staff be directed to maintain the status quo at this time.

- e) Director of Community Planning - Consideration of Development Permit for Sculpture - Parkwest Centre [192 Island Highway West] - Pages 27 to 35

The Parksville Downtown Business Association has commissioned a sculpture for placement at the Parkwest Centre (192 Island Highway West) which has received Council approval. There is an agreement between the City and this group pertaining specifically to the sculpture itself. The location involves private property. The purpose of issuing the development permit is to recognize and authorize the site works (sculpture and surrounding plaza) as well as to acknowledge the loss of a parking space and signage as a result. This report is to obtain approval of issuance of a development permit for the above noted property.

Recommendation: THAT the report from the Director of Community Planning dated July 8, 2010 regarding the issuance of a development permit for placement of a sculpture at 192 Island Highway West, be received;

AND THAT a development permit be issued to Parkwest Centre Holdings Ltd., Inc. No. 561351 to facilitate the placement of a sculpture, acknowledge the loss of a parking space and to permit the addition of 12 square feet of signage to the existing free-standing sign on Lot 1, District Lot 89, Nanoose District, Plan 43366 except Part in Plan VIP52582 (192 Island Highway West).

6. ADJOURNMENT

TO BE ADOPTED

CITY OF PARKSVILLE

July 19, 2010



Minutes of the Committee of the Whole meeting held in the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Monday, July 19, 2010 at 6:22 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. **MINUTES**

Lefebvre - Greir

THAT the minutes of the Committee of the Whole meeting held July 5, 2010 be adopted.

CARRIED.

2. **PUBLIC PRESENTATIONS**

- a) Amber Scotchburn made a presentation regarding an Oceanside Youth Employment Program, and the Parksville branded apparel fundraising campaign her business has developed to help at risk youth find employment or return to school, and asked Council for a letter of support to Service Canada for the program.
- b) Ken Hole, representing the Affordable Housing Vancouver Island Society, made a presentation regarding an affordable housing concept for development on property located at Greig Road and Industrial Way, and requested a letter of support in principle for the proposal.

3. **CORRESPONDENCE** - Nil

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

a) **Amber Scotchburn – Oceanside Youth Employment Program**

Patterson – Lefebvre

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.

CARRIED.

5. **STAFF PRESENTATIONS**

Mayor Mayne noted that all recommendations adopted by the Committee at this meeting will be forwarded to Council for consideration at their August 4, 2010 meeting.

a) **Chief Administrative Officer – Development Process Review**

Greir - Lefebvre

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.

CARRIED.

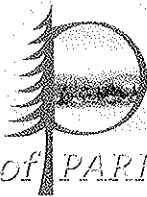
6. **ADJOURNMENT**

Burger - Greir

Rise and Report to Council at the August 4, 2010 meeting.

The meeting ended at 7:26 p.m.

Mayor



City of PARKSVILLE

REQUEST TO APPEAR AS A DELEGATION

TO BE HELD 19 - July 2009 AT 6 P.M.
Day Date

AGENDA
COMMITTEE
JUL 19 2010
DATE

AGENDA
COMMITTEE
AUG 16 2010
DATE

NAME OF PERSON MAKING PRESENTATION: Mehdi Naïmi

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

NAME OF ORGANIZATION [if applicable]: Rough Diamonds Creative Arts Society

Mailing address: 1190 Dobler Road, Parksville, BC, V9P 2C5

Phone: 250-240-1221 [Business] 250-468-5400 [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.]

I intend to present to the council an application for grant-in-aid. The purpose is to support the programming at the Young Arts Market (168 Alberni Hwy) with a grant equivalent to the annual rent.

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.

COMMITTEE OF THE WHOLE REPORT



July 21, 2010

REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER
FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING
SUBJECT: CONSIDERATION OF AN ACCESSIBILITY UPGRADE REBATE APPLICATION
FILE NO. 6440-01-ACC (2010-01)

Issue:

Consideration of an accessibility upgrade rebate application.

Executive Summary:

The accessibility upgrade rebate application process requires that an application be reviewed and pre-qualified by the Committee of the Whole prior to the applicant proceeding with the upgrade works.

References:

Application Form¹, date received July 19, 2010;
Floor Plan², date received July 19, 2010.

Background:

The City received an application on July 19, 2010 for a rebate under the Accessibility Upgrade Rebate Program. The applicant indicates that he is wheelchair dependant and is proposing to undertake the following upgrades to his residence to improve its livability:

- Roll-in-shower;
- Widening of 2 doorways;
- Installation of sidewalks to replace gravel path;
- Installation of French door at rear of dwelling for improved access in an emergency.

The application form for pre-qualification has been completed and the initial supporting materials have been included. Supporting materials and information about the applicant will be distributed to the Committee of the Whole at the meeting due to privacy considerations.

The application requires the following 4 steps be completed:

1. Submission of application with supporting documentation;
2. Review by the Committee of the Whole for pre-qualification;
3. Confirmation to the applicant if they pre-qualify or not;
4. Confirmation of successful completion of the upgrade works, including original receipts and photographs showing upgrades.

¹ Due to privacy issues, the material will be distributed at the Committee of the Whole meeting.

² Due to privacy issues, the material will be distributed at the Committee of the Whole meeting.

**CONSIDERATION OF AN ACCESSIBILITY UPGRADE
REBATE APPLICATION - FILE NO. 6440-01-ACC-2010-01**

Options:

The Committee of the Whole may:

1. Pre-qualify the application;
2. Deny the application.

Analysis:

The applicant has declared that he is a person with a disability seeking to undertake an upgrade to his home to improve its livability. In this case the applicant uses a wheelchair due to multiple sclerosis and is seeking to pre-qualify for a rebate to put towards accessibility upgrades. The upgrades are outlined in the background section of this report and are detailed in the accompanying application materials.

The proposed accessibility upgrades appear consistent with the types of upgrades recommended by the Measuring Up Parkville Committee and are of a form that appears in keeping with the guidelines and intent of Council's Accessibility Upgrade Rebate Program.

Sustainability:

Sustainability implications to the City are neutral.

Financial Implications:

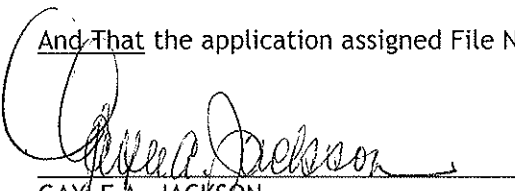
The rebate covers 50% of the pre-tax cost of eligible upgrades to a maximum rebate amount of \$1000.00. Should the applicant pre-qualify and legitimately proceed with the accessibility upgrade works the City would be obligated to release between \$250.00 to a maximum of \$1000.00 towards the completed works.

Funds in the amount of \$20,000.00 were budgeted and allocated for this purpose by Council with \$15,000.00 remaining after allocation of funds towards a downtown accessible washroom.

Recommendation:

That the report from the Director of Community Planning entitled, "Consideration of an Accessibility Upgrade Rebate Application - File No. 6440-01-ACC (2010-01)" dated July 21, 2010 be received;

And That the application assigned File No. 6440-01-ACC (2010-01) be pre-qualified for rebate eligibility.

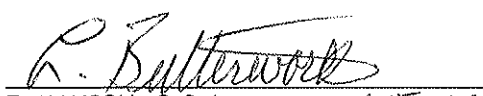


GAYLE A. JACKSON

BR/sh
Attachments

Planning/6440-01-ACC/2010/Agenda/Report-1.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A. ACTING CAO

COMMITTEE OF THE WHOLE REPORT



July 22, 2010

REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER
FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING
SUBJECT: CONSIDERATION OF AN ACCESSIBILITY UPGRADE REBATE APPLICATION
FILE NO. 6440-01-ACC (2010-02)

Issue:

Consideration of an accessibility upgrade rebate application.

Executive Summary:

The accessibility upgrade rebate application process requires that an application be reviewed and pre-qualified by the Committee of the Whole prior to the applicant proceeding with the upgrade works.

References:

Application Form¹, date received July 21, 2010;
Photographs² date received July 21, 2010.

Background:

The City received an application on July 21, 2010 for a rebate under the Accessibility Upgrade Rebate Program. The applicant indicates that she is wheelchair dependent and is proposing to undertake the following upgrades to her residence to improve its livability:

- Upgrades to on-suite bathroom to permit wheelchair access by:
 - Removal of wall and pocket door;
 - Relocation and replacement of sink and toilet with new suitable fixtures;
 - Elimination of shower.

The application form for pre-qualification has been completed and the initial supporting materials have been included. Supporting materials and information about the applicant will be distributed to the Committee of the Whole at the meeting due to privacy considerations.

The application requires the following 4 steps be completed:

1. Submission of application with supporting documentation;
2. Review by the Committee of the Whole for pre-qualification;
3. Confirmation to the applicant if they pre-qualify or not;
4. Confirmation of successful completion of the upgrade works, including original receipts and photographs showing upgrades.

Options:

The Committee of the Whole may:

1. Pre-qualify the application;
2. Deny the application.

¹ Due to privacy issues, the material will be distributed at the Committee of the Whole meeting.

² Due to privacy issues, the material will be distributed at the Committee of the Whole meeting.

**CONSIDERATION OF AN ACCESSIBILITY UPGRADE
REBATE APPLICATION - FILE NO. 6440-01-ACC (2010-02)**

Analysis:

The applicant has declared that she is a person with a disability seeking to undertake an upgrade to her home to improve its livability. In this case the applicant uses a wheelchair due to multiple sclerosis, receives assistance as a person with disability under the *Employment and Assistance with Disabilities Act* and is seeking to pre-qualify for a rebate to put towards accessibility upgrades. The upgrades are outlined in the background section of this report and are detailed in the accompanying application materials.

The proposed accessibility upgrades appear consistent with the types of upgrades recommended by the Measuring Up Parkville Committee and are of a form that appears in keeping with the guidelines and intent of Council's Accessibility Upgrade Rebate Program.

Sustainability:

Sustainability implications to the City are neutral.

Financial Implications:

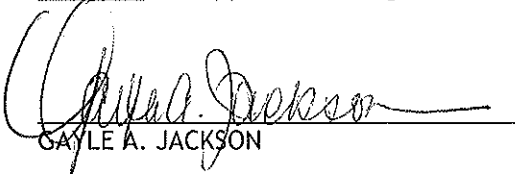
The rebate covers 50% of the pre-tax cost of eligible upgrades to a maximum rebate amount of \$1000.00. Should the applicant pre-qualify and legitimately proceed with the accessibility upgrade works the City would be obligated to release between \$250.00 to a maximum of \$1000.00 toward the completed works.

Funds in amount of \$20,000.00 were budgeted and allocated for this purpose by Council with \$15,000.00 dollars remaining after allocation of funds towards a downtown accessible washroom.

Recommendation:

That the report from the Director of Community Planning entitled, "Consideration of an Accessibility Upgrade Rebate Application - File No. 6440-01-ACC (2010-02)" dated July 22, 2010 be received;

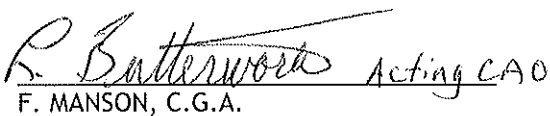
And That the application assigned File No. 6440-01-ACC (2010-02) be pre-qualified for rebate eligibility.


GAYLE A. JACKSON

BR/sh
Attachments

Planning/6440-01-ACC/2010/Agenda/Report-2.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:


F. MANSON, C.G.A.

COMMITTEE OF THE WHOLE REPORT

July 28, 2010

REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER
FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING
SUBJECT: FINAL SUBDIVISION APPROVAL WITH A SECURITY

Issue:

The need to clarify and make consistent approval and letter of credit practices with respect to subdivisions.

Executive Summary:

The *Local Government Act* (Section 940) and the City's Subdivision Bylaw 1261 are inconsistent. This report proposes ways to make the City's bylaw consistent with the *Local Government Act* regulations.

References:

Subdivision Bylaw No. 1261
Local Government Act, Section 940, Completion of works and services
Schedule A, Current Subdivision Process
Schedule B, Proposed Subdivision Process

Background:

Current practice, the *Local Government Act* (Section 940), and the City's Subdivision Bylaw are not consistent with respect to when a subdivision can be granted final approval relative to the provision of security. This is a topic that has been of concern to the Oceanside Development and Construction Association for some time and Staff too, believe it's a matter requiring reconciliation.

Section 940 of the *Local Government Act* permits approval of a subdivision ahead of work completion provided that a security is provided and an agreement is executed.

- 940 (1) All works and services required to be constructed and installed at the expense of the owner of the land being subdivided or developed must be constructed and installed to the standards established in the bylaw under section 938 before the approving officer approves of the subdivision or the building inspector issues the building permit.
- (2) As an exception, the approval may be given or the permit issued if the owner of the land
- (a) deposits, with the municipality or regional district, security
 - (i) in the form and amount established in the bylaw, or
 - (ii) if no amount and form is established in the bylaw, in a form and amount satisfactory to the approving officer or building inspector having regard to the cost of installing and paying for all works and services required under the bylaw, and

FINAL SUBDIVISION APPROVAL WITH A SECURITY

(b) enters into an agreement with the municipality or regional district to construct and install the required works and services by a specified date or forfeit to the municipality or regional district the amount secured under paragraph (a).

The word "may" makes the approval discretionary to the Approving Officer.

The City's Subdivision Bylaw No. 1261 in Section 11.2 contains a similar clause but does not use discretionary verbiage and instead infers that approval "will" be granted if there is a security covering the work (plus a 10% contingency) and an agreement.

In practice the City requires an agreement, securities (plus contingency) but does not provide subdivision approval until the works are essentially complete.

This topic has not been reviewed previously.

Options:

Council may:

1. Direct Staff to amend Section 11.2 of the Subdivision Bylaw to be worded consistently with Section 940 of the *Local Government Act*.
2. Direct Staff to increase the required security amount and/or adopt a practice that is consistent with Section 940 of the *Local Government Act* and/or adopt a policy to guide the Approving Officer as to when to approve a subdivision by clarifying Council's view of appropriate risk, and require a restrictive covenant which restricts the issuance of a building permit until after the servicing works are substantially complete.
3. Refer the topic to the Oceanside Development and Construction Association for input.

Analysis:

1. Section 11.2 is ultra vires in that it does not line up with the enabling legislation. It is also inconsistent with current practice. It requires amendment.
2. The decision of whether or not to grant approval of the subdivision ultimately lies with the Approving Officer. Council may influence the situation in two ways:
 1. By establishing the amount required for a security as it views appropriate and/or;
 2. Establishing a policy to guide subdivision security provisions in order to mitigate risk to the City. Such a policy would provide guidance to the Approving Officer's timing of granting final approval. The risk referred to relates to a situation when a developer does not complete the required works and services in support of the subdivision and the City must, using security held for that purpose. Should the security be inadequate the City would need to fund the remaining portion.

**FINAL SUBDIVISION APPROVAL
WITH A SECURITY**

In theory a subdivision can be signed off ahead of any works. This however creates some practical issues involving the end consumer. It is common in many municipalities to require a good portion of the work to be done so that there is reasonable comfort that the security is of the right amount to cover all construction costs and, so that the lot is ready to be constructed upon at or close to the time of sale to the purchaser. It should be noted that issues with the end purchaser wanting to construct ahead of the services being installed can be mitigated through use of a restrictive covenant. The covenant would clarify that a building permit would not be issued until the servicing is substantially complete.

The City's historic practice of requiring both construction and security is a very conservative one. It impacts the developer in that they require essentially funds equaling double the value of work. This is unnecessary provided that there is adequate security and provided that there is an understanding by the developer that works physically completed which do not meet quality requirements or standards may have to be remedied whether or not they are the subject of security.

The current security amount set by the bylaw is stated in the following excerpt from the Subdivision Bylaw:

- "(a) Deposits with the City, cash or an irrevocable letter of credit for an amount equal to the cost of designing, installing and paying for all works and services with an additional 10% to cover contingencies, as estimated or accepted by the Municipal Engineer, required pursuant to this bylaw, and;"

This amount is provided by the Developer's Engineer and requires scrutinizing and acceptance by the Municipal Engineer and therefore is carefully derived.

An approach which requires at least 50% of the works to be complete before final approval would likely be well received by the development community as being reasonable, while at the same time lining up approval with readiness for purchaser construction.

Financial Implications:

The cost of report preparation represents the cost of this topic. Provided that the security amount proposed by a developer is adequately derived and vetted there should be minimal financial risk to the City.

Sustainability Implications:

This is a sustainability neutral topic.

Recommendation:

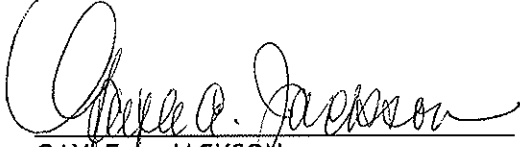
That the report from the Director of Community Planning dated November 10, 2009 entitled "final subdivision approval with a security" be received;

And That Staff be directed to amend Section 11.2 of the Subdivision Servicing Bylaw 1261 to make it consistent with Section 940 of the *Local Government Act*;

**FINAL SUBDIVISION APPROVAL
WITH A SECURITY**

And Further That Staff be directed to draft a policy for Council consideration that indicates that Council considers it acceptable for the Approving Officer to consider granting final subdivision approval when at least 50% of the dollar value of the works are complete and the developer has entered into a servicing agreement;

And Further That Staff be directed to prepare a restrictive covenant for use indicating that building permits not be issued until subdivision servicing works have received 'substantial completion'.



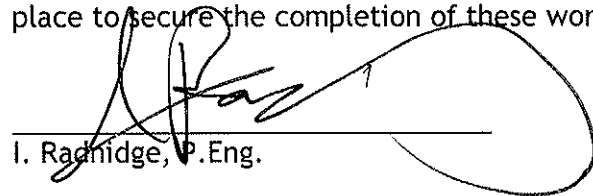
GAYLE A. JACKSON

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Attachment

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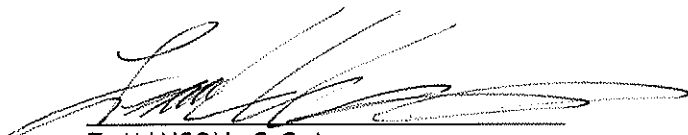
A/ DIRECTOR OF ENGINEERING COMMENTS:

I support the proposed policy direction to allow developers to proceed with subdivision approval prior to completion of all works and services providing adequate security and a registered agreement is in place to secure the completion of these works and services as well as notify prospective purchasers.



I. Radridge, P.Eng.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.

SCHEDULE A
CURRENT SUBDIVISION PROCESS¹

PROCESS	EXPLANATION
Application in	Review and establishment of requirements
PLA (Preliminary Layout Approval)	Sets out steps and requirements to get final approval. ²
Design stage approval and Servicing Agreement and Letter of Credit (110%)	Approval to construct servicing, obtain permits, etc.
Construction	Construction of infrastructure (services and roads)
Construction complete and payment of fees and Development Cost Charges then Final Approval	Completion and meeting of requirements confirmed.
Registration of new lots (and associated legal instruments) in Land Title Office	Sale to end purchaser can occur.
Building permits can be issued.	

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¹ Summary for discussion.

² This step does not guarantee approval in the event of an unforeseen occurrence.

SCHEDULE B
PROPOSED SUBDIVISION PROCESS*

PROCESS	EXPLANATION
Application in	Same as current process.
PLA (Preliminary Layout Approval)	Same as current process.
Design stage approval and Servicing Agreement	Obtain permits.
Construction of 50% of works	Based on proposed policy.
Final Approval (with Letter of Credit for outstanding work) and covenant restricting building permit issuance.	
Registration of new lots and associated legal instruments (i.e. Covenant 219) in Land Title Office	Sale to end purchaser can occur.
Construction of remaining works.	
Substantial completion of works.	
Building Permits can be issued.	

July 28, 2010

REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER
FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING
SUBJECT: FOLLOW UP OF CONSIDERATION OF ESTABLISHING A "BUSINESS REGULATION BYLAW"

Issue:

Follow up report regarding consideration for establishment of a business regulation bylaw

Executive Summary:

This report is a follow up, after receiving input from the Chamber of Commerce and the Parksville Downtown Business Association, regarding the establishment of a business regulation bylaw.

References:

January 12, 2010 report to Council
February 1, 2010 Resolution #10-040
Letter from Chamber of Commerce dated March 18, 2010
Letter from the Parksville Downtown Business Association

Background:

In January the topic of establishing a Business Regulation Bylaw was brought to Council as a result of a complaint that the City was unable to act on and which was the subject of interest to some Council members. The attached January 12th report provides details. At issue was that lack of regulation pertaining to an alleged 'offensive odour'; something which can be subject of regulation.

The topic was referred to both the Chamber of Commerce and the Parksville Downtown Business Association. Both organizations have now responded and have expressed concerns. Their letters are attached. The City's Bylaw Compliance Staff shares similar concerns to those expressed by both organizations.

Options:

Council may:

1. Direct Staff to maintain the Status Quo.
2. Direct Staff to bring forward the draft Bylaw and associated enforcement policy for the purpose of regulating offensive odours.

**FOLLOW UP REGARDING BUSINESS
REGULATION BYLAW**

Analysis:

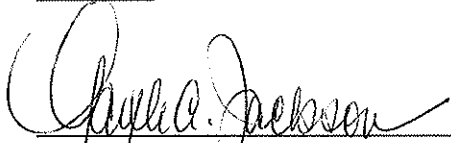
This topic was generated as a result of one complaint. As such there is no strong evidence that this new regulatory tool is required at this time. Nevertheless, the City was concerned about the inability to take any corrective action when this strong and compelling complaint was filed. The topic area is one which does become common with increased densification and diverse uses within a downtown core area. Maintaining the status quo, after considered contemplation by Council, of this topic will provide clarity about the City's position should another similar complaint be filed.

The advancement of regulations of this nature may yield additional complaints by bringing focus to the topic. It may also create a situation whereby prospective restaurateurs and other like business owners whose businesses emit any 'smells' may be reluctant to establish in the downtown.

Recommendation:

That the report from the Director of Community Planning dated July 28, 2010 for the "Consideration of Establishing a "Business Regulation Bylaw"" be received;

And That Council direct Staff to maintain the status quo.

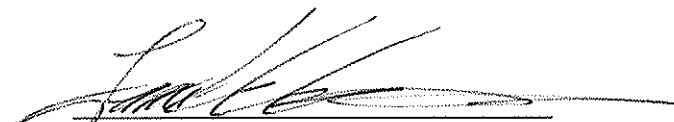


GAYLE A. JACKSON

GAJ/sh
Attachment

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CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.

COMMITTEE OF THE WHOLE REPORT



January 12, 2010

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

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

SUBJECT: CONSIDERATION OF ESTABLISHING A "BUSINESS REGULATION BYLAW"

Issue:

Consideration of establishing a "business regulation bylaw"

Executive Summary:

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.

References:

District of West Vancouver Business Licence Bylaw No. 4455, 2005 excerpt
District of West Vancouver Enforcement Policy #03-10-276
Section 59(2) and (3) of the *Community Charter*

Background:

At this time the City has a Zoning Bylaw which sets out permitted uses. There is also a Business Licence Bylaw which sets out the need for a business licence and also the associated fee. There presently is no bylaw to address 'operational or nuisance' impacts associated with a business that is otherwise permitted.

Last summer Staff was dealing with a complaint regarding the impact that a coffee shop 'roasting coffee beans' was having on surrounding residents. It became apparent that there is no avenue for this type of complaint to be handled. Staff consulted with the District of West Vancouver as their Staff had dealt with a similar situation. West Vancouver has put in place regulations to deal with land use conflicts pertaining to odour or noise. They have also put in place a companion policy which sets a standard for dealing with the complaints. It was explained that these initiatives were put in place in recognition that 'mixed use' buildings or areas may generate issues that are not able to be dealt with utilizing zoning bylaws. They do have a high test for a complaint to undergo before it is considered bona fide.

Staff believes there is merit in considering the introduction of a similar bylaw and policy to that of West Vancouver so as to provide for a mechanism to deal primarily with interface complaints pertaining to noise and odour.

**CONSIDERATION OF ESTABLISHING
A "BUSINESS REGULATION BYLAW"**

Options:

Council may:

1. Direct Staff to prepare a Business Regulation Bylaw addressing "noise and odour" and direct Staff to prepare an associated Enforcement Policy.
2. Maintain the Status Quo.

Analysis:

1. Staff believes that the West Vancouver material can be followed with only minor changes. This approach works for West Vancouver and also it has been legally vetted.

This approach will provide Staff with an enforcement tool that is not currently available. It is expected that interface issues will increase over time as mixed land uses increase. It is possible that the presence of this type of bylaw will generate more complaints. For this reason it is important that a policy be adopted along with the bylaw as a means to vet and control complaints so that only serious ones are pursued.

If Council wishes to pursue these new regulations there is a legislated requirement under Section 59(2) and (3) of the *Community Charter* for Council to give notice of the intention to adopt the bylaw and provide an opportunity for public input by those who perceive that they may be impacted.

2. Maintaining the status quo will likely mean that the same seasonal complaints will be received in 2010 and that there will be no bylaw or tool through which to take action or provide a remedy.

Sustainability/Environmental Analysis:

Sustainability implications to the City associated with the proposed bylaw amendment are neutral. It is important to keep the downtown environment "livable" so that it is viewed as a viable residential location.

Financial Implications:

There are no financial implications other than the cost of processing this report. This could add files to the Bylaw Compliance Officer's case load.

Recommendation:

That Council direct Staff to prepare a Business Regulation Bylaw addressing "noise and odour" and Staff prepare an associated Enforcement Policy.



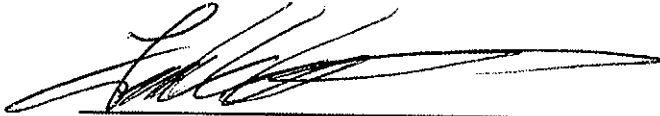
GAYLE A. JACKSON

GAJ/sh

**CONSIDERATION OF ESTABLISHING
A "BUSINESS REGULATION BYLAW"**

I:/Users/Planning/0110-01/2010/Agenda/Report-1 Business Regulation Bylaw.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.

Powers to require and prohibit

59 (1) A council may, by bylaw, do one or more of the following:

- (a) require operators of premises in which rooms or suites are let for living purposes to maintain, in accordance with the bylaw, a register of persons living there;
- (b) in relation to persons engaged in the business activity of purchasing, taking in barter or receiving used or second hand goods,
 - (i) require such persons, after purchasing, taking in or receiving used or second hand goods, to notify the chief constable who has jurisdiction in the municipality within the time period established by the bylaw, and
 - (ii) prohibit such persons from altering the form of, selling, exchanging or otherwise disposing of those goods during the time period established by the bylaw;
- (c) require manufacturers and processors to dispose of the waste from their plants in the manner directed by the bylaw;
- (d) prohibit the operation of a public show, exhibition, carnival or performance of any kind or in any particular location;
- (e) prohibit the operation of places of amusement to which the public has access, including halls and other buildings where public events are held;
- (f) prohibit professional boxing, professional wrestling and other professional athletic contests.

(2) Before adopting a bylaw under subsection (1) or section 8 (6) [*business regulation*], a council must

- (a) give notice of its intention in accordance with subsection (3), and
- (b) provide an opportunity for persons who consider they are affected by the bylaw to make representations to council.

(3) Notice required under subsection (2) (a) may be provided in the form and manner, at the times and as often as the council considers reasonable.

Part 6 General Regulations

6.1 It is a term and condition of every Licence under this Bylaw that a person who owns or operates a business must not cause, allow or permit:

- (a) an odour to escape from the premises including odours from garbage generated by that business, whether through a ventilation fan or otherwise, that is perceptible in residential premises and disturbs, or is likely to disturb, the enjoyment, comfort or convenience of an individual in the residential premises, or
- (b) a noise to emanate from the premises whether from a ventilation fan or otherwise, that is perceptible in residential premises and disturbs, or is likely to disturb, the enjoyment, comfort or convenience of an individual in the residential premises.

Part 7 Specific Regulations

7.1 Adult Publications

7.1.1 A person must not sell, offer to sell, or display for sale in any premises an Adult Publication unless the publication is:

- (a) located on a shelf, the bottom edge of which is at least 119 cm (47 inches) from the floor; and
- (b) placed behind an opaque cover which extends the full length of the shelf on which the publication is placed and which extends vertically at least 20 cm (8 inches) from the bottom of the shelf.

7.2 Bed and Breakfasts

7.2.1 A person carrying on the business of a Bed and Breakfast must:

- (a) reside in the Single Family Dwelling in which the Bed and Breakfast is located; and
- (b) not concurrently rent to guests or tenants any portion of the Single Family Dwelling other than the portion in which the Bed and Breakfast is located.

District of West Vancouver ADMINISTRATIVE POLICY

Administration	Bylaw Enforcement On Odour/Noise Contraventions Under Section 524 of Business Licence Bylaw No. 3024, 1982 as Amended.
Policy #03-10-276	
CIS Reference: 1610-20-4403	

1.0 Purpose

- 1.1 To establish a policy that sets out the conditions under which the municipality will enforce the provisions set out in section 524 of the Business Licence Bylaw No. 3024, 1982 as amended.

2.0 Procedure

- 2.1 The Municipality shall respond to complaints from residents regarding noise and odour concerns that emanate from businesses and will enforce the provisions set out in section 524 of the Business Licence Bylaw provided that:
- Written complaints are received from a minimum of two persons not residing in the same dwelling unit and who reside within 100 metres from the source of the disturbance; and
 - Two Bylaw Enforcement/Compliance Officers for the District of West Vancouver must concur that the odour or noise is likely to disturb person; and
 - The disturbance must be a reoccurring problem over a course of ten (10) or more days.
- 2.2 Where the District considers appropriate, and where it is available, the District may use a device to measure the level of odour or noise to confirm that the odour or noise is perceptible by person from residential premises.
- 2.3 Alternatively, or in addition to the above, where it considers it appropriate the District may require a panel of up to three (3) staff persons who are not Bylaw Enforcement Officers, to attend the site to determine the existence of the odour or noise and whether it is likely to disturb people.

Approval Date: Item 6.1.1, Regular Meeting of Council, March 07, 2005	Approved by: Council
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0230-20
Mayor, Council
Fred, Gayle

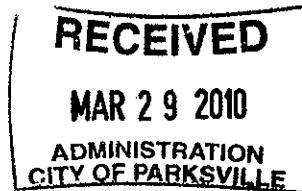


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Box 275
#4 - 125 McCarter Street
Parksville, BC V9P 2G4

March 29, 2010

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



Dear Mayor and Council:

SUBJECT: Business Regulations Pertaining to Noise and/or Odour

Thank you for providing the Parksville Downtown Business Association (PDBA) Board with the opportunity to provide feedback about the proposed Business Regulations Pertaining to Noise and/or Odour.

In our Board discussion, the Directors focused on whether or not there is a need for this regulation to exist and the broad implications if this regulation, or one that is similar, were to be put in place. During our discourse, a number of questions were raised:

- Is there a sufficient complaint history to justify this regulation?
 - It is our understanding that this initiative was the result of a single complaint related to odour.
- Is the proposed regulation quantifiable? Are we able to measure noise and/or odour?
 - Noise is measurable and we noted that there is already an existing bylaw to deal with excessive noise (Bylaw 1492).
 - While there are some declared methods of measuring odour, they all rely on human measurement and are described as guesses rather than fact. It is our opinion that, given human predispositions, two individuals will not arrive at the same conclusion on a given odour sample.
- Will this bylaw and regulations be applied retroactively?
 - Could new residential units, moving into a commercial area, create issues with a long standing business (for example, the residential units approved on the Alberni Highway across from the Rod & Gun)?
- Do existing regulations exist to deal with the expressed concerns?
 - There is already an existing noise bylaw.

- o The Building Code deals with the need for ventilation at commercial properties.

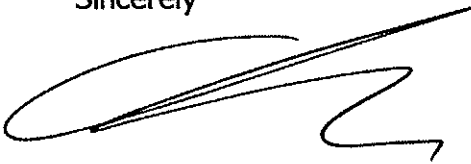
The proposed regulation appears to target the business community. In contrast, the existing Noise Bylaw applies to the entire community. If odour is an issue that needs to be regulated, bylaws should be in effect throughout the entire community and not specifically target businesses.

In the opinion of the PDBA Board, the proposed Noise and/or Odour regulation is unnecessary and could create more problems than it will resolve. Also, we feel that targeting the business community with such a regulation, rather than the entire community, is unfair.

The Parkville Downtown Business Association fully supports downtown revitalization with the creation of mixed use residential/commercial developments. We understand there are challenges, but businesses and residences can harmoniously coexist to the benefit the whole City.

We appreciate that the City took the initiative to consult with us on the proposed noise and/or odour regulation, and we look forward to more opportunities to dialogue.

Sincerely



Anthony Veselisin

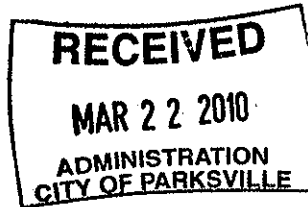


LEADING THE WAY...

Parksville & District
Chamber of Commerce

0230-20
Mayor, Canal, Fred,
Gayle

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



March 18, 2010

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

Dear Mayor & Council:

The Parksville & District Chamber of Commerce Policy Committee with representation from the Parksville Downtown Business Association met to discuss your request for input on the proposed Business Regulations Pertaining to Noise and/or Odour.

We are familiar with the proposed regulation through attendance at Council Meetings where the proposal was presented and reviewing the Report from G.A Jackson, Director of Community Planning.

Our discussion looked at the need for such a regulation and the broad implications if such a regulation were put in place. Specifically:

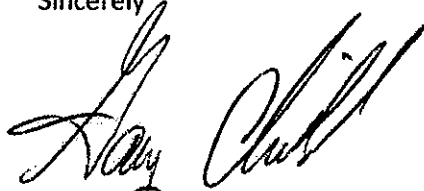
- Is there a sufficient complaint history to justify the action?
 - We have no way of knowing the complaint history and did not further discuss that question.
- Is the proposed regulation quantifiable in measuring noise and/or odour?
 - Noise is measurable and we note there is an existing bylaw to deal with excessive noise (By-Law 1492)
 - While there are some declared methods of measuring odour, they all rely on human measurement and are described as guesses rather than fact. It is our opinion that given human predispositions two individuals will not arrive at the same conclusion on a given odour sample.
- Are there existing processes to deal with expressed concerns?
 - There is an existing noise by-law.
 - The need for ventilation given the use of a commercial premise is detailed in the building code.
 - The more prudent way to deal with these issues is during the Development Permit/Building Permit/Business license process. For those premises that are existing or have been grandfathered into a commercial zone with accompanying allowable uses it is likely that their presence supersedes any residential conflict or it would have been raised at the time they began operation and it has been stated that this is a new/emerging issue.

[Type text]

In summary it is our opinion that this regulation is unnecessary, and will create more enforcement challenges than it will resolve.

We have noted and support the messages from Council regarding Downtown revitalization with the creation of mixed use residential/commercial developments in the downtown. We support the creation of a vibrant downtown and see as counter productive to a diverse business environment the implementation of tools aimed at homogenizing that environment.

Sincerely

A handwritten signature in black ink, appearing to read "Gary Child". The signature is written in a cursive style with a large initial "G" and "C".

Gary Child
Chair, Management Committee
The Parkville & District Chamber of Commerce

July 8, 2010

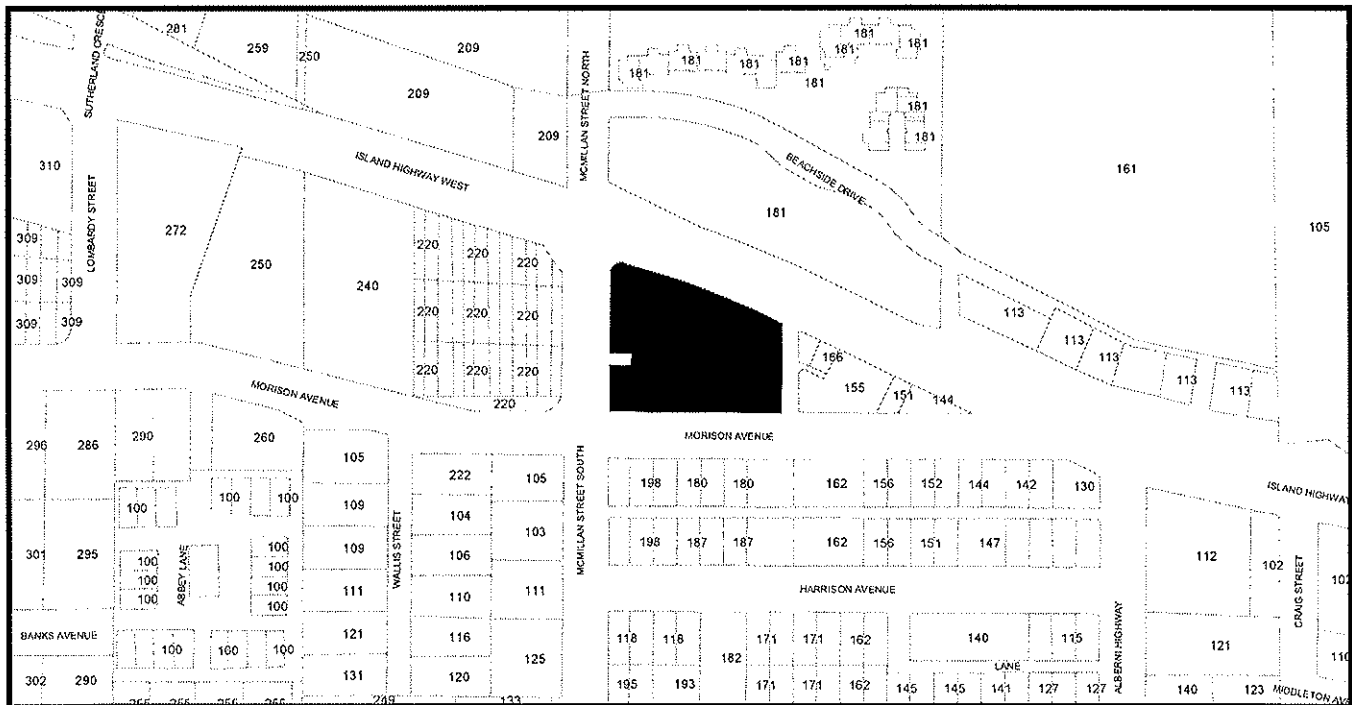
MEMO TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER

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

SUBJECT: CONSIDERATION OF DEVELOPMENT PERMIT FOR SCULPTURE - PARKWEST CENTRE HOLDINGS LTD., INC. NO. 561351
LEGAL: LOT 1, DISTRICT LOT 89, NANOOSE DISTRICT, PLAN 43366 EXCEPT PART IN PLAN VIP52582 (192 ISLAND HIGHWAY WEST)

Issue:

Consideration of development permit for sculpture



Executive Summary:

The Parksville Downtown Business Association has commissioned a sculpture for placement at the Parkwest Centre (192 Island Highway West) which has received Council approval. There is an agreement between the City and this group pertaining specifically to the sculpture itself. The location involves private property. The purpose of issuing the development permit is to recognize and authorize the site works (sculpture and surrounding plaza) as well as to acknowledge the loss of a parking space and signage as a result. This report is to obtain approval of issuance of a development permit for the above noted property.

**CONSIDERATION OF DEVELOPMENT
PERMIT FOR SCULPTURE**

References:

Picture of Sculpture
Plan of improvement area
Picture of signage to be removed
Picture of existing free-standing sign to be subject of added sign area
Public art excerpt (Page 26) Downtown Revitalization Strategies (Lanarc 2006)
Plaque - Circus: Kinship of Play

Background:

The Parkville Downtown Business Association, Oceanside Development and Construction Association, a private property owner and the City have worked collaboratively to place a sculpture on a corner of the above noted site which is the site of Parkwest Centre. The City did not have sufficient excess right of way in this location to facilitate the sculpture. This corner was identified in the Downtown Revitalization Strategy as a key location for placement of public art.

The purpose of issuing the development permit is to recognize and authorize the site works (sculpture and surrounding plaza) as well as to acknowledge the loss of a parking space and signage as a result. It is intended that the loss of a parking space not penalize the owner for any future development related matters. It is likewise acknowledged that the owner's signage in this location requires complete removal and that an equivalency can be accommodated on the existing free-standing sign.

The subject property is in Development Permit Area No. 1 - Downtown Core, which is subject to the Downtown Master Plan. The Downtown Revitalization Strategy is also applicable. The directives set out in the documents include support and enhancement of a pedestrian friendly environment, defining of the entry "gateways" to downtown as well as the encouragement of public art. This location in particular is a key one identified for public art in the adopted Downtown Revitalization Strategies (Lanarc 2006). An excerpt (page 26) from the Study showing this location on the overall route and its importance is attached.

Options:

Council may:

1. Authorize a development permit to facilitate the placement of a sculpture, acknowledge the loss of a parking space, and, to permit the addition of 12 square feet of signage to the existing free-standing sign.
2. Deny the development permit.
3. Seek modifications to the development permit.

Analysis:

The property owner has been willing to work with the City to permit the sculpture placement and base area enhancements in accordance with the Downtown Revitalization Strategy, the Downtown Master Plan and the development permit objectives (see Development Permit Area No. 1). The owner does not want to be in a loss position (with respect to signage and parking) as a result. Use of a development permit will permit the future tracking of the parking situation and also provide a mechanism to reallocate the signage allotment from one location to another. The signage

**CONSIDERATION OF DEVELOPMENT
PERMIT FOR SCULPTURE**

entitlement required to compensate for the loss is 6 sq. ft. for each for the 2 sign faces to be added to the existing free standing sign. The site impact of this is the reduction of one free standing sign in entirety and an increase to an existing one. The existing one is conforming and at its maximum allotment. The extra area would put it over the area allotment. This is perceived to be a reasonable trade off given the circumstance.

Denial of the permit would necessitate finding another location for sculpture placement, likely away from this prominent location, since inadequate City right of way exists for this purpose.

Sustainability Implications:

There are no significant impacts. Public art adds to the cultural fabric of a City.

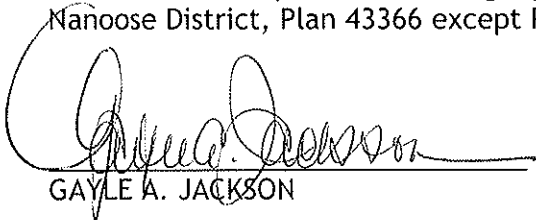
Financial Implications:

Work necessary to facilitate the approval process for placement of the sculpture involves predominantly Staff time and in addition, approximately \$1500.00 in legal fees.

Recommendation:

That the report from the Director of Community Planning dated July 8, 2010 for the issuance of a development permit at 192 Island Highway West be received;

And That a development permit be issued to Parkwest Centre Holdings Ltd., Inc. No. 561351 to facilitate the placement of a sculpture, acknowledge the loss of a parking space, and, to permit the addition of 12 square feet of signage to the existing free-standing sign on Lot 1, District Lot 89, Nanoose District, Plan 43366 except Part in Plan VIP52582 (192 Island Highway West).



GAYLE A. JACKSON

GAJ/sh
Attachments

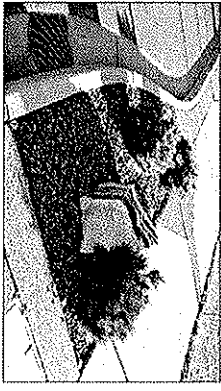
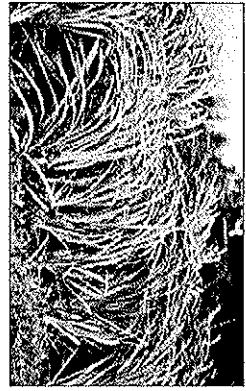
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CHIEF ADMINISTRATIVE OFFICER COMMENTS:



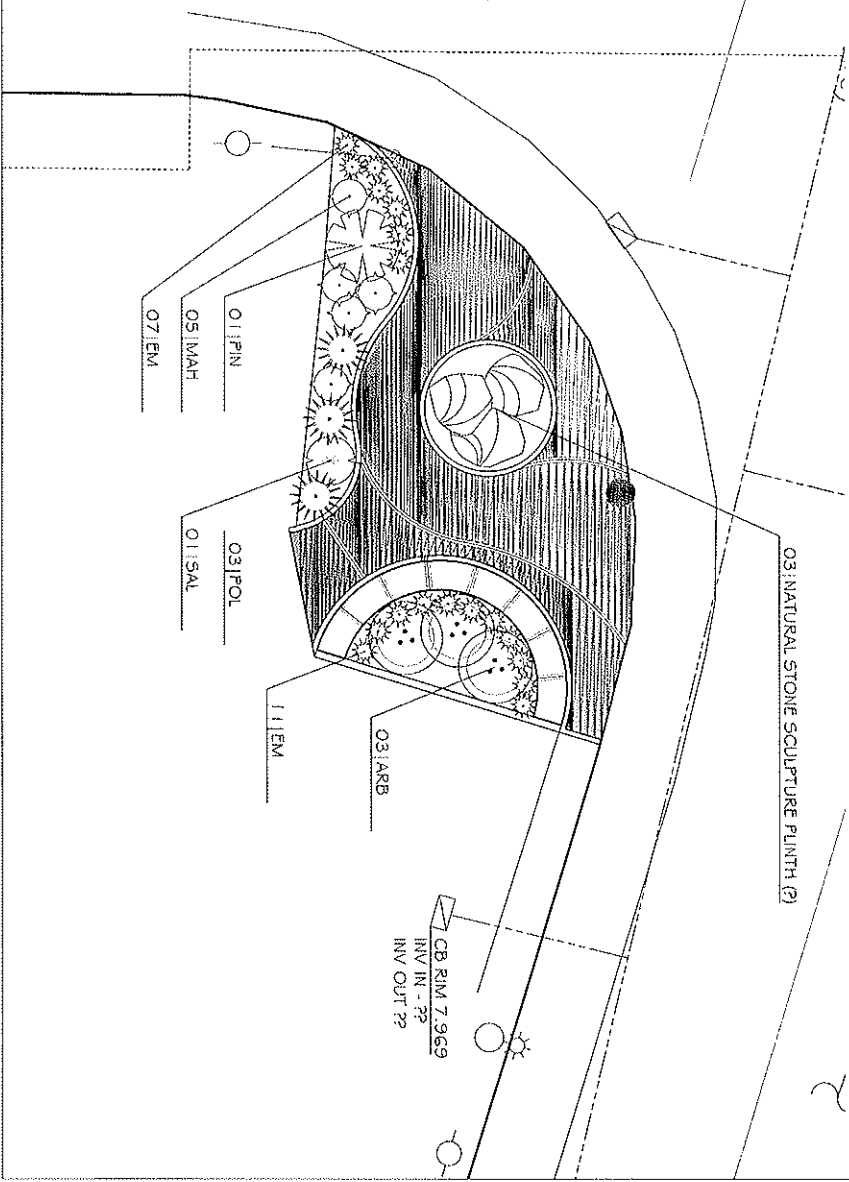
F. MANSON, C.G.A.





PLANT LEGEND

SYMBOL	SYMBOL NAME	HT	SPACING	QTY	NOTES
[Symbol]	NON-TOXIC BURNING	45 FT	10' x 10'	3	
[Symbol]	ADONIS BURNING	1.5M HT	10' x 10'	3	
[Symbol]	WANDERER BURNING	45 FT	10' x 10'	5	
[Symbol]	NON-TOXIC BURNING	1.5M HT	10' x 10'	1	
[Symbol]	NON-TOXIC BURNING	45 FT	10' x 10'	1	



REVISION SCHEDULE		
#	Date	NOTES

LANDSCAPE CONCEPT

Date: February 23, 2010

Drawn: NG

Checked: NG

Scale: 1:50 METRIC

Project Number: 10-0009

DRAWING NUMBER: L2 of 2

MCMILLAN PUBLIC ART
 City of Parkville
 Landscape Development & Construction Association

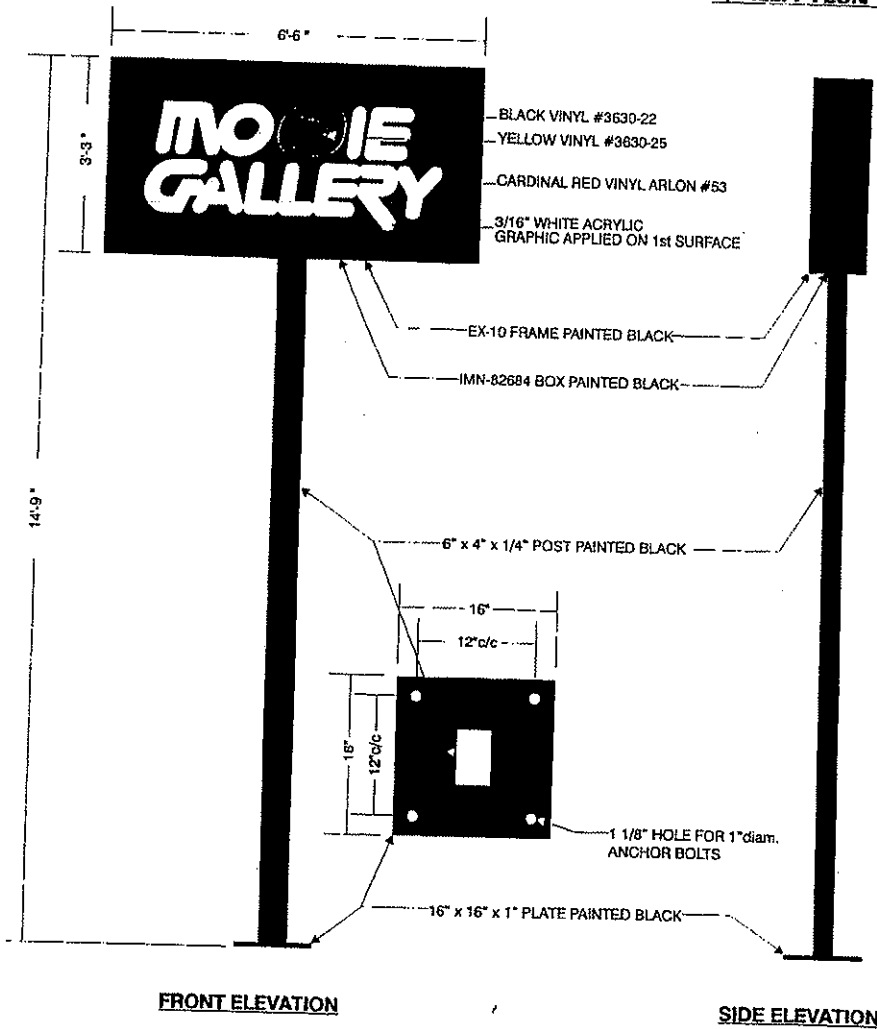
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 31

macdonald gray

814 Shorewood Drive, Parkville, MO 64154
 TEL: 261.240.3000 FAX: 261.240.3001
 www.macdonaldgray.com

Specs Verified

D/F ILL. PYLON SIGN



ILLUMINATED WITH:

- 4 F72T12 FLUORESCENT LAMPS
- 1 472-AT BALLAST
- 2.9 AMPS
- 1 CIRCUIT
- 120 VOLTS

PAR/BY: *[Signature]*

DATE: 12/20/02

CONTRACT/CONTRACT #

ENSEIGNES PATTISON SIGN GROUP

112, 466 AVENUE
 STEWARTSDALE, BC
 CANADA, V2V 2A8
 TEL: (604) 775-6866
 FAX: (604) 727-1740
 1-800-661-9799

CLIENT:	MOVIE GALLERY #2413
SITE:	PARKSVILLE BC
CONSULTANT:	G. SIGOUIN
DATE:	12.20/2002
SCALE ECH:	1/2" = 1'-0"
PROJ.:	NE00497A

VOLTAGE: 120volt 347volt

Approbation / Approval BY: PAR: _____ DATE: _____

www.pattisonsign.com DRAFTSMAN/DESSINATEUR: M. RINGUETTE

Parksville Downtown Revitalization

Public Art

In combination with the proposed pedestrian signage and wayfinding system and interpretive signage, an additional layer of pedestrian interest and community identification is proposed through the sequential placement of public art projects. These public art nodes would occur both along the pedestrian loop and through the downtown core. Pedestrians

will be led by a series of discoveries from one visually intriguing location to another generating curiosity along the way.

Waterfront Walkway Feature

At the terminus of McMillan Street this location serves as a pivot point between the beach and connections to the upland shopping core. Public Art and vernacular site architecture should be designed to draw beach users to this main entry point.

McMillan & Highway 19A

From the McMillan waterfront this installation is designed to draw people toward the downtown. Artwork in this location should be located close to the intersection to be visible to beach users, but also to travelers using the 19A corridor. This location may also include directional signage, seating and planting.

McMillan Street & Memorial Avenue

With the addition of curb bulges at this intersection additional space will become available for a Public Art and/or Historical Marker.

Parksville Town Square

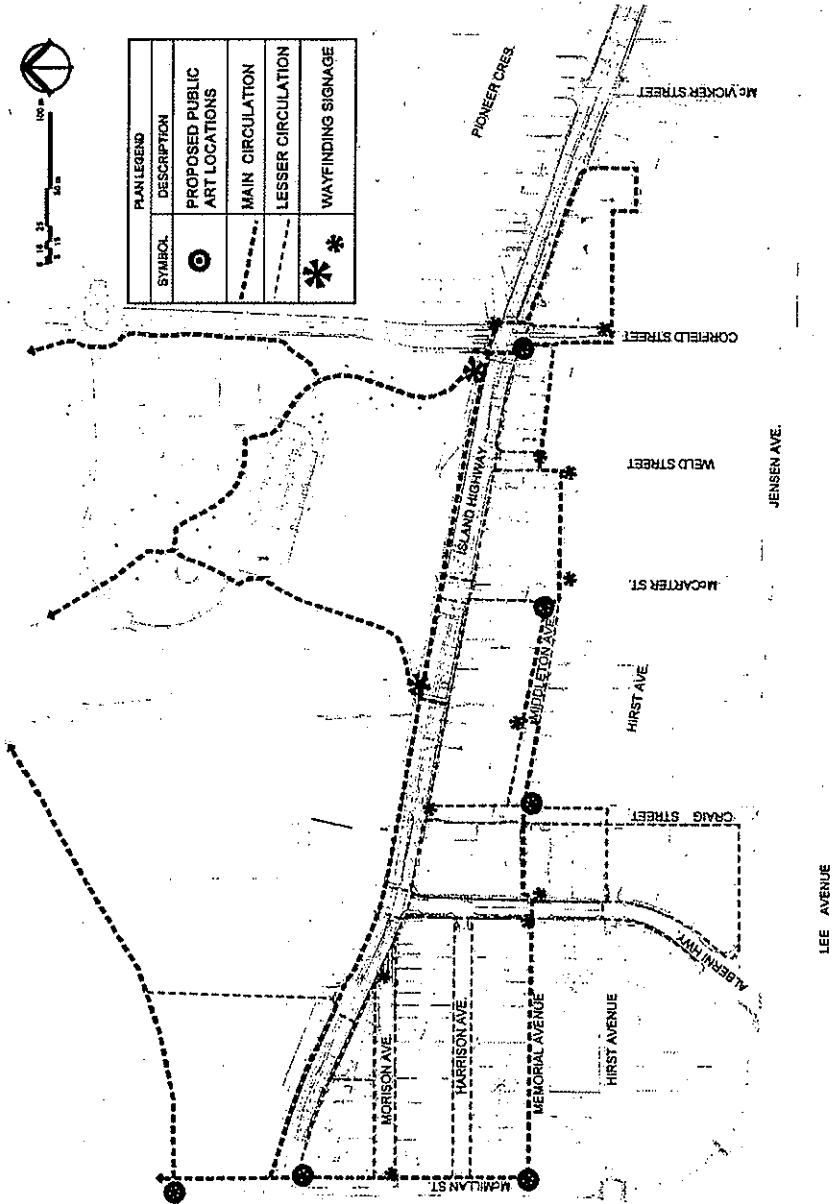
From the intersection of McMillan and Memorial pedestrians will be drawn toward the visual interest and activity of the Town Square. Planting and business activity during the day, dramatic lighting at night the noise and bustle of an active town square will provide a strong focus for pedestrians from all directions.

Corner Plaza

Designed as a supporting space for the Town Square this plaza creates an expanded pedestrian zone that provides the connection to Middlefield Avenue.

Curb bulges at the intersection of Morrison Avenue and McCarter Street provide an opportunity for a public art with the intent of drawing pedestrians further East through downtown.

The Corfield Street and Highway 19A Intersection is a major connection point between downtown and the waterfront. The Southwest corner of the intersection should incorporate a welcoming entry to the Community Park encouraging users





CIRCUS: *Kinship of Play*

THE CIRCUS IS A STAGE, A PERFORMANCE, AN ARENA FOR PLAY. EVERYONE HAS IN THEM THE CREATIVITY OF A CHILD AT PLAY. THROUGH PLAY WE EXPLORE THE POSSIBLE. STEPS ARE AN EXPANSIVE TOY, SPIRALING UPWARD WHERE LINEAR TIME CEASES TO EXIST. FACING ALL DIRECTIONS, THE ANIMALS ECHO THE MERRY-GO-ROUND, THE FERRIS WHEEL, THE CIRCULAR SWINGS, THE CIRCUS.

TOGETHER THESE ANIMALS FORM A FULL CIRCLE. THEY ARE ANCHORED AT THE CORE BY A TREE OF LIFE, THE FAMILY, THE GROUNDING FORCE. FROM A CENTRAL STRENGTH OF COMMUNITY, THE INDIVIDUAL PARTS OF THE WHOLE ADD THEIR LIGHT, COMBINING TO CREATE ITS BEAUTY AND REINFORCE ITS DIVERSITY.

RAVEN: *Entice*

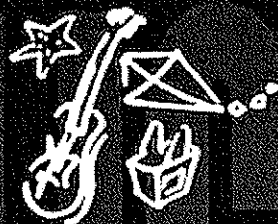
AN EXCITING COMMUNITY ENTICES ITS PEOPLE, ENCOURAGING THEM TO PLAY AND GROW. THE RAVEN COURTS, TEASES, SUPPORTS AND INVITES. IT RESIDES IN THE BRANCHES OF THE TREE OF LIFE, REACHING EVER UPWARDS AND OUTWARDS. ITS DOMAIN IS THE AIR.

BEAR: *Embrace*

A HEALTHY COMMUNITY IS LIKE A BEAR, EMBRACING ITS CITIZENS TO MAKE THEM FEEL SAFE AND STRONG. IT NURTURES THEIR SPIRITS AND GROUNDS THEM LIKE THE TRUNK OF THE TREE OF LIFE. IT IS ON THE LAND, AND OF THE LAND.

SEAL: *Explore*

AN INQUISITIVE COMMUNITY PUSHES ITS MEMBERS TO EXPLORE, TO DISCOVER AND EXPAND THEMSELVES AND THE WORLD AROUND THEM. THE TREE'S ROOTS ARE BELOW THE GROUND, DEEP WHERE THE WATER NOURISHES. THE SEAL IS ALWAYS CURIOUS, ALWAYS PLAYFUL.



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35

