

**CITY OF PARKSVILLE**  
**ADVISORY PLANNING COMMISSION**

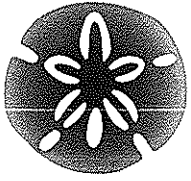
**AGENDA**

**DATE:** February 27, 2014  
**TIME:** 8:00 A.M.  
**PLACE:** THE FORUM, PCTC

- 1. Call to Order**
  
- 2. Introductions**  
Introduction of Council representative Peter Morrison and new members Robert Furukawa, Anthony (Tony) Horlor and Dave Wallace.
  
- 3. Election/Appointment of Chairperson**
  
- 4. Adoption of Minutes**  
Minutes of September 19, 2013.
  
- 5. Orientation**
  
- 6. General Update (time permitting)**
  
- 7. Adjournment**

**NEXT REGULARLY SCHEDULED MEETING MARCH 20, 2014**  
**PCTC, THE FORUM**

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City of  
**Parksville**

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December 3, 2013

Advisory Planning Commission  
PO Box 1390  
Parksville BC V9P 2H3

Dear APC Members:

**2014 Council Appointment to the Parksville Advisory Planning Commission  
File No: 0540-20**

At the regular meeting of Council held December 2, 2013, Councillor Peter Morrison was appointed Council Liaison to the Parksville Advisory Planning Commission for the year 2014.

**Councillor Peter Morrison**  
589 Hirst Avenue West  
Parksville, BC V9P 1H8

250 240-4050 (cell)  
E-mail: [peter.morrison@shaw.ca](mailto:peter.morrison@shaw.ca)

On behalf of Council and the City, we wish you much success in 2014.

Sincerely,

**AMANDA WEEKS**  
Deputy Corporate Officer

cc: Councillor Morrison  
Director of Community Planning  
Advisory Planning Commission Members

# TO BE ADOPTED

CITY OF PARKSVILLE  
ADVISORY PLANNING COMMISSION

MINUTES OF MEETING

Date: September 19, 2013  
Time: 8:00 am  
Place: PCTC, The Forum  
Chair: D. Luke

**Members Present:**

<u>  x  </u>	E. Chabot	<u>  x  </u>	D. Luke
<u>      </u>	M. Fereday	<u>      </u>	K. Paskin
<u>      </u>	K. Jacobs	<u>  x  </u>	R. Thompson
<u>  x  </u>	L. Taylor		

**Others:**

B. Russell, Director of Community Planning  
S. Harbottle

**1. Call to Order:**

The meeting was called to order at 8:11 am by the Chair.

**2. Adoption of Minutes:**

Moved by R. Thompson                      Seconded by L. Taylor

That the minutes of the meeting January 31, 2013 be approved. CARRIED

**3. File Status Update**

**General Update:**

OCP/Rezoning Applications:

B. Russell, Director of Community Planning welcomed the members; he advised that the department typically receive from 2 to 10 rezoning applications in a normal year; this year we have received 3 applications in the last several months. He believes the reason for the applications coming is due to the review process of the Official Community Plan that took place earlier this year.

A PowerPoint presentation highlighting applications received to date was discussed as follows:

- City initiated rezoning application on 183 McVickers was discussed. There is nothing imminent on the property, but when the City decides to sell the property it will, on rezoning, have zoning compatible with the properties around it instead of the public use zoning.
- 151 Despard/292 Stanford. This is a subdivision for the current use of Single Family Residential (RS-1) for 114 lots plus a rezoning application for a mix of uses which may come forward to the members sometime this fall or winter.
- 272 Island Highway (Post and Lantern site). The previous application for rezoning was defeated and this application is a new proposal coming forward sometime this fall or winter; the Planning Department is currently performing the technical review.
- 422 Church Road and Renz Road. The members will not see this application as it is a development permit with an existing single family land use which is permitted; phase 1 is ongoing at the present time.
- 826 Island Highway (Wembley Mall). The City has completed their requirements with the development permits; we understand that the proposal is going forward but we don't know when the applicant is going ahead. 2 development permits have been approved.
- 161 Island Highway. A development permit has been issued. The applicant has 2 years to complete their requirements; we are waiting for the applicant to proceed.
- There is an Agricultural Land Exclusion application for the remainder of District Lot 16 (Pym Street aka Ermineskin lands). Part of the property the City has a lease; the remainder is in the Agricultural Land Reserve. The City provides an opinion and forwards on comments to the Agricultural Land Commission should Council decide in the applicant's favour. It is on the next Council agenda (September 23, 2013). Discussion ensued regarding the aquifers on the property.
- 371 Alberni (Quality Foods). We currently do not have an application but it is possible we will see one in the future.
- 625 and 633 Pioneer Crescent. This zoning amendment for a small, narrow lot format was defeated by Council in June.
- 779 Stanhope (by Foster Park). This application is in-stream for a small lot residential development. The bylaw has had 3<sup>rd</sup> reading and the applicant is finalizing their servicing requirements and engineering design prior to consideration of bylaw adoption.
- 780 Stanhope Road and 577 Pym Street. This is a medium density, small lot residential proposed development with the smallest size lot proposed of 425 sq. m. The applicant is proposing to put a covenant on title to limit this size use. The bylaw is coming forward for 2<sup>nd</sup> reading at the next Council meeting (September 23, 2013).
- 485 Alberni Highway. This application was for the Vancouver Island Health Authority to permit the addition of land seen by the Commission some time ago; they added additional land for an additional access point to the Alberni Highway.
- (Dogwood) rezoning/down zoning for an apartment building which has had 3<sup>rd</sup> reading. We are waiting for the applicant to complete their servicing requirements prior to consideration of bylaw adoption.

#### Development Permit Applications:

- 703 Turner Road. This is a development variance permit application. The property (RS-2 zoning) allows for a multifamily development. The site is constrained by the river so an amount of the property may not be developable so they have applied for a 3 storey building. There is a public process which is in progress.
- 803 Sunray Close. A development variance permit application to vary the minimum lot depth to facilitate a subdivision from 1 lot into 2.
- 549 Island Highway West (Temple Store) a development permit application has been received for improvements to their parking lot to the west of the existing store.
- 187 and 193 Bagshaw Street (next to Thrifty's). A development permit has been authorized for the 2 properties, for a parking lot on the back half of the property,

likely a temporary parking lot until future development, to permit staff parking for Thrifty's next door.

- 164 Bagshaw Street (next to Pizza Hut). Eat Fresh Urban Markets Ltd. A development permit has been issued for façade upgrades to the building, a minor addition to the building and some landscaping improvements and removal of the parking lot with some landscaping added at the corner for an improved entrance.
- 225 Corfield Street (next to City Hall). A development permit was issued a year ago which was a reissuance for a permit granted sometime ago. Recently there has been some information in the local papers regarding this site for cooperative living which is not a City process. If the applicant decides to go ahead the City would expect to receive a development permit amendment to allow for some different living accommodation. The zoning permits the use so this application would not come before the APC.
- 131 Corfield Street and 222 Island Highway (Mid Island Gas Coop). The old building has been torn down and we anticipate they will be pursuing construction of a new building this fall.
- 109 Hirst Avenue and 155 Craig Street (Thwaites Norris Insurance building). Is now under demolition and we anticipate a new building in the near future.

#### [Panel Discussion]

A member brought up the parking layout and pedestrian access at the new Oceanside Health Centre and their difficulty with both. The Director of Community Planning explained that as the development was not subject to a development permit and that the parking requirements, as far as number of spaces has been met, there is nothing that the municipal government can do regarding site layout.

The same member asked about the LifeLab arrangement with the Oceanside Health Centre and how to access [to make appointments]. The Director of Community Planning advised the member to contact the Vancouver Island Health Authority direct regarding this matter as it is beyond local government authority.

#### Subdivision Applications:

- 4 lot subdivision at Our Savior Lutheran Church (795 Island Highway West). To divide off 3 residential lots.
- 454 Temple Street. 20 lots for single family subdivision have been created with the completion of the extension of Willow Street and several new homes already constructed.

#### 4. Official Community Plan Update:

The new OCP was adopted this past summer (July 3, 2013). It is a visionary document, stating community goals, policy, and objectives; it's really an aspirational document. Part of the document provides guidance to Council, staff, the community and the APC, particularly with regard the land use policy sections. The legislation, Section 875 states that it is a:

'statement of objectives and policies to guide decisions on planning and land use management'.

Mr. Russell advised there is required content, i.e. land use, some things that are historic i.e. provincial interest such as sand and gravel deposits; the ability to identify hazard/sensitive lands; plans for future road networks and public facilities. The development permit areas were updated as well as, infrastructure goals, new policies on affordable housing, policies for parkland acquisition, and land use designation policies updated. The OCP is based on smart growth principles. We can have people locate in rural areas where the infrastructure needs are greater or have that same population that is moving to the area move into higher/medium

density areas where the infrastructure necessary (e.g. water, sewer) where less land is disturbed. That aspect is incorporated into the new OCP. The new OCP modernizes the development permit areas, the legal requirements legislation has changed and has now been updated. Sustainability is now addressed in the new OCP and has its own chapter. There is now the ability for staff to ask for professional reliance/sign off to mitigate liability issues. Farm land protection is now included in the new OCP which is in addition to the Agricultural Land Reserve, Right to Farm. Discussion took place regarding the transitional residential and edge lands definitions/use. The OCP looks at more mixed use flexibility around the downtown core and less optimum tourist commercial uses along Highway 19A. Items brought forward from the old OCP and modernized in the new OCP are all our guidelines for water courses, eagle and heron nesting tree protection, wildfire interface management and the riparian area regulations. Some of the new development permit area guidelines are the farmland protection, new Coastal Douglas Fir Ecosystem protection, new hazardous conditions, new groundwater protection and new form and character guidelines that have been consolidated from the old OCP and put in place. The new development permit area guidelines cover accessibility, professional reliance, particularly for hazardous conditions such as sea level rise and environmental assessment and mitigation. The new development permit area guidelines also cover landscaping, water balance, sustainability and terms of permit expectations. Some discussion took place regarding the Coastal Douglas Fir Ecosystems, Coastal Protection, Groundwater Protection and the Consolidation and enhancement of Form and Character guidelines which would make the OCP easier to understand. There are now Accessibility Provisions and Professional Reliance/Science and Climate Change Adaptation Strategies.

A panel member asked if there was any new information regarding future expansion of the boardwalk. The member was advised that there is presently no new capital projects planned; further they were advised that in order to do this the City would need to do land acquisition which is very expensive and at this time is not planned. Should a property come forward to be developed or rezoned, the City may be in a position to acquire land and see the boardwalk constructed. The City would either need the political will to buy land and the capital to do that, or future applications have to come in for the City to acquire parkland.

5. **Adjournment:**

Moved by R. Thompson      Seconded by E. Chabot

There being no further business, the meeting adjourned at 9:20 am.

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Chair

BR/sh

**CITY OF PARKSVILLE**

**BYLAW NO. 1470**

**ADVISORY PLANNING COMMISSION**

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**WHEREAS** a Council may, by bylaw, establish an Advisory Planning Commission to advise Council on all matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act* that are referred to it by the Council;

**AND WHEREAS** at least 2/3<sup>rd</sup>s of the members of an Advisory Planning Commission must be residents of the municipality;

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

**Title**

1. This bylaw may be cited for all purposes as "Advisory Planning Commission Bylaw, 2011, No. 1470.

**Interpretation**

2. In this Bylaw:

**Commission** means the Advisory Planning Commission established by this bylaw.

**Council** means the municipal council of the City of Parksville

**Municipality** means the City of Parksville.

**Community Planning Department** means the Planning Department of the City of Parksville.

**Establishment**

3. Pursuant to Section 898 of the *Local Government Act* there is hereby established an Advisory Planning Commission which shall be known as the "City of Parksville Advisory Planning Commission".

**Role of the Commission**

4. (1) The role of the Commission is to advise Council on matters respecting land use, community planning or proposed bylaws and permits under Divisions 2, 7, 9 and 11 of Part 26 of the *Local Government Act*, and for this purpose, Council may refer matters to the Commission by resolution or bylaw.

- (2) The Commission may advise Council, when requested, on any matter respecting land use, project design, landscaping, or community planning and may also investigate and survey the physical, environmental, social and economic conditions in relation to matters considered by it.
- (3) The Commission may advise Council, when requested, on any matter related to the implementation of any aspect of the Official Community Plan and Zoning Bylaw.

### **Referral of Matters**

5. The function of the Commission shall be to consider and provide advice and recommendations on the matters coming within the scope of Part 26 of the *Local Government Act* that are referred to the Commission by Council:

### **Implementation and Membership**

6.
  - (1) Council, by resolution, shall appoint members to the Commission in such manner to ensure an annual rotation of at least a minimum of three of the membership.
  - (2) The Commission shall consist of seven members of which at least 2/3<sup>rd</sup>s of the members shall be residents of the municipality.
  - (3) Commission members shall hold office for a term of two years.
  - (4) Council shall have the power, by an affirmative vote of not less than 2/3<sup>rd</sup>s of the members thereof, to remove a member of the Commission from office at any time for cause.
  - (5) If a member of the Commission is absent, except with leave of the Council, from three consecutive meetings of the Commission, the member's appointment shall be terminated.
  - (6) If a member of the Commission has received Council's permission for a leave from the Commission, Council shall then appoint a replacement member for the period of the approved absence.
  - (7) Upon the resignation, death or removal of a member during a term of office, the Council shall appoint a new member by resolution.
  - (8) The appointment of a new member as set out in subsection (6) shall hold office during the remainder of the term of the vacating member.



- (9) The following persons are representatives of the City at meetings of the Commission:
  - (a) One member of Council appointed by the Mayor as Council's representative;
  - (b) One, or more, member(s) of the City's staff who:
    - (i) Is designated by the head of the Community Planning Department who is assigned administrative responsibility for the Advisory Planning Commission, and
    - (ii) Is to act as the Secretary of the Commission and as the administrative liaison between the City and the Commission;
  - (c) An officer or employee of the City who is requested by the Commission to attend a meeting to provide information and advice.
- (10) The Community Planning Department shall initiate recommendations to Council for Commission appointments and maintain an updated list of appointees, the date they were appointed and whenever changes occur.

#### **Procedures of the Commission**

7.
  - (1) A majority of the Commission shall be deemed to be a quorum.
  - (2) In the event that a quorum is not present within thirty minutes after the time appointed for a meeting, the names of those present shall be recorded and the meeting postponed.
  - (3) Meetings shall be called by the Chair of the Commission when items are referred to the Commission by Council.
  - (4) *Robert's Rules of Order* shall govern the conduct of the meetings.

#### **Conflicts of Interest**

8.
  - (1) A member who has a direct or indirect pecuniary interest in a matter being dealt with at a meeting must:
    - (a) declare this and immediately leave the meeting or that part of the meeting during which the matter is under consideration; and

- (b) not attempt in any way before, during, or after the meeting, to influence the voting on any question concerning the matter.
  
- (2) Subsection (1) does not apply to a pecuniary interest that is in common with electors of the City generally or is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter.

### **Conduct of Members**

- 9. (1) Members should be cautious when speaking in public or to the media and should always regard themselves as being regarded by the public as members of the Commission.
  
- (2) Commission members are given opportunity to influence zoning and land use decisions through the process statutorily provided for by the *Local Government Act*. Accordingly it is inappropriate for members to speak to the issues at subsequent Council public hearings in their capacity as members of the public.

### **Chair**

- 10. (1) The Commission shall, at its first meeting of each year, appoint a Chairperson from among the regular members of the Commission. The Chairperson shall preside at all meetings and in his/her absence, the members present shall appoint a substitute.
  
- (2) The Chair shall be a voting member of the Commission.

### **Commission Meetings**

- 11. (1) Unless otherwise authorized pursuant to Section 93 of the Community Charter, meetings of the Commission must be open to the public. A Commission meeting or part of a Commission meeting may be closed to the public if the subject matter being considered relates to one or more of the matters referred to in section 90 of the *Community Charter*.
  
- (2) Where the Commission is considering an amendment to a plan or bylaw, or the issuance of a permit, the applicant for the amendment or permit is entitled to attend meetings of the Commission and be heard.

- (3) The Community Planning Department shall make a reasonable effort to contact an applicant for a bylaw amendment or a permit prior to the meeting at which the bylaw amendment or the permit is to be considered, to advise the applicant of their entitlement to appear before the advisory planning commission.
- (4) The Community Planning Department shall prepare agendas of all business to be brought before the Commission for each meeting and shall provide each member of the Commission with a copy of the agenda package in advance of the meeting date.
- (5) Minutes of all meetings shall be kept and made available to the public in the municipal office during normal business hours.

### **Commission Recommendations**

12. (1) Recommendations of the Commission shall be forwarded to the Community Planning Department and shall be in writing and generally contain the information as set out below for each item dealt with by the Commission:
  - (i) the date, time and place of the meeting;
  - (ii) the members of the Commission present;
  - (iii) other persons present for the duration of the meeting;
  - (iv) the item(s) dealt with by the Commission;
  - (v) any delegations who have made representations to the Commission;
  - (vi) discussion of the item(s) dealt with by the Commission;
  - (vii) recommendation(s) stating one of the following:
    - item to be approved with reasons stated;
    - item recommended subject to various conditions with conditions stated;
    - item to be denied with reasons stated.
  - (viii) the mover and seconder of each motion as recorded.

- (2) The Community Planning Department shall include the Commission's recommendation(s) in their report to Committee of the Whole or Council on the application.

**Remuneration**

13. Members of the Commission shall serve without remuneration but they shall be paid reasonable and necessary expenses that arise directly out of the performance of their duties.

**Severability**

15. A decision of Council by resolution or bylaw on any matter respecting land use, community planning or proposed bylaws and permits that has been referred to the Commission by the Council shall not be rendered invalid by reason of non-compliance by the Commission with the provisions of this bylaw.
16. If any section, subsection or phrase of this Bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the section, subsection or phrase may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.
17. Any enactments referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.

**Repeal**

18. Bylaw "Advisory Planning Commission Bylaw, 1999, No. 1331" and all amendments thereto are hereby repealed.

READ A FIRST TIME this 17<sup>th</sup> day of January, 2011

READ A SECOND TIME this 17<sup>th</sup> day of January, 2011

READ A THIRD TIME this 17<sup>th</sup> day of January, 2011

ADOPTED this 7<sup>th</sup> day of February, 2011

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A/Mayor

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Corporate Officer