

## **COUNCIL MEETING AGENDA**

### **MONDAY, OCTOBER 5, 2015 - 6 PM**

*The City of Parksville recognizes the people of the Coast Salish Nations and their territory upon which we gather with gratitude.*

#### **1. ADOPTION OF MINUTES**

- a) Minutes of the Council meeting held September 9, 2015 - Pages 5 - 8

***Recommendation:***

- 1. THAT the minutes of the Council meeting held September 9, 2015, be adopted.***

#### **2. APPROVAL OF AGENDA**

#### **3. DELEGATIONS**

- a) United Way Central & Northern Vancouver Island - United Way Week - Page 9  
*A presentation by Signy Madden of the United Way Central & Northern Vancouver Island branch to inform Council about the programs being funded in Parksville and the proclamation of United Way Week.*
- b) Jim McMillan & Herb Welch - Speed of Traffic Near Foster Park - Page 11  
*A presentation by residents Jim McMillan and Herb Welch regarding concerns about the speed of traffic near Foster Park and a request for the installation of speed bumps.*

#### **4. REPORTS**

- a) Fire Chief - Policy for Exempt Staff Overtime during an Emergency Operations Centre - Pages 13 - 16  
*Policy for the payment of overtime for exempt staff during an EOC activation.*

***Recommendation:***

- 1. THAT the report from the Fire Chief dated September 2, 2015, entitled "Policy for Exempt Staff Overtime during an Emergency Operations Centre" be received.***
- 2. THAT Council adopt the proposed "Exempt Staff Overtime during an Emergency Operations Centre (EOC) Policy No. 9.25" as attached to the Fire Chief's report dated September 2, 2015.***

- b) Director of Community Planning - Consideration of a Development Permit (275 Lodgepole Drive) - Pages 17 - 35  
*Issuance of a development permit.*

**Recommendation:**

1. **THAT the report from the Director of Community Planning dated September 29, 2015, entitled "Consideration of a Development Permit (275 Lodgepole Drive)" be received.**
2. **THAT Council issue a development permit to Ballard Fine Homes for Lot 1, District Lot 16, Nanoose District, Plan 31745 Except Parts In Plans 42965, 51365, VIP57329, VIP71541, VIP75918 and VIP76909 (275 Lodgepole Drive) to facilitate a 3 lot subdivision, as shown on the attached plans, subject to terms of permit as outlined in Schedule A of the report from the Director of Community Planning dated September 29, 2015.**
3. **THAT, prior to final subdivision approval, the applicant shall provide landscaping securities in the amount of \$40,775 for the purposes of assuring the completion of on-site landscaping.**
4. **THAT, in accordance with the recommendations of the applicant's BC Landscape Architects, the securities be held for a minimum period of three years, unless written confirmation from a registered BC Landscape Architect is provided to the Director of Community Planning confirming the 8 metre vegetated portion of the 15 metre buffer has been established and fencing has been installed in compliance with the terms of permit.**

- c) Director of Community Planning - Follow-Up Report - Consolidation of the City's Zoning and Development Bylaws - Pages 37 - 42  
*To create a unified zoning and development bylaw for Parksville.*

**Recommendation:**

1. **THAT the report from the Director of Community Planning dated September 30, 2015, entitled "Follow-up Report - Consolidation of the City's Zoning and Development Bylaws" be received.**
2. **THAT the statutory process be commenced.**
3. **THAT, upon first reading of the bylaw to amend the Official Community Plan, Council consider additional consultation, in accordance with Section 879 of the Local Government Act, with the Ministry of Forests Lands and Natural Resource Operations (BC Parks division), and the Ministry of Transportation and Infrastructure through notification of the amendment.**
4. **THAT, upon first reading of the bylaw to amend the Official Community Plan, Council consider additional consultation, in accordance with Sections 879 and 881 of the Local Government Act, with the School District board through notification of the amendment.**
5. **THAT, upon first reading of the bylaw to amend the Official Community Plan, Council consider additional consultation, in accordance with Sections 879 and 882 of the Local Government Act, with the Agricultural Land Commission through notification of the amendment.**
6. **THAT, upon first reading of the bylaw to amend the Official Community Plan, Council consider the amendment bylaw in conjunction with the City's Financial Plan per Section 882 of the Local Government Act.**
7. **THAT, upon first reading of the bylaw to amend the Official Community Plan, Council consider the amendment bylaw in conjunction with the Liquid Waste Management Plan of the Regional District of Nanaimo per Section 882 of the Local Government Act.**

- d) Director of Administrative Services - Renewal of Rogers Site Licence Agreement - Pages 43 - 45  
*To obtain Council approval to renew the Rogers Site Licence Agreement for a period of five years.*

**Recommendation:**

- 1. THAT the report from the Director of Administrative Services dated September 30, 2015, entitled "Renewal of Rogers Site Licence Agreement" be received.**
- 2. THAT Council approve renewal of the agreement for a period of five years in accordance with the terms and conditions as set out in the agreement.**

**5. BYLAWS**

a) TWO READINGS

- (i) "Plan Parksville Amendment Bylaw, 2015, No. 1492.2" - Page 47  
*Resort area regulation consolidation policy provision.*
- (ii) "Zoning and Development Amendment Bylaw, 2015, No. 2000.101" - Pages 49 - 69  
*Map and text amendment - consolidation of zoning regulations (resort area).*

**Recommendation:**

- 1. THAT "Plan Parksville Amendment Bylaw, 2015, No. 1492.2" and "Zoning and Development Amendment Bylaw, 2015, No. 2000.101" be read a first and second time.**

b) THREE READINGS

- (i) "Permissive Taxation Exemption Bylaw, 2015, No. 1521" - Pages 71 - 77  
*A bylaw to exempt certain lands and improvements from municipal property taxation for the year 2016.*

**Recommendation:**

- 1. THAT "Permissive Taxation Exemption Bylaw, 2015, No. 1521" be read three times.**

c) FINAL ADOPTION

- (i) "Parksville Advance Voting Opportunities Bylaw, 2015, No. 1520" - Page 79  
*To provide for advance voting opportunities for the 2015 assent voting.*

**Recommendation:**

- 1. THAT "Parksville Advance Voting Opportunities Bylaw, 2015, No. 1520" be reconsidered and finally adopted, signed by the Mayor and Corporate Officer and the Corporate Seal affixed thereto.**

**6. NEW BUSINESS**

7. **SPECIAL BUSINESS**

Pursuant to Section 90 (1) (c) of the *Community Charter*, Council proceed to a closed meeting to consider an item relating to labour.

8. **ADJOURNMENT**

**TO BE ADOPTED****5341.****CITY OF PARKSVILLE****September 9, 2015**

Minutes of the Council meeting held in the Civic and Technology Centre, 100 Jensen Avenue East, Parksville, BC, on Wednesday, September 9, 2015, at 6 pm.

**PRESENT:** His Worship Mayor M. Lefebvre

Councillors: M. Beil  
A. Greir  
K. Oates  
T. Patterson  
S. Powell  
L. Salter

Staff: F. Manson, Chief Administrative Officer  
D. Comis, Director of Administrative Services  
A. Weeks, Deputy Corporate Officer  
L. Butterworth, Director of Finance  
M. Squire, Director of Operations  
V. Figueira, Director of Engineer  
D. Banks, Fire Chief  
D. Tardiff, Communications Officer

Mayor Lefebvre respectfully recognized the people of the Coast Salish Nations and their territory upon which we gather with gratitude.

**1. ADOPTION OF MINUTES**

Salter - Patterson

- 15-234 1. THAT the minutes of the Council meeting held August 17, 2015, be adopted. CARRIED.

**2. APPROVAL OF AGENDA**

Salter - Greir

- 15-235 1. THAT the September 9, 2015, Council meeting agenda be approved. CARRIED.

**3. DELEGATIONS**

- a) **Parksville Downtown Business Association - Downtown Youth Ambassadors Report**

Parksville Downtown Business Association youth ambassadors Austin Smith and Aomi Jokoji presented a report to Council on the first PDBA youth ambassador program and their summer activities in Parksville.

b) **Access Oceanside Association - Report on Accessibility**

Regan Myers of the Access Oceanside Association gave a presentation regarding accessibility in Parksville based on the "walk wheel about" event held in May 2015.

c) **Regional District of Nanaimo - Update on Transit Operations in Parksville**

Daniel Pearce, Manager of Transit Operations for the Regional District of Nanaimo, gave Council an update on transit operations in Parksville.

**4. REPORTS**

a) **Director of Finance - Appointment of Municipal Auditor**

Beil - Salter

15-236

1. THAT the report from the Director of Finance dated August 21, 2015, entitled "Appointment of Municipal Auditor" be received.
2. THAT KPMG, LLP, be appointed as the City of Parksville's auditors for a period of five years commencing September 15, 2015. CARRIED.

b) **Director of Administrative Services - 2016 Permissive Taxation Exemption Applications**

Beil - Salter

15-237

1. THAT the report from the Director of Administrative Services dated August 19, 2015, entitled "2016 Permissive Taxation Exemption Applications" be received.
2. THAT the properties contained in Appendix A entitled "Tax Exemption Requests for 2016" dated August 14, 2015, except for the Parksville Lawn Bowling Club, be granted a permissive taxation exemption in accordance with the limits established by the Permissive Tax Exemption Applications Policy No. 6.15 for the municipal portion of their taxes in the 2016 calendar year.
3. THAT the Parksville Lawn Bowling Club be granted a 100% permissive tax exemption for 2016.
4. THAT the necessary bylaw be prepared and forwarded to Council for reading consideration. CARRIED.

c) **Director of Administrative Services - 2015 Fall Grant-in-Aid Applications**

Salter - Oates

15-238

1. THAT the report from the Director of Administrative Services dated August 31, 2015, entitled "2015 Fall Grant-in-Aid Applications" be received.
2. THAT a Grant-in-Aid Select Committee be appointed to review and recommend back to Council on the allocation of the \$2,500 budgeted funds for the submissions received for the period ending August 28, 2015.
3. THAT the Grant-in-Aid Select Committee be comprised of the Deputy Corporate Officer and two Councillors appointed by the Mayor. CARRIED.

Mayor Lefebvre appointed Councillor Patterson and Councillor Salter to the Grant-in-Aid Select Committee.

d) **Director of Administrative Services - Appointment of Election Officers**

Oates - Powell

- 15-239
1. THAT the report from the Director of Administrative Services dated August 27, 2015, entitled "Appointment of Election Officers" be received.
  2. THAT Amanda Weeks be appointed as the Chief Election Officer for the City of Parkville 2015 Assent Voting under the provisions of Section 41 of the *Local Government Act*.
  3. THAT Debbie Comis be appointed as the Deputy Chief Election Officer for the City of Parkville 2015 Assent Voting under the provisions of Section 41 of the *Local Government Act*. CARRIED.

e) **Director of Administrative Services - Advance Voting Bylaw**

Oates - Greir

- 15-240
1. THAT the report from the Director of Administrative Services dated August 27, 2015, entitled "Advance Voting Bylaw" be received for information. CARRIED.

5. **BYLAWS**

a) **THREE READINGS**

(i) **"Parkville Advance Voting Opportunities Bylaw, 2015, No. 1520"**

Salter - Oates

- 15-241
1. THAT "Parkville Advance Voting Opportunities Bylaw, 2015, No. 1520" be read three times. CARRIED.

6. **NEW BUSINESS**

a) **Mayor Lefebvre - Meeting with Board of Education of School District No. 69 (Qualicum) Trustees**

Powell - Beil

- 15-242
1. THAT Council host a meeting with the Board of Education of School District No. 69 (Qualicum) trustees to discuss issues of mutual interest.
  2. THAT funding to cover the meeting costs be provided from Council contingency. CARRIED.

b) **Councillor Powell - 31st Annual Chamber of Commerce Fantasy Auction**

Powell - Oates

- 15-243
1. THAT the City contribute \$300 towards a "Bon Appetit from the City of Parkville" auction package for the 31<sup>st</sup> Annual Parkville Chamber of Commerce Fantasy Auction.
  2. THAT the funding be provided from Council contingency. CARRIED.

**7. SPECIAL BUSINESS**

15-244 Beil - Powell  
Pursuant to Section 90 (1) (a) of the *Community Charter*, Council proceed to a closed meeting to consider an item relating to labour. CARRIED.

Time 7:45 pm

The regular meeting reconvened at 7:56 pm.

**8. ADJOURNMENT**

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

The meeting adjourned at 7:58 pm.

Certified Correct.

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





### REQUEST TO APPEAR AS A DELEGATION

TO BE HELD Monday, October 5, 2015 AT 6:00 pm  
Week Day Date (month & day) Year Time

NAME OF PERSON MAKING PRESENTATION: Signy Madden  
[Please print]

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

NAME OF ORGANIZATION [if applicable]: United Way Central & Northern Vancouver Island

Mailing address: #9-327 Prideaux St.

Phone: 250.591.8731 - \_\_\_\_\_ Email: communications@uwcvi.ca  
[Business] [Home]

**DETAILS:** Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents (hard copy or an electronic copy) for photocopying purposes. All requests and documentation must be received by the administration department by **noon on the Wednesday prior to the meeting date** for consideration. Delegation requests that do not meet the criteria of the Procedure Bylaw, Section 17 will not be processed.

Please check appropriate boxes:  Verbal Presentation;  Laptop Required.

United Way presentation on the programs that we fund in the central Island region, including Parksville.

United Way week from October 4-11<sup>th</sup>, 2015 - raising awareness for United Way, the types of programs we fund locally and the impact areas we are working on improving.

**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*

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**RECEIVED**  
SEP 14 2015  
ADMINISTRATION  
CITY OF PARKSVILLE

### REQUEST TO APPEAR AS A DELEGATION

TO BE HELD Monday, October 5, 2015 AT 6:00 pm  
Week Day Date (month & day) Year Time

NAME OF PERSON MAKING PRESENTATION: JIM McMILLAN & HERB WELCH  
[Please print]

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

NAME OF ORGANIZATION [if applicable]: N/A

Mailing address: 785 SANDERSON ROAD, PARKSVILLE

Phone: \_\_\_\_\_ 250-248-3983 Email: hc-welch@shaw.ca  
[Business] [Home]

**DETAILS:** Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents (hard copy or an electronic copy) for photocopying purposes. All requests and documentation must be received by the administration department by noon on the Wednesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of the Procedure Bylaw, Section 17 will not be processed. Please check appropriate boxes:  Verbal Presentation;  Laptop Required.

We neighbours and users of FOSTER PARK, are very concerned by the ever increasing traffic going past the park. Many of these vehicles rush past at very high rates of speed. We will present a petition asking for a speed zone and speed bumps to be installed to help reduce the possibility of injury from these speeding vehicles.

Thank you!

**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

Jim 248-2248

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September 2, 2015

**REPORT TO:** FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

**FROM:** DOUG BANKS, FIRE CHIEF

**SUBJECT:** POLICY FOR EXEMPT STAFF OVERTIME DURING AN EMERGENCY OPERATIONS CENTRE

**PURPOSE:** *Policy for the payment of overtime for exempt staff during EOC activation*

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**EXECUTIVE SUMMARY:**

When there is a regional emergency, staff from member municipalities may be called upon to work at an Emergency Operations Centre (EOC) and overtime hours would be submitted to the Emergency Management BC (EMBC) for reimbursement. Generally, exempt staff are ineligible to claim overtime, however the proposed policy provides authorization for the City to pay exempt staff overtime and submit to EMBC for reimbursement.

**RECOMMENDATION:**

1. THAT the report from the Fire Chief dated September 2, 2015, entitled "Policy for Exempt Staff Overtime during an Emergency Operations Centre" be received.
2. THAT Council adopt the proposed "Exempt Staff Overtime during an Emergency Operations Centre (EOC) Policy No. 9.25" as attached to the Fire Chief's report dated September 2, 2015.

**BACKGROUND:**

Under the Financial Assistance for Emergency Response and Recovery Costs guide, EMBC will reimburse a local authority 100% of eligible response costs. For example, the City of Parksville would receive financial assistance for employee overtime costs plus benefits related to working in an EOC, under an approved task number, with the submission of approved time sheets.

All EOCs vary in length; they can be as short as a few hours to as long as a few months. Employees may be required to work overtime during an EOC activation which would include evening, night and/or weekend shifts resulting in employees being away from home and family for an extended period of time.

**OPTIONS:**

1. Adopt the proposed policy attached to this report.
2. Refer back to staff for more information.

**ANALYSIS:**

- Option 1: Adopting this policy would provide authorization for the City to pay exempt staff overtime and submit to EMBC for reimbursement.
- Option 2: If Council is unsatisfied with the proposed policy, they may wish to refer it back to staff for additional review and incorporation of any changes suggested by Council.

**FINANCIAL IMPLICATIONS:**

There is no financial implication to the City as all overtime paid during an EOC activation is reimbursed 100% as a response cost by EMBC

**STRATEGIC PLAN CONSIDERATIONS:**

**Maintain or Enhance Quality of Life** - Being away from home and family for an extended period of time would be eased if remuneration was allowed for that time; would be to the benefit of the City.

**Renewal and Maintenance of Infrastructure** - no impact

**Maintain or Enhance Levels of Service** - Being away from home and family for an extended period of time would be eased if remuneration was allowed for that time; would be to the benefit of the City.

**Maintain or Reduce Actual Property Tax Burden** - no impact


**Environmentally Sustainable** - no impact

**Economic Development** - no impact

**REFERENCES:**

*Exempt Staff Overtime during an Emergency Operations Centre (EOC) Policy No. 9.25 - proposed policy*  
*EMBC - Guide to Financial Assistance for Emergency Response and Recovery Costs*

Respectfully submitted,



DOUG BANKS  
Fire Chief

**CHIEF ADMINISTRATIVE OFFICER COMMENTS:**

A handwritten signature in black ink, appearing to read 'Fred Manson', written over a horizontal line.

FRED MANSON, CPA, CGA  
Chief Administrative Officer

# CITY OF PARKSVILLE

## POLICY

SUBJECT: <i>Exempt Staff Overtime During an Emergency Operations Centre (EOC)</i>	POLICY NO: 9.25 RESO. NO: CROSS REF:
EFFECTIVE DATE:	APPROVED BY: Council
REVISION DATE:	RESO. NO: CROSS REF: PAGE 1 OF 1

### PURPOSE

For the payment of exempt staff overtime during an Emergency Operations Centre (EOC) activation in Parksville or in communities as per the joint Emergency Management Agreement or when deemed necessary when requested by communities outside our jurisdiction.

Exempt staff are generally ineligible to claim overtime. An exception may be made when an emergency response requires exempt employees to work in an EOC, under an approved task number, outside the City's normal posted operating hours.

### POLICY

Exempt staff will be compensated for overtime hours worked outside of the City's normal posted operating hours in an EOC, upon activation, at their current salary and are eligible for time and half or double time, depending on when their participation in the EOC occurs.

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COUNCIL REPORT

September 29, 2015

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

FROM: B. C. RUSSELL, DIRECTOR OF COMMUNITY PLANNING

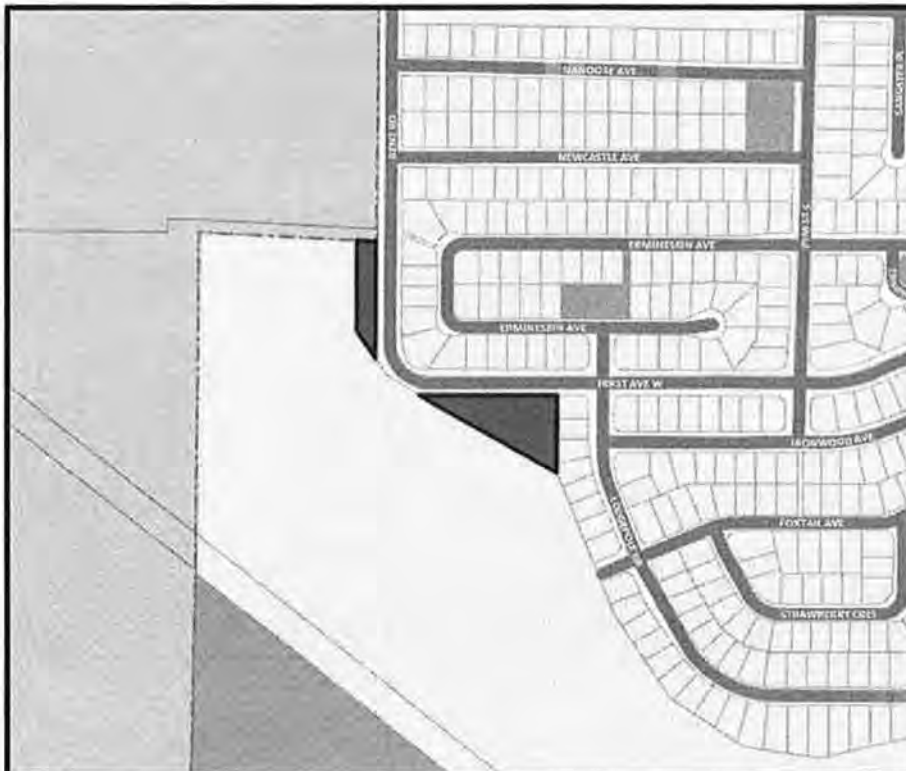
SUBJECT: CONSIDERATION OF A DEVELOPMENT PERMIT FOR LOT 1, DISTRICT LOT 16, NANOOSE DISTRICT, PLAN 31745 EXCEPT PARTS IN PLANS 42965, 51365, VIP57329, VIP71541, VIP75918 AND VIP76909 (275 LODGEPOLE DRIVE)  
REGISTERED OWNER: BALLARD FINE HOMES LTD., INC. NO. BC0970249  
APPLICANT: FERN ROAD CONSULTING LTD.  
FILE: 3060-PDP024

PURPOSE: ISSUANCE OF A DEVELOPMENT PERMIT

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EXECUTIVE SUMMARY:

On March 31, 2015, the City received a Development Permit application from Fern Road Consulting Ltd. on behalf of the property owner, Ballard Fine Homes Ltd. On September 18, 2015, a revised submission was received. The applicant requests issuance of a Development Permit to facilitate a 3 lot subdivision.



**CONSIDERATION OF A DEVELOPMENT PERMIT  
AT 275 LODGEPOLE DRIVE  
FILE: 3060-PDP024**

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**RECOMMENDATIONS:**

1. THAT the report from the Director of Community Planning dated September 29, 2015, entitled "*Consideration of a Development Permit for Lot 1, District Lot 16, Nanoose District, Plan 31745 Except Parts In Plans 42965, 51365, VIP57329, VIP71541, VIP75918 and VIP76909 (275 Lodgepole Drive)*" be received.
2. THAT Council issue a Development Permit to Ballard Fine Homes for Lot 1, District Lot 16, Nanoose District, Plan 31745 Except Parts In Plans 42965, 51365, VIP57329, VIP71541, VIP75918 and VIP76909 (275 Lodgepole Drive) to facilitate a 3 lot subdivision, as shown on the attached plans, subject to Terms of Permit as outlined in Schedule 'A' of this report.
3. THAT prior to final subdivision approval, the applicant shall provide landscaping securities in the amount of \$40,775.00 for the purposes of assuring the completion of on-site landscaping.
4. THAT in accordance with the recommendations of the applicant's BC Landscape Architects, the securities be held for a minimum period of three years, unless written confirmation from a registered BC Landscape Architect is provided to the Director of Community Planning confirming the 8 metre vegetated portion of the 15 metre buffer has been established and fencing has been installed in compliance with the Terms of Permit.

**BACKGROUND:**

A request for issuance of a Development Permit has been made to Council to facilitate the subdivision layout as shown on the proposed subdivision plan, prepared by Sims Associates dated September 16, 2015.

The subject property at 275 Lodgepole Drive is located within 'Farm Land Protection - Development Permit Area (DPA) No. 17,' a designation intended to reduce land use conflicts that may arise between agricultural lands and adjacent uses. The applicant is proposing to subdivide the 'Single Family Residential RS-1' property into three residential lots per the submitted plan. The minimum parcel size within this zone is 560 m<sup>2</sup> (approx. 6028 sq. ft.) with minimum dimensions of 18 m (approx. 59 ft.) wide by 30 m (approx. 98.43 ft.) deep. A Development Permit, issued by Council, is required prior to consideration of subdivision by the Approving Officer.

In support of the applicable guidelines a 15 metre wide 'no-building' strip is proposed on the residential property that will run parallel to the land within the Agricultural Land Reserve (ALR). The strip will contain an 8 metre wide vegetated landscaping buffer and fencing. The landscaping is proposed to consist of drought tolerant and non-invasive plants that consist predominantly of native varieties as recommended by the applicant's Landscape Architects, MacDonald-Gray Consultants. Fencing is proposed on the subject property both directly adjacent to the ALR boundary as well as along the interior edge of the proposed no-building strip. Adjacent to the strip a drainage swale is proposed. The aforementioned works are intended to mitigate potential land use conflicts between residential and potential agricultural land uses and to reduce encroachment into the buffer area. Further details of the landscaping are provided in the attached Landscape Architect plans. Recommended terms of permit are provided in Schedule 'A'.

**CONSIDERATION OF A DEVELOPMENT PERMIT  
AT 275 LODGEPOLE DRIVE  
FILE: 3060-PDP024**

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The proposal has been reviewed by the Parkville Volunteer Fire Department and the City's Engineering Department, Operations Department and the Community Planning and Building Department. The technical review of the proposal is complete and there does not appear to be any technical aspect that would preclude consideration of Development Permit issuance; the application has therefore been forwarded to Council for consideration.

**OPTIONS:**

Council may:

1. Consider issuance of the Development Permit;
2. Deny the Development Permit application.

**ANALYSIS:**

1. This option will result in a Development Permit being issued to facilitate a three-lot subdivision as shown in the attached drawings.

As part of this permit and in order to mitigate potential land use conflicts and satisfy the farm land protection Development Permit Area guidelines, the establishment of a 15 metre wide 'no-building' area, the planting of vegetation, the installation of fencing and the creation of a drainage swale is proposed. In staff's opinion, the mitigation measures appear to satisfy the farmland protection guidelines.

A landscaping cost estimate in the amount of \$40,775.00 has been provided by the applicant and it is recommended that this amount be established as the required landscaping security deposit. The applicant's Landscape Architects have recommended the securities be held for a minimum of three years to ensure sufficient growth seasons for the vegetation to be established; therefore, it is recommended that this form a term of permit.

Land alteration associated with residential properties has the potential to increase stormwater surface flows which can in some circumstances (such as peak storm event) negatively impact adjacent agricultural land by contributing to over saturation. As a mitigative measure and as part of the overall on-site storm water management plan a swale is proposed to intercept excess surface run-off from the rear of the proposed residential lots and direct it toward the municipal storm drainage system. Further details are provided in the attached Professional Engineer's report and plans.

The applicant indicates that the property owner is prepared to register covenants and a developer's building scheme in order to support the integrity of the agricultural lands and alert future land owners of the requirements. Please refer to the attached recommended Terms of Permit in Schedule 'A'.

The proposed lots comply with the minimum dimension and area requirements of the Zoning and Development Bylaw. The submitted plans demonstrate where a house and associated accessory buildings could be located outside of the 'no building' area and applicable setbacks.

Staff believes that the subdivision layout is, with the proposed mitigation measures and terms of permit, consistent with the Development Permit Area guidelines. It appears appropriate for Council to consider issuance of the Development Permit based on the attached plans and specifications and terms of permit provided in schedule 'A'.

2. Denial of the Development Permit must ultimately be based on the application not meeting the applicable Development Permit guidelines or that insufficient information has been provided for Council to make an informed decision. Steps to address application deficiencies in meeting the guidelines would have to be clearly communicated by Council to the applicant, so that they may be adequately addressed. The *Local Government Act* does not provide Council with the discretionary ability ultimately to deny Development Permit issuance.

**FINANCIAL IMPACT:**

The financial implications are the costs of processing this application which are intended to be covered as part of the application fee.

**STRATEGIC PLAN IMPLICATIONS:**

Issuance or denial of a development permit must be based upon the guidelines that are relevant to the application. Once Council is satisfied that a proposal has, given its context and particulars, generally met the relevant guidelines the permit must be issued. As permit issuance is ultimately non-discretionary, strategic plan implications are beyond the scope of consideration.

A Sustainable Community Builder Checklist (attached) was completed by the applicant.

**REFERENCES:**

**Permit Plan Schedules:**

- "Proposed Subdivision Plan," Revision No. 4, prepared by Sims Associates dated September 16, 2015;
- L1 of 2, "Site Plan / ALR Setback," Revision No. 1, prepared by Macdonald Gray, dated August 24, 2015;
- L2 of 2, "Section, Notes & Legend," Revision No. 1, prepared by Macdonald Gray, dated August 24, 2015;
- Preliminary Servicing Plan, Rear Lot Drainage Details, Revision 2, Drawing No. 254-01-P1, prepared by Park City Engineering Ltd, dated September 16, 2015.

**Other Information Materials:**

- 'Farm Land Protection - Development Permit Area No. 17';
- Sustainable Community Builder Checklist, submitted by Fern Road Consulting on March 31, 2015;
- Correspondence submitted by Rachel Hamling of Fern Road Consulting, dated March 13, 2015, August 25, 2015, and September 16, 2015;
- Correspondence submitted by Vaughn Roberts, P.Eng. of ParkCity Engineering Ltd. dated September 16, 2015;

**CONSIDERATION OF A DEVELOPMENT PERMIT  
AT 275 LODGEPOLE DRIVE  
FILE: 3060-PDP024**

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- Correspondence submitted by Nigel P.I. Gray, MCIP RPP, MBCSLA of Macdonald Gray Consulting, dated July 13, 2015 and August 25, 2015.

Respectfully submitted,



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**B. C. RUSSELL**  
Director of Community Planning

SR/KK/sh  
Attachments

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**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**



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**F. MANSON, C.G.A.**

## SCHEDULE 'A'

### Terms of Permit

1. The land shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit, which shall form a part thereof.
2. Prior to requesting a release of the landscaping security, the applicant shall submit a report, prepared by an appropriately qualified professional evaluating the health, condition and general state of the plantings within the 8 metre vegetation strip. The report shall assess the vegetation's compliance with the Development Permit schedules. The report shall be submitted to the Director of Community Planning.
3. No building or structure except fences, retaining walls or drainage works shall be located within 15 metres horizontal distance from the boundary of the Agricultural Land Reserve.
4. Landscaping and fencing shall be installed and maintained in accordance with plans in Schedule "B" and "C" attached to and forming part of this permit.
5. On-site drainage works shall comply with Schedule "D" unless a subsequent engineering report addressing on-site drainage in compliance with the Development Permit guidelines is approved by the Director of Community Planning or the Director of Engineering.
6. Prior to or concurrent with the application for final approval of the subdivision, the applicant shall prepare and register a developer's building scheme under section 220 of the *Land Title Act* that includes a provision that walls and windows of residences facing or at an angle to the Agricultural Land Reserve include extra sound proofing measures.
7. Prior to or concurrent with the application for final approval of the subdivision, the applicant shall prepare and register on the land a covenant under section 219 of the *Land Title Act*. The covenant shall include the following provisions:
  - No buildings, structures or portions thereof shall be located within 15 metres horizontal distance from the boundary of the Agricultural Land Reserve, with the exception of fences, retaining walls or drainage works;
  - Vegetation to be maintained in accordance with the plans and specification forming Schedules "B" and "C" of the development permit;
  - No vegetation shall be removed from the 8 metre vegetated portion of the 15 metre no-building area, except for noxious, invasive weeds, or hazardous trees (as determined by an appropriately qualified ISA certified Arborist or Registered Provincial Forester), without the submission of a landscape management plan prepared by an appropriately qualified professional accepted by the Director of Community Planning;
  - Fencing shall be maintained on the land adjacent to the boundary of the agricultural land reserve running parallel with said boundary and at the 15 metre buffer boundary internal to the subject lands;
  - The owner acknowledges and accepts that the land is in close proximity to property which is located within the Agricultural Land Reserve where there is an

inherent right to farm, and that some or all of the following effects from normal farm practices may occur:

- noise from farm operations at various times of the day including machinery, heavy equipment, propane canons and other devices used to deter wildlife or conduct farm practices;
- farm odours and chemical spray;
- aesthetic appearance of fields (unkempt fields, storage of materials, etc.);
- light from greenhouses;
- dust or emissions due to normal farm practices including land clearing, cultivation, crop management, agricultural burning or product processing.

**Plans and Specifications of Permit:**

Schedule "A"	Proposed Subdivision Plan, prepared by Sims Associates dated September 16, 2015;
Schedule "B"	L1 of 2 Site Plan / ALR Setback, prepared by Macdonald Gray, dated August 24, 2015;
Schedule "C"	L2 of 2 Section, Notes & Legend, prepared by Macdonald Gray, dated August 24, 2015;
Schedule "D"	Preliminary Servicing Plan, Rear Lot Drainage Details, Revision 2, Drawing No. 254-01-P1, prepared by ParkCity Engineering Ltd, dated September 16, 2015.

REM A  
(D.D. 82708-N)  
PLAN 1902

REM DISTRICT LOT 16

RENZ ROAD

LOT 59

LOT 58

LOT 57

LOT 56

LOT 55  
PLAN

LOT 54

LOT 53

LOT 52

LOT 51

LOT 50

LOT 49  
51365

HIRST AVENUE

PROPOSED LOT 3  
TOTAL AREA = 0.428ha

REM DISTRICT LOT 16

ALR BOUNDARY

LOT 59  
PLAN

LOT 58

LOT 57

LOT 56

LOT 55  
VIP57329



PROPOSED SUBDIVISION PLAN OF PART OF LOT 1, PLAN 31745  
DISTRICT LOT 16, NANOOSE DISTRICT, EXCEPT PARTS IN PLANS  
42965, 51365, VIP57329, VIP71541, VIP75918 AND VIP76909

Scale 1:1000

**LEGEND**

All distances are in metres and decimals thereof.  
All dimensions and areas are subject to final survey.

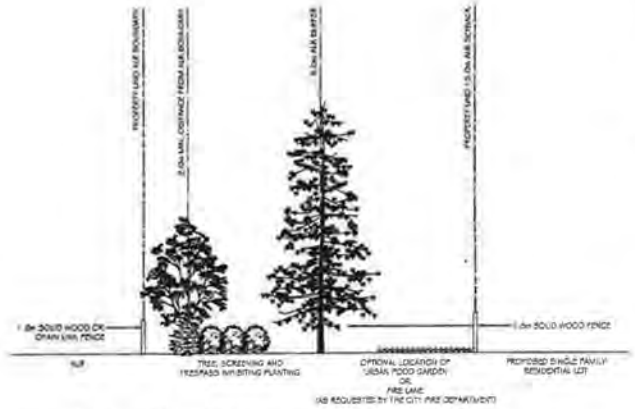
No.	DATE	REVISION
1	2014/12/12	CHANGED LOT 1 & 2 TO 19.0m x 32.5m
2	2015/03/10	ADDED 15m D.P. SETBACK
3	2015/08/19	CHANGED TO 3 LOTS
4	2015/09/16	ADDED 7m x 13.6m ACCESSORY BUILDING ENVELOPE TO LOT 3

**SIMS ASSOCIATES**

LAND SURVEYING LTD.  
223 FERN ROAD W.  
QUALICUM BEACH, B.C. V8K 1S4  
PHONE: 250-752-9121  
FAX: 250-752-9241  
FILE NUMBER: 14-281-S  
DRAWING NUMBER: 14-281 PLODWG  
DATE: 2015/09/16







Section A-A Typical Urban Side Buffer D  
1:100 FINISH

ALR BUFFER PLANT LIST

SYMBOL	BOTANICAL / COMMON NAME	SIZE	SPACING	QTY	NOTES
<b>COMPOSITE FENCE DOUBLE ROW</b>					
⊗	ACER GLABRUM VAR. DOUGLASSI DOUGLASS MAPLE	8.0m THT	8.0m O.C.	14	
⊗	PRUNUS ZONIFERA VAR. CORPORA SWEET PINE	8.0m HSA	8.0m O.C.	20	
<b>SCREENING SHRUBS SINGLE ROW</b>					
⊙	HOLLOSCYRUS DOUGLOR OCEANSPRAY	#2 POT	7.0m O.C.	150	
<b>TRESPASS RESISTING SHRUBS TRIPLE ROW</b>					
⊙	ROSA HUTIANA HOOTKA ROSE	#2 POT	1.0m O.C.	435	

PLANTING NOTES

1. ALL PLANTING, INSTALLATION AND MAINTENANCE SHALL BE PER THE LATEST EDITION OF THE GUIDE TO EDGE PLANNING PUBLISHED BY THE BRITISH COLUMBIA MINISTRY OF AGRICULTURE.
2. THE PLANTING SCHEME IS PER THE FOLLOWING GUIDELINES:  
URBAN-SIDE BUFFER: BUFFER DESIGN CRITERIA FOR RESIDENTIAL EPA LEVEL 2, URBAN SIDE NON-ACCIDENTAL SETBACK 4 BUFFER, URBAN-SIDE BUFFER D.
3. THE AREA AROUND THE BUFFER PLANTING SHALL BE MULCHED OR PLANTED WITH SEEDINGCOVER.

IRRIGATION NOTES

1. THE IRRIGATION SYSTEM SHALL BE INSTALLED ON THE SURFACE FOR TEMPORARY WATERING UNTIL PLANT MATERIAL IS ESTABLISHED. THE IRRIGATION SYSTEM SHALL BE LOW-VOLUME, AUTOMATIC, NOZZLES OR MICRO-DRIP EMITTER DEVICES.
2. THE IRRIGATION SYSTEM SHALL BE AUTOMATICALLY CONTROLLED WITH A BATTERY OPERATED CONTROLLER.
3. ONCE ESTABLISHMENT HAS BEEN APPROVED BY THE CITY OF PARKSVILLE THE IRRIGATION EQUIPMENT SHALL BE REMOVED FROM THE SITE.



THIS DRAWING IS NOT FINAL AND SHALL NOT BE USED FOR CONSTRUCTION UNLESS IT HAS BEEN SIGNED AND SEALED BY THE LANDSCAPE ARCHITECT.  
An electronic copy of this drawing is available on the project website at: [www.mg-l.com](http://www.mg-l.com)

275 Lodgepole Drive  
Ballard Fine Homes Ltd.  
Parksville, BC

**SECTION, NOTES & LEGEND**

Date: August 24, 2015  
 Drawn: MG  
 Checked: MG  
 Scale: AS NOTED  
 Project Number: 15-0117  
 DRAWING NUMBER: L2 of 2

**REVISION SCHEDULE**

#	DATE	REVISIONS	NOTES
0	2015/08/25	Submission for Approval	Submitted for 2015 Submission
1			
2			



**PARK CITY ENGINEERING LTD.**  
 ONE HAZARD LAGOON DRIVE  
 251 W. 10TH ST. SUITE 200  
 PARKVILLE, MISSOURI 64401

Date: FEB 2015  
 Scale: AS SHOWN

No.	Date	Description	By
1.	08/24/2014	REVISED SUBDIVISION PLAN	VE
2.	08/18/2015	REAR LOT GRABAGE DETAILS	VE

**BALLARD HOMES**  
 PT. LOT 1, DL16, PLAN 31745  
 NANOOSE DISTRICT

**Parkville**

3 LOT  
 SUBDIVISION  
 PRELIMINARY  
 SERVING PLAN

City of Parkville Project No. \_\_\_\_\_  
 City of Parkville Drawing No. **254-01-P1**  
 Date: 10/2015  
 Page 27 of 70

## 9.17 FARM LAND PROTECTION - DEVELOPMENT PERMIT AREA NO. 17

### Purpose:

- Protection of farming

### Rationale:

The development of these guidelines is intended to reduce land use conflicts that may arise between active farm operations and non-farm uses. Appropriately designed developments on non-ALR lands beside farm land can decrease the likelihood of conflict and nuisance complaints from adjacent non-farm users. Normal farm practices are protected under the *Provincial Farm Practices Protection Act* (Right to Farm).

Typical conflicts that may occur as a result of non-farm uses being located in agricultural areas include complaints about early morning farm equipment noises, drifting dust and/ or spray affecting non-farm lands, odours from agricultural operations and trespass or vandalism of agricultural crops or buildings.

The guidelines are intended to protect the vitality of local agriculture and encourage commercial, active agricultural operations on lands within the provincial Agricultural Land Reserve (ALR). Consideration of subdivision layout, building design, storm water management, screening and fencing of lands beside the ALR will protect the agricultural uses of the lands and reduce conflicts between users.

This DPA is designated pursuant to section 919.1 (c) of the *Local Government Act*.

### Designated Areas:

This DPA affects those lands identified as being within Farm Land Protection - Development Permit Area No. 17 as shown on the map forming Schedule "D" of the Official Community Plan.

### Development Permit Area Guidelines:

#### **1) Guidelines:**

- a) With the exception of landscaping designed to enhance screening, non-farm development within 15 metres of any property line of a parcel of land designated within the Agricultural Land Reserve is discouraged;
- b) Any proposed development on parcels directly adjacent to lands within the Agricultural Land Reserve shall be designed to reduce impacts on the agricultural

use of the Agricultural Land Reserve lands and may require a report prepared by an appropriately qualified professional to recommend mitigation strategies to ensure impacts on Agricultural Land Reserve lands are minimized during and after development;

- c) Non-farm buildings or structures, except for fencing, shall generally not be permitted within 15 metres of any property line of a parcel of land within the Agricultural Land Reserve;
- d) Open spaces with landscaped buffers, designed with water retention capacity or storm water management principles in mind, are encouraged in areas;
- e) Clusters of mature trees on non-farm lands within 15 metres of the Agricultural Land Reserve boundary should generally be preserved, except where they have been determined by an International Society of Arboriculture certified arborist to pose a hazard or be at high risk of failure;
- f) Roads and pedestrian access routes that end at the boundary of the Agricultural Land Reserve are strongly discouraged except where necessary to provide access for farm equipment;
- g) Landscaping within 15 metres of a parcel of land within the Agricultural Land Reserve should be native, non-invasive, drought tolerant and of suitable height and type to screen non-farm uses;
- h) Landscaping should be designed by a registered Landscape Architect or registered professional Agrologist to reduce potential land use conflicts that may arise and should include a maintenance plan to promote long term protection of farm lands from nuisance complaints. As a term of permit the City may require professional inspection and confirmation that the works have been completed according to the landscaping plans. As a term of permit the City may require inspections at several phases of the proposed development;
- i) Fencing that is designed to minimize conflicts between the adjacent non-farm uses and uses occurring on ALR lands shall be installed on the property line of the non-farm parcel. The City may require that the applicant provide a report prepared by a registered professional Agrologist that contains recommendations for appropriate fencing materials, location and height;
- j) The City may require, as a term of permit, the registration of a restrictive covenant pursuant to Section 219 of the *Land Title Act*. A Section 219 covenant may be required in order to secure the landscaping and fencing measures prescribed, and ensure adherence to recommendations outlined in professional reports, and/or to notify land owners of the potential for land use conflicts due to active farm operations on the adjacent ALR lands;
- k) If lands are excluded from the ALR and subsequently become the subject of a zoning amendment proposal to permit non-farm development the following considerations shall be addressed when evaluating the proposal:

- Retention or installation of a 15 metre wide vegetated buffer along the property line of a parcel of land within the ALR shall be required;
- Landscaping should consist of native, non-invasive, drought tolerant plants and should be of a suitable height and type to screen non-farm uses.
- Solid fencing, two metres in height, shall be placed adjacent the property line(s) of the non-farm property that abuts a parcel of land within the ALR;
- A restrictive covenant to maintain the landscaping, fencing and 15 metre setbacks from the parcel of land within the ALR must be registered on the Title of the non-ALR parcel(s);
- In the case of a proposal to permit subdivision of lands that are less than 0.4 ha, a minimum 15 metre vegetated buffer shall be provided along the property lines abutting the ALR and no dwelling unit or accessory residential buildings shall be located within 15 metres of a parcel of land within the Agricultural Land Reserve;
- The subdivision layout for non-ALR lands should be designed in accordance with “Guide to Edge Planning” or its successor as published by the provincial ministry responsible for agriculture;
- Buffers provided between ALR and non-ALR uses may be considered for park land dedication in accordance with section 941 of the *Local Government Act*.

## 2) Exemptions:

A development permit is not required under this designation in the following instances:



- a) For the addition or alteration of a principal building or accessory carriage house, provided that not more than 33% additional gross floor area is created;
- b) For the construction or alteration of accessory building with a gross floor area not exceeding 90 m<sup>2</sup>, excluding accessory carriage houses;
- c) Patio and outdoor improvements that do not require a building permit where no removal of trees or native vegetation is proposed except that existing lawns may be removed;
- d) Land alteration or construction that is proposed to occur more than 15 metres from the nearest property line of a parcel of land within the Agricultural Land Reserve;
- e) Subdivision of land where the proposed parcels adjacent to lands within the ALR contain a minimum parcel depth of 50 metres and a restrictive covenant to maintain the landscaping, fencing and a 15 metre building setback from a parcel of land within the ALR is registered on the Titles of the non-ALR parcels;
- f) Subdivision of land that will result in no lots smaller than 2.0 hectares in size;

- g) Subdivision of land where no new lots will be created;
- h) Construction of farm buildings;
- i) Land alteration to facilitate urban food gardens and community food gardens;
- j) Land alteration or construction to facilitate agricultural uses considered 'farm uses' pursuant to the *Agricultural Land Commission Act* and applicable regulations.

RECEIVED  
MAR 31 2015  
PLANNING  
CITY OF PARKSVILLE

# City of Parksville

## SUSTAINABLE COMMUNITY BUILDER CHECKLIST

	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Commercial</li> <li>• Institutional</li> </ul>	<ul style="list-style-type: none"> <li>• Industrial</li> </ul>	
---	--	--	--

### Environmental Protection and Enhancement

**Please explain how the development protects and/or enhances the natural environment.**

1.	Conserve, restore, or improve native habitat?			EXPLANATION
2.	Remove invasive species?		N/A	
3.	Involve innovative ways to reduce waste, and protect the air quality?		N/A	
4.	Include an ecological inventory?		N/A	

**Please explain how the development contributes to the more efficient use of energy.**

5.	Use climate sensitive design features (passive solar, minimize the impact of wind, and rain, etc.)?			EXPLANATION
6.	Provide on-site renewable energy generation such as solar energy or geothermal heating?	YES	N/A	Any future development would be in accordance with Building Code and Green building practices will be promoted.
7.	Propose buildings constructed in accordance with LEED, and the accepted green building standards?	NO		

**Please explain how the development facilitates good environmentally friendly practices.**

8.	Provide on-site composting facilities?			EXPLANATION
9.	Provide an area for a community garden?	n/a		
10.	Include a car free zone?	n/a		
11.	Include a car share program?	n/a		

**Please explain how the development contributes to the more efficient use of water.**

12.	Use drought tolerant plants?			EXPLANATION
13.	Use rocks and other materials in the landscaping design that are not water dependant?	YES		



14.	Recycle water and wastewater?	NO		
15.	Provide for zero stormwater run-off?	YES		
16.	Utilize natural systems for sewage disposal and storm water?	NO		
17.	Use low flush toilets?	YES		

Please explain how the development protects, enhances or minimizes its impact on the local natural environment.

18.	Provide conservation measures for sensitive lands beyond those mandated by legislation?		NA	EXPLANATION
19.	Cluster the housing to save remaining land from development and disturbance?			
20.	Protect groundwater from contamination?	YES		

Please explain how the development protects a 'dark sky' aesthetic by limiting light pollution and light trespass from outdoor lighting.

21.	Include <u>only</u> "Shielded" light fixtures, where 100% of the lumens emitted from the light fixture are projected below an imaginary horizontal plane passing through the highest point on the fixture from which light is emitted?	NO		EXPLANATION
-----	--	----	--	-------------

Please explain how the project will be constructed sustainably.

22.	Reduce construction waste?	YES		EXPLANATION
23.	Utilize recycled materials?	YES		
24.	Utilize on-site materials / reduce trucking?	YES		
25.	Avoid contamination?	YES		

<b>Environmental Score</b> Total Number of "Yes"		125	128	% = Applicable Questions: 10/14 or 71%
---	--	-----	-----	---

### Community Character and Design

Does the development proposal provide for a more "complete community" within designated nodal centres?

1.	Improve the mix of compatible uses within an area?	NO		EXPLANATION
2.	Provide services, or an amenity in close proximity to a residential area?	YES		
3.	Provide a variety of housing in close proximity to a public amenity, transit, or commercial area?	YES		

<b>Please explain how the development increased the mix of housing types and options in the community.</b>			
4.	Provide a housing type other than single family dwellings?	NO	<b>EXPLANATION</b>
5.	Include rental housing?	NO	
6.	Include seniors housing?	NO	
7.	Include cooperative housing?	NO	
<b>Please explain how the development addresses the need for attainable housing in Parksville.</b>			
8.	Include the provisioning of Affordable Housing units?	NO	<b>EXPLANATION</b>
<b>Please explain how the development makes for a safe place to live.</b>			
9.	Have fire protection, or include fire prevention measures such as removal of dead fall, on-site pumps, etc?	NA	<b>EXPLANATION</b>
10.	Help prevent crime through the site design?	NA	
11.	Slow traffic through the design of the road?	NO	
<b>Please explain how the development facilitates and promotes pedestrian movement.</b>			
12.	Create green spaces or strong connections to adjacent natural features, parks and open spaces?	YES	<b>EXPLANATION</b>
13.	Promote, or improve trails and pedestrian amenities?	NA	
14.	Link to amenities such as school, beach & trails, grocery store, public transit, etc.? (provide distance & type)	NA	
<b>Please explain how the development facilitates community social interaction and promotes community values.</b>			
15.	Incorporate community social gathering places? (village square, halls, youth and senior facilities, bulletin board, wharf, or pier)	NA	<b>EXPLANATION</b>
16.	Use colour and public art to add vibrancy and promote community values?	NO	
17.	Preserve heritage features?	NO	
<b>Community Character Score</b> Total Number of "Yes"		1/7	% = Applicable Questions: 3/12 or 25%

## Economic Development

Does the development proposal infill an existing developed area, as opposed to opening up a new area to development?

1.	Fill in pre-existing vacant parcels of land?	YES		EXPLANATION
2.	Utilize pre-existing roads and services?	YES		
3.	Revitalize a previously contaminated area?		NA	

Please explain how the development strengthens the local economy.

4.	Create permanent employment opportunities?	YES		EXPLANATION
5.	Promote diversification of the local economy via business type and size appropriate for the area?	YES		
6.	Increase community opportunities for training, education, entertainment, or recreation?	YES		
7.	Use local materials?	YES		
8.	Use local labour?	YES		
9.	Improve opportunities for new and existing businesses?	YES		

<b>Economic Development Score</b> Total Number of "Yes"		12	18	% = Applicable Questions: 8/8 or 100%
--	--	----	----	--

<b>TOTAL</b>	151	138	<b>Disclaimer:</b> Please note that Staff is relying on the information provided by the applicant to complete the sustainability checklist analysis. The City of Parksville does not guarantee that development will occur in this matter.
<b>% TOTAL</b>			21/34 or 62%

Other sustainable features?

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## COUNCIL REPORT

September 30, 2015

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

FROM: B. C. RUSSELL, DIRECTOR OF COMMUNITY PLANNING

SUBJECT: FOLLOW-UP REPORT - CONSOLIDATION OF THE CITY'S ZONING AND DEVELOPMENT BYLAWS

PURPOSE: TO CREATE ONE UNIFIED ZONING AND DEVELOPMENT BYLAW FOR PARKSVILLE

---

### EXECUTIVE SUMMARY:

The City of Parkville is presently subject to two separate zoning bylaws which resulted when the City's boundary was expanded to include what is now the resort area. Bylaws have been prepared to facilitate the consolidation of the two zoning bylaws into one unified bylaw.

### RECOMMENDATIONS:

THAT the report from the Director of Community Planning dated September 30, 2015 entitled "*Follow-up Report - Consolidation of the City's Zoning and Development Bylaws*" be received.

THAT the statutory process be commenced.

THAT upon first reading of the bylaw to amend the Official Community Plan Council consider additional consultation, in accordance with Sections 879 of the *Local Government Act*, with the Ministry of Forests Lands and Natural Resource Operations (BC Parks division), and the Ministry of Transportation and Infrastructure through notification of the amendment.

THAT upon first reading of the bylaw to amend the Official Community Plan Council consider additional consultation, in accordance with Sections 879 and 881 of the *Local Government Act*, with the School District board through notification of the amendment.

THAT upon first reading of the bylaw to amend the Official Community Plan Council consider additional consultation, in accordance with Sections 879 and 882 of the *Local Government Act*, with the Agricultural Land Commission through notification of the amendment.

THAT upon first reading of the bylaw to amend the Official Community Plan Council considers the amendment bylaw in conjunction with the City's Financial Plan per Sections 882 of the *Local Government Act*.

THAT upon first reading of the bylaw to amend the Official Community Plan Council considers the amendment bylaw in conjunction with the Liquid Waste Management Plan of the Regional District of Nanaimo per Section 882 of the of the *Local Government Act*.

## CONSOLIDATION OF THE CITY'S ZONING AND DEVELOPMENT BYLAWS

---

### BACKGROUND:

At the regular meeting of Council held on May 4, 2015 resolution #15-131 was passed by Council as follows:

*"THAT the report from the Director of Community Planning dated April 28, 2015, entitled "Consolidation of the City's Zoning and Development Bylaws" be received.*

*THAT staff be directed to undertake the bylaw preparations outlined in the report from the Director of Community Planning dated April 28, 2015, to bring forward a zoning and development amendment bylaw and associated Official Community Plan amendment for Council's consideration. CARRIED."*

As mentioned in the prior staff report, when the resort area was incorporated into the City of Parksville it was brought with the zoning bylaw that was in effect at the time from the Regional District of Nanaimo. The net result is that the City of Parksville has maintained two separate but similar zoning and development bylaws within its boundary.

- "City of Parksville Zoning and Development Bylaw, 1994, No. 2000"
- "City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509"  
[Previously named: "Regional District of Nanaimo Land Use and Development Bylaw No. 500, 1997"]

The preparation of bylaws to facilitate the consolidation of the Resort Area Zoning and Development Bylaw with the City's main Zoning and Development Bylaw to allow for the creation of one unified zoning and development bylaw is now complete.

### OPTIONS:

1. Receive the report for information and commence the statutory process.
2. Refer the topic back to Staff with additional direction.

### ANALYSIS:

From a consistency, clarity and efficiency perspective there appears, in staff's opinion, to be advantages to consolidate the City's zoning and development bylaws into one unified bylaw.

In staff's opinion, the two zoning bylaws have zoning categories that are, overall, very similar in intent and general construct. As such, staff believes the best approach is to replace most of the "City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509" zones with their near equivalent in the "City of Parksville Zoning and Development Bylaw No. 2000". It is however noted that three zones within the Resort Area Bylaw have no close equivalent; therefore, three new essentially equivalent zones have been prepared for consideration of being added to the main Zoning and Development Bylaw. The three proposed zones are contained within the zoning and development amendment bylaw that appears later on the Council meeting agenda for consideration.

## **CONSOLIDATION OF THE CITY'S ZONING AND DEVELOPMENT BYLAWS**

---

The consolidation is not intended to provide major changes in land use or density. However, as there are slight differences between the two zoning bylaws some modest changes will result. A table is provided in Schedule 'A' outlining the zoning equivalents.

As noted in the prior report, staff believe the proposed zoning and development bylaw consolidation effort is in keeping with the intent of the Official Community Plan (OCP) consolidation policy. However, the wording in the current policy is such that an amendment is required to allow the use of existing equivalent zones from the main Zoning and Development Bylaw. This is because there is not an exact precise match between permitted uses and densities between the two zoning bylaws. A minor amendment to the Official Community Plan has been prepared in order to proceed with the consolidation effort as proposed. A comparison of the existing and proposed wording is provided in Schedule 'B'.

Should this approach be successful the net result will be that one Zoning and Development Bylaw is in effect within the entire City of Parkville.

### **WASTE MANAGEMENT IMPLICATIONS:**

As part of the OCP amendment process Council must consider implications to the Liquid Waste Management Plan. In this case the proposed OCP amendment is a housekeeping measure intended to fine-tune the wording of an existing policy; a policy already intended to facilitate an initiative to consolidate the City's zoning and development bylaws. As such, the proposed OCP amendment is expected to have no Liquid Waste Management Plan implications.

### **FINANCIAL PLAN IMPLICATIONS:**

As mentioned in the staff report dated April 28, 2015, there does not appear to be any perceived financial implications directly as a result of the proposed bylaw changes other than the costs of preparing the staff reports, bylaws and the undertaking of statutory requirements, including a Public Hearing and associated notice. These costs form part of the normal operating budget of the Community Planning and Building Department; as such no appreciable direct financial impact is expected.

It is anticipated that a unified zoning and development bylaw will provide some modest efficiency improvement in the administration of public enquires and application processing. Efficiency improvements may be seen as having a minor positive financial impact in that resources may be slightly more available for other initiatives.

### **STRATEGIC PLAN IMPLICATIONS:**

As mentioned in the staff report dated April 28, 2015, with no major changes in permitted uses being proposed as a result of the this initiative, there does not appear to be any significant Strategic Plan implications.

As a positive, it is anticipated there may be a modest reduction of risk that may otherwise result from the confusion created by having two bylaws with slightly different definitions, nuances and methodologies.

**CONSOLIDATION OF THE CITY'S ZONING  
AND DEVELOPMENT BYLAWS**

---

**REFERENCES:**

Attached:

- Schedule 'A' - Equivalent Zones;
- Schedule 'B' - Relevant OCP Policy.

Appearing in the bylaw section agenda:

- "Zoning and Development Amendment Bylaw, 2015, No. 2000.101";
- "Plan Parksville Amendment Bylaw, 2015, No. 1492.2".

Other references:

- Staff report "Consolidation of the City's Zoning and Development Bylaws", April 28, 2015;
- "City of Parksville Zoning and Development Bylaw, 1994, No. 2000";
- "City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509";
- "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987";
- "Plan Parksville: A Vision for Our Future, Official Community Plan Bylaw, 2013, No. 1492";
- City of Parksville Financial Plan;
- Regional District of Nanaimo "Liquid Waste Management Plan".

Respectfully submitted,



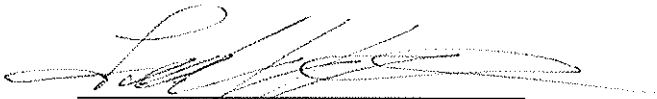
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BLAINE C. RUSSELL  
Director of Community Planning

BR/sh

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**CHIEF ADMINISTRATIVE OFFICER COMMENTS:**



---

F. C. MANSON, CGA  
Chief Administrative Officer



**CONSOLIDATION OF THE CITY'S ZONING  
AND DEVELOPMENT BYLAWS**

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**Schedule 'A'**

**Equivalent Zones**

<b>Resort Area Zoning and Development Bylaw</b>		<b>Parksville Zoning and Development Bylaw</b>
Residential 1 RS1	RS1N	Single Family Residential RS-1
Commercial 2 CM2	CM2J	No existing equivalent, new CTX-1 zone proposed to generally replicate the CM2J zone.
Commercial 5 CM5	CM5D	Tourist Commercial CS-2
Industrial 1 IN1	IN1H	Industrial I-1
	IN1J	
	IN1N	
Industrial 2 IN2	IN2J	
Rural 1 RU1	RU1D	Agricultural A-1
Recreation 1 RC1	RC1Z	No existing equivalent, new RCX-1 zone proposed to generally replicate the RC1Z zone.
Water 1 WA1	WA1Z	No existing equivalent, new WX-1 zone proposed to generally replicate the WA1Z zone.

Schedule 'B'

Relevant OCP Policy

General Land Use Policy 5.1 xv. states the following:

*"The City intends to bring lands that are within the City, but subject to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No, 500", under the same zoning bylaw as the rest of the City. In cases where the existing zoning and permitted uses are inconsistent with the future land use designation on Schedule B, an OCP amendment will not be required to consolidate the lands into one comprehensive City zoning bylaw provided that:*

- a. The zoning change is initiated by the City in an effort to merge the zoning regulations under one bylaw; and*
- b. Where there are no proposed changes to the permitted uses;*

Proposed revised Policy 5.1 xv.:

*"Where the City undertakes an initiative to amend or consolidate the City's zoning and development bylaws it shall be considered consistent with the land use policies of the Official Community Plan where the changes do not result in permitted land uses of a greater intensity or density than envisioned in the applicable polices as assigned to the land by Schedule "B" - Future Landuse Map;"*

September 30, 2015

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

**FROM:** D. R. COMIS, DIRECTOR OF ADMINISTRATIVE SERVICES

**SUBJECT:** RENEWAL OF ROGERS SITE LICENCE AGREEMENT

**PURPOSE:** *To obtain Council approval to renew the Rogers Site Licence Agreement for a period of five years*

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**EXECUTIVE SUMMARY:**

In 2011, the Council of the day entered into an agreement with Rogers Communications to install telecommunications equipment on the Telus communications tower located at the Top Bridge Reservoir. The agreement provided for three renewals at a period of five years each. The first of those renewals is now due.

**RECOMMENDATION:**

1. THAT the report from the Director of Administrative Services dated September 30, 2015, entitled "Renewal of Rogers Site Licence Agreement" be received.
2. THAT Council approve renewal of the agreement for a period of five years in accordance with the terms and conditions as set out in the agreement.

**BACKGROUND:**

In August 2010, Council approved a Site Licence Agreement with Telus for the installation of a telecommunications tower on surplus City property located adjacent to the Top Bridge Reservoir.

As part of the Telus agreement, staff included provisions to provide the City with the authority to grant permission to other service providers the right to install their equipment on the same premises as licensed to Telus, provided they can come to an agreement with Telus.

In 2011, Council approved an agreement with Rogers Communication to install telecommunications equipment on the Telus communications tower.

The terms of the agreement with Rogers include the following:

- An annual fee of \$10,000 to the City, adjusted based on CPI upon renewal.
- A five year term with three automatic options for renewal.
- That Rogers are only permitted to install their equipment on the Telus Tower and must also come to a separate agreement with Telus for such installation.

- All costs for the installation are the responsibility of Rogers.
- \$5,000,000 liability insurance with the City as a named insured.
- The installation cannot interfere with either the City or Telus operations.

The City has received notification from Rogers they wish to renew the agreement for the five year period commencing December 1, 2015. The terms and conditions of the agreement would remain the same with the fees increasing by the percentage increase in CPI plus applicable tax for the term. The CPI percentage will be determined by December 1, 2015.

#### **OPTIONS:**

1. Renew the agreement
2. Advise Rogers the City will not renew the agreement.

#### **ANALYSIS:**

Rogers Communications have been good tenants and staff does not have any concerns with the renewal of the agreement. The fees are in accordance with rates paid to other local governments for similar agreements. The equipment enhances cell phone and other data transmission coverage for the industrial park and resort areas of Parksville and provides an additional source of revenue to the City.

#### **FINANCIAL IMPACT:**

Annual revenue of 10,000 plus the 2015 CPI percentage increase and applicable taxes.

#### **STRATEGIC PLAN IMPLICATIONS:**

**Maintain or Enhance Levels of Service** - provides enhanced cell phone coverage and data transmission to the industrial park and resort area.

**Maintain or Reduce Actual Property Tax Burden** - contributes to annual revenue.

**Economic Development** - Better data transmission and cell phone coverage benefits local businesses.

#### **REFERENCES:**

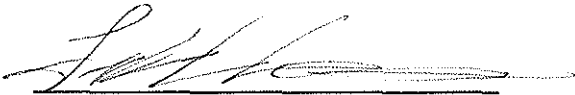
- *Correspondence from Rogers Communications requesting renewal of the agreement.*
- *Licence Agreement between City of Parksville (Licensor) and Rogers Communications Partnership (Licensee)*

Respectfully submitted,



\_\_\_\_\_  
D. R. COMIS  
Director of Administrative Services

**CHIEF ADMINISTRATIVE OFFICER COMMENTS:**



\_\_\_\_\_  
F. C. MANSON, CGA  
Chief Administrative Officer

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## CITY OF PARKSVILLE

### BYLAW NO. 1492.2

#### A BYLAW TO AMEND "PLAN PARKSVILLE: A VISION FOR OUR FUTURE, OFFICIAL COMMUNITY PLAN BYLAW, 2013, NO. 1492"

##### *Resort Area Regulation Consolidation Policy Provision*

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**WHEREAS** Section 876 of the *Local Government Act* permits the City to adopt the Official Community Plan Amendment Bylaw;

**WHEREAS** Council has provided opportunity for consultation with persons, organizations and authorities it considers will be affected pursuant to section 879 of the *Local Government Act*;

**WHEREAS** Council has, in accordance with section 882 of the *Local Government Act*, after first reading, considered the Official Community Plan Bylaw in conjunction with its financial plan and waste management plan;

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

1. That "Plan Parksville: A Vision for Our Future, Official Community Plan Bylaw, 2013, No. 1492" is hereby amended as follows:
  - (a) Section 5.1 General Land Use Policies by replacing subsection xv. with the following:

"Where the City undertakes an initiative to amend or consolidate the City's zoning and development bylaws it shall be considered consistent with the land use policies of the Official Community Plan where the changes do not result in permitted land uses of a greater intensity or density than envisioned in the applicable polices as assigned to the land by *Schedule "B" - Future Landuse Map*;"
2. This bylaw may be cited for all purposes as "Plan Parksville Amendment Bylaw, 2015, No. 1492.2"

**READ A FIRST TIME** this

**READ A SECOND TIME** this

**PUBLIC HEARING HELD** this

**READ A THIRD TIME** this

**RECONSIDERED AND FINALLY ADOPTED** this

---

Mayor

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Corporate Officer

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CITY OF PARKSVILLE

BYLAW NO. 2000.101

A BYLAW TO AMEND THE "CITY OF PARKSVILLE ZONING AND  
DEVELOPMENT BYLAW, 1994, NO. 2000"

MAP AND TEXT AMENDMENT - CONSOLIDATION OF ZONING REGULATIONS  
*Resort Area*

---

WHEREAS Section 903 of the *Local Government Act* permits the City to amend zoning bylaws;

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

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

a. Section 104 - DEFINITIONS be amended by adding the following:

"campground bylaw means "*City of Parksville Campground Regulations Bylaw, 1986, No. 886*" and any successor bylaw or amendments thereto;"

"gas bar means a premise containing not more than two gasoline or diesel pumping stations and which is used solely for the sale of fuel, lubricating oil and minor motor vehicle accessories directly to the users of motor vehicles;"

b. Section 105 - ZONING DISTRICTS be amended to reflect the following in the appropriate location:

" 250	COMMERCIAL TUAN	CTX-1
251	RECREATION	RCX-1
252	WATER	WX-1"

c. Division 200 - ZONING DISTRICT SCHEDULES by adding the following sections (zones):

"250 Commercial Tuan CTX-1" attached to this bylaw as Schedule "A";

"251 Recreation RCX-1" attached to this bylaw as Schedule "B";

"252 Water WX-1" attached to this bylaw as Schedule "C".

d. By rezoning the following properties from 'Residential 1 RS1' subdivision district 'N' (RS1N) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to 'Single Family Residential RS-1' (RS-1) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "1":

- Lot 3, District Lot 125, Nanoose District, Plan 6885 except parts in Plans 10841 and 21058 (1247 Arbutus Road);
- Lot 1, District Lot 125, Nanoose District, Plan 10841 (1247 Arbutus Road);
- Lot 3, District Lot 125, Nanoose District, Plan 10841 (1291 Arbutus Road);
- Lot 4, District Lot 125, Nanoose District, Plan 10841 (1471 Seaway Drive);
- Lot 5, District Lot 125, Nanoose District, Plan 10841 (1470 Seaway Drive);
- Lot 6, District Lot 125, Nanoose District, Plan 10841 (1472 Seaway Drive);
- Lot 7, District Lot 125, Nanoose District, Plan 10841 (1476 Seaway Drive);
- Lot 8, District Lot 125, Nanoose District, Plan 10841 (1480 Seaway Drive);
- Lot 9, District Lot 125, Nanoose District, Plan 10841 (1482 Seaway Drive);
- Lot 10, District Lot 125, Nanoose District, Plan 10841 (1486 Seaway Drive);
- Lot 11, District Lot 125, Nanoose District, Plan 10841 (1494 Seaway Drive);
- Lot 12, District Lot 125, Nanoose District, Plan 10841 (1498 Seaway Drive);
- Lot 13, District Lot 125, Nanoose District, Plan 10841 (1502 Seaway Drive);
- Lot 14, District Lot 125, Nanoose District, Plan 10841 (1505 Seaway Drive);
- Lot 15, District Lot 125, Nanoose District, Plan 10841 (1501 Seaway Drive);
- Lot 16, District Lot 125, Nanoose District, Plan 10841 (1298 Arbutus Road);
- Lot 17, District Lot 125, Nanoose District, Plan 10841 (1290 Arbutus Road);
- Lot 18, District Lot 125, Nanoose District, Plan 10841 (1280 Arbutus Road);
- Lot 1, District Lot 125, Nanoose District, Plan 21959 (1460 Seaway Drive);
- Lot 2, District Lot 125, Nanoose District, Plan 21959 (1456 Seaway Drive);
- Lot 3, District Lot 125, Nanoose District, Plan 21959 (1452 Seaway Drive);
- Lot 4, District Lot 125, Nanoose District, Plan 21959 (1450 Seaway Drive);
- Lot 1, District Lot 125, Nanoose District, Plan 28271 except Part in Plan EPP48536 (1514 Seaway Drive);
- Lot 1, District Lot 125, Nanoose District, Plan VIP80850 (1451 Seaway Drive);
- Lot 2, District Lot 125, Nanoose District, Plan VIP80850 (1453 Seaway Drive);
- Lot A, District Lot 125, Nanoose District, Plan EPP48536 (1250 Arbutus Road).

e. By rezoning the following properties from 'Commercial 5 CM5' subdivision district 'D' (CM5D) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to 'Tourist Commercial CS-2' (CS-2) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "2":

- Strata Lots 1 to 75 inclusive and Common Property, District Lot 123, Nanoose District, Strata Plan 1549 (1051 Resort Drive);
- Strata Lots 1 to 30 inclusive and Common Property, District Lot 123, Nanoose District, Strata Plan 1623 (1145 Resort Drive);
- Strata Lots 1 to 43 inclusive and Common Property, District Lot 123, Nanoose District, Strata Plan 1734 (1165 Resort Drive);
- Strata Lots 1 to 78 inclusive and Common Property, District Lot 123, Nanoose District, Strata Plan VIS2118 (1135 Resort Drive);
- Strata Lots 1 to 20 inclusive and Common Property, District Lot 59, Nanoose District, Strata Plan VIS2408 (1065 Tanglewood Place);
- Strata Lots 1 to 43 inclusive and Common Property, District Lots 123 and 125, Nanoose District, Strata Plan VIS6005 (1175 Resort Drive);
- Strata Lots 1 to 46 inclusive and Common Property, District Lot 59, Nanoose District, Strata Plan VIS6070 (1059 Tanglewood Place);

- Park, District Lot 123, Nanoose District, Plan 48012 (1160 Resort Drive);
  - Park, District Lot 59, Nanoose District, Plan VIP51320;
  - Park, District Lot 59, Nanoose District, Plan VIP54263;
  - Lot A, District Lots 123 and 125, Nanoose District, Plan VIP80938, except part in Plan VIS6005 (Phases 1 to 4) (1175 Resort Drive).
- f. By rezoning those portions of the following properties which are zoned 'Commercial 5 CM5' subdivision district 'D' (CM5D) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" from 'Commercial 5 CM5' subdivision district 'D' (CM5D) to 'Tourist Commercial CS-2' (CS-2) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "2":
- Strata Lots 1 to 111 inclusive and Common Property, District Lot 123, Nanoose District, Strata Plan VIS7026 (1155 Resort Drive);
  - Lot 1, District Lot 123, Nanoose District, Plan VIP67106 (1170 Resort Drive).
- g. By rezoning that portion of the following property which is zoned 'Industrial 1 IN1' subdivision district 'H' (IN1H) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" from 'Industrial 1 IN1' subdivision district 'H' (IN1H) to 'Industrial I-1' (I-1) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "3":
- Lot B, District Lot 123, Nanoose District, Plan VIP58761 (1390 Industrial Way).
- h. By rezoning the following property from 'Industrial IN1' subdivision district 'J' (IN1J) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to 'Industrial I-1' (I-1) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "4":
- Lot 2, Block 564, Nanoose District, Plan 42530 (1480 Industrial Way).
- i. By rezoning that portion of the following property which is zoned 'Industrial 1 IN1' subdivision district 'N' (IN1N) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" from 'Industrial 1 IN1' subdivision district 'N' (IN1N) to 'Industrial I-1' (I-1) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "5":
- Lot 1, Block 564, District Lot 125, Nanoose District, Plan VIP66272 (1180 Resort Drive).
- j. By rezoning the following property from 'Industrial 2 IN2' subdivision district 'J' (IN2J) of "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to 'Industrial I-1' (I-1) of "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "6":

- Lot 2, Block 564, Nanoose District, Plan 33511 (1485 & 1499 Huntley Road and 1117 & 1135 Industrial Way).
- k. By rezoning the following properties from 'Rural 1 RU1' subdivision district 'D' (RU1D) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to 'Agriculture A-1' (A-1) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "7":
- That Part of Lot 1, District Lot 123, Nanoose District, Plan 4091, lying to the west of Craig Road (1350 Greig Road);
  - That Part of Lot 2, District Lot 123, Nanoose District, Plan 4091 lying to the west of Craig Road (1370 Greig Road);
  - That Part of Lot 4, Section 123, Nanoose District, Plan 4091, lying to the west of Craig Road, (formerly Island Highway) as said road is shown on Plan 4091 (1412 Greig Road);
  - Lot A, District Lot 123, Nanoose District, Plan VIP58761 (1050 Island Highway East);
  - Lot A, District Lot 123, Nanoose District, Plan VIP57926 (1000 Island Highway East).
- l. By rezoning those portions of the following properties which are zoned 'Rural 1 RU1' subdivision district 'D' (RU1D) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" from 'Rural 1 RU1' subdivision district 'D' (RU1D) to 'Agriculture A-1' (A-1) under "*City of Parksville Zoning and Development Bylaw, 1994, No. 2000*" as shown shaded in black on the map attached as Map "7":
- Lot B, District Lot 123, Nanoose District, Plan VIP58761 (1390 Industrial Way);
  - Lot 1, Block 564, District Lot 125, Nanoose District, Plan VIP66272 (1180 Resort Drive);
  - Lot 1, District Lot 123, Nanoose District, Plan VIP67106 (1170 Resort Drive).
- m. By rezoning the following property from 'Commercial 2 CM2' subdivision district 'J' (CM2J) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to the 'Commercial Tuan CTX-1' zone attached to this bylaw as Schedule "A" as shown shaded in black on the map attached as Map "8":
- Those Parts of Lot 5, District Lot 123, Nanoose District, Plan 4091, lying to the west of the new Island Highway as established by Gazette Notice, See B.C. Gazette, October 17, 1974, P. 3118, except that Part in Plan.21770 (1100 Island Highway East).
- n. By rezoning the following properties from 'Recreation 1 RC1' subdivision district 'Z' (RC1Z) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to the 'Recreation RCX-1' zone attached to this bylaw as Schedule "B" as shown shaded in black on the map attached as Map "9":
- District Lot 41, Nanoose District (1240 Rath Trevor Road);

- District Lot 59, Nanoose District except that Part in Plan 18359 (1240 Rath Trevor Road).
- o. By rezoning the following from 'Water WA1' subdivision district 'Z' (WA1Z) under "*City of Parksville Resort Area Zoning and Development Bylaw, 2014, No. 1509*" to the 'Water WX-1' (WX-1) zone attached to this bylaw as Schedule "C" as shown shaded in black on the map attached as Map "10":
  - The surface of the water bounded by a line commencing at the most northerly corner of District Lot 41, Nanoose Land District, being a point on the natural high water mark of the Strait of Georgia, on the southerly shore thereof; thence northeasterly in a straight line, for a distance of 300 metres and in a direction perpendicular to the general direction of said natural high water mark of the Strait of Georgia, on the southerly shore thereof; thence in a general southeasterly direction parallel to and 300 metres perpendicularly distant northeasterly from the natural high water marks of the Strait of Georgia and Craig Bay, on the southerly and southwesterly shores thereof, to the point of intersection with a straight line drawn 300 metres perpendicularly distant northerly from the most northerly northeast corner of Lot A of Plan VIP61553, District Lots 40 and 125, Nanoose District, on file in the Land Title Office, Victoria; thence southerly along said straight line to the aforesaid most northerly northeast corner of Lot A of Plan VIP61553, District Lots 40 and 125, Nanoose District; thence from the most northerly northeast corner of Lot A of Plan VIP61553, District Lots 40 and 125, Nanoose District, along the natural high water marks of the Strait of Georgia and Craig Bay, on the southerly and southwesterly shores thereof, to the most northerly corner of District Lot 41, Nanoose Land District, being a point on the natural high water mark of the Strait of Georgia, on the southerly shore thereof.

**REPEAL**

2. That "*City of Parksville Resort Area Zoning and Development Amendment Bylaw, 2014, No. 1509*" be repealed in its entirety.

**CITATION**

3. This bylaw may be cited for all purposes as "*Zoning and Development Amendment Bylaw, 2015, No. 2000.101*".

**READ A FIRST TIME** this    day of

**READ A SECOND TIME** this    day of

**PUBLIC HEARING HELD** this    day of

**READ A THIRD TIME** this    day of

RECEIVED THE APPROVAL OF THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this  
day of

RECONSIDERED AND FINALLY ADOPTED this    day of

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Mayor

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Corporate Officer

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Schedule "A" of Bylaw No. 2000.101

**250 COMMERCIAL TUAN**

**CTX-1**

*This zone is intended to provide land for convenience shopping near adjacent resort and industrial areas.*

**250.1 Permitted Land Uses:**

Funeral Parlour
Gas Bar
Nursery
Office
Personal Services
Recreation Facility
Residential Use (a)
Restaurant
Retail Store

(a) Must be contained within a Dwelling Unit;

**250.2 Minimum Lot Size:**

The minimum lot size shall be no less than 4000 m<sup>2</sup>.

**250.3 Density:**

Maximum Floor Area Ratio	0.75
Maximum Lot Coverage	50%
Maximum Number of Dwelling Units	1 per lot

**250.4 Maximum Height:**

Buildings and Structures:	8.0 m
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**250.5 Minimum Building and Structure Setbacks:**

	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
Principal Building	8.0 m	5.0 m	5.0 m	5.0 m
Accessory Buildings and Structures	8.0 m	5.0 m	5.0 m	5.0 m

**250.6 Off-Street Parking and Loading:**

Off-street parking and loading shall be provided according to Division 400 of this bylaw.

**250.7 Screening and Landscaping:**

Except where authorized by development permit, landscaping and screening shall comply with the requirements contained in Division 500 of this bylaw.

**250.8 Refuse Removal Area Requirements:**

A designated refuse removal area, for the storage of garbage and recycling containers, shall be provided. The refuse removal area must be completely concealed within a building or be provided pursuant to Section 414 and Section 503 of this Bylaw.

**250.9 Fences and Retaining Walls:**

Except where authorized by development permit, fences and retaining walls shall comply with the requirements contained in Section 501.3 of this Bylaw.



Schedule "B" of Bylaw No. 2000.101

<b>251</b>	<b>RECREATION</b>	<b>RCX-1</b>
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*This zone is intended to provide land for the outdoor recreation, camping and park uses for the general public.*

**251.1 Permitted Land Uses:**

Park
Campground (a)
Outdoor Recreation
Residential Use (b)

- (a) Subject to Section 614 of this Bylaw.
- (b) Must be contained within a Dwelling Unit.

**251.2 Minimum Lot Size:**

The minimum lot size shall be no less than 20 hectares.

**251.3 Density:**

Maximum Floor Area Ratio	0.20
Maximum Lot Coverage	10%
Campground	50 camping space per hectare to a maximum of 150 camping spaces per parcel
Maximum Number of Dwelling Units	1 per lot

**251.4 Maximum Height:**

Buildings and Structures:	8.0 m
---------------------------	-------

**251.5 Minimum Building and Structure Setbacks:**

	Front Lot Line Setback	Rear Lot Line Setback	Exterior Lot Line Setback	Interior Lot Line Setback
Buildings and Structures	8.0 m	5.0 m	5.0 m	5.0 m

**251.6 Off-Street Parking and Loading:**

- a) For Campground, off-street parking shall be provided in accordance with the Campground Bylaw;

- b) For all other permitted land uses, off-street parking shall be provided in accordance with Division 400 of this bylaw.

**251.7 Screening and Landscaping:**

Except where authorized by development permit, landscaping and screening shall comply with the requirements contained in Division 500 of this bylaw.

**251.8 Refuse Removal Area Requirements:**

A designated refuse removal area, for the storage of garbage and recycling containers, shall be provided. The refuse removal area must be completely concealed within a building or be provided pursuant to Section 414 and Section 503 of this Bylaw.

**251.9 Fences and Retaining Walls:**

Except where authorized by development permit, fences and retaining walls shall comply with the requirements contained in Section 501.3 of this Bylaw.

**251.10 Campground Regulations:**

All requirements for campgrounds as outlined in the current Campground Bylaw and successor bylaws must be met, provided that this bylaw prevails in the event of any inconsistency between this bylaw and the Campground Bylaw.

Schedule "C" of Bylaw No. 2000.101

<b>252</b>	<b>WATER</b>	<b>WX-1</b>
------------	--------------	-------------

*This zone intended to permit marine related uses over the surface of the water and foreshore.*

**250.1 Permitted Land Uses:**

Aquaculture
Boat Ramp
Park

**250.2 Minimum Lot Size:**

The minimum lot size shall be no less than 20 hectares.

**250.3 Density:**

Maximum Floor Area Ratio	0.05
Maximum Lot Coverage	0.5%

**250.4 Maximum Height:**

Buildings and Structures:	1.0 m above surface of water measured from the natural boundary
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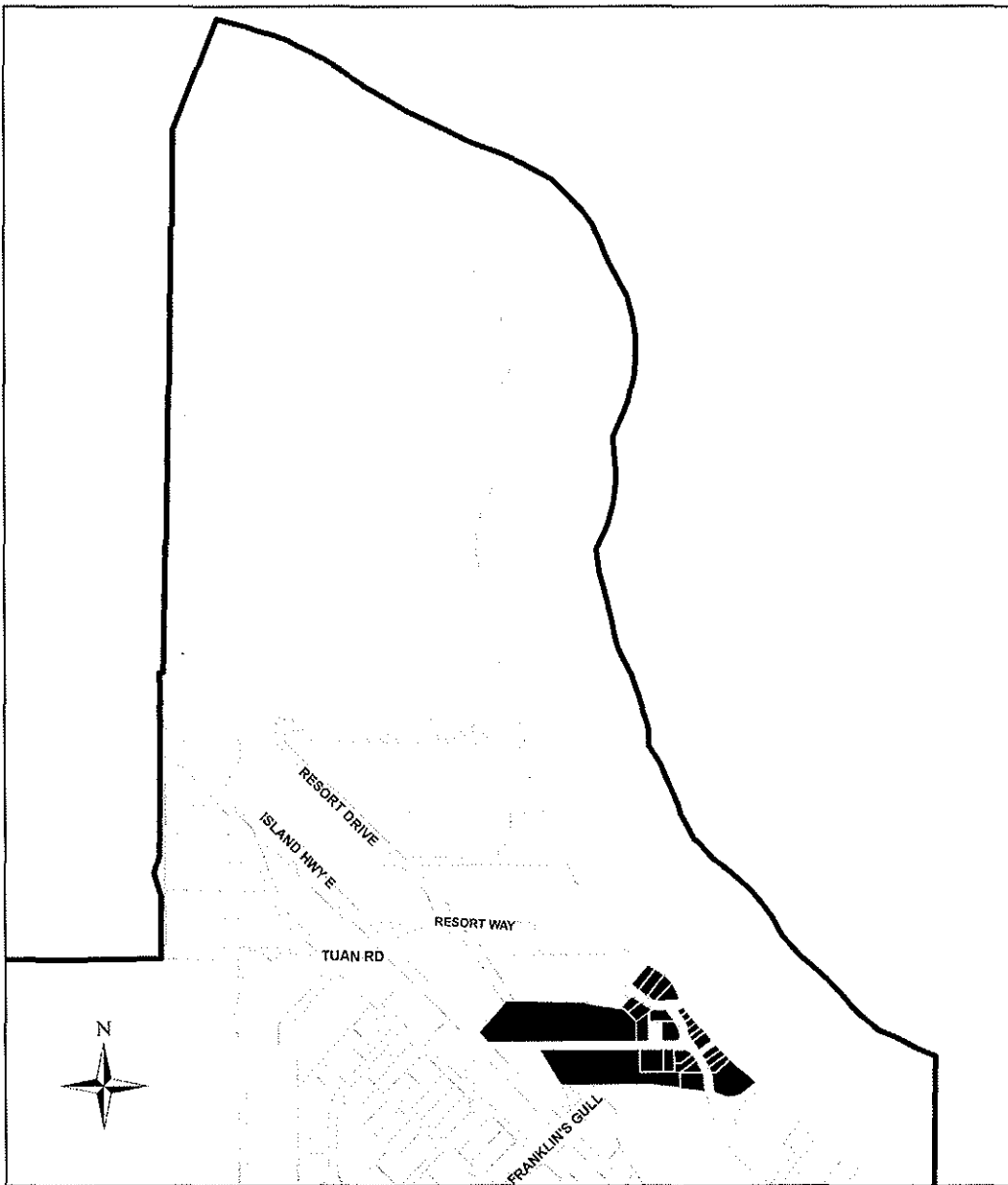
**250.5 Minimum Building and Structure Setbacks:**

	<b>All Lot Lines or Lease boundaries</b>
Buildings and Structures	3.0 m

Map "1" of Bylaw No. 2000.101

Corporate Officer

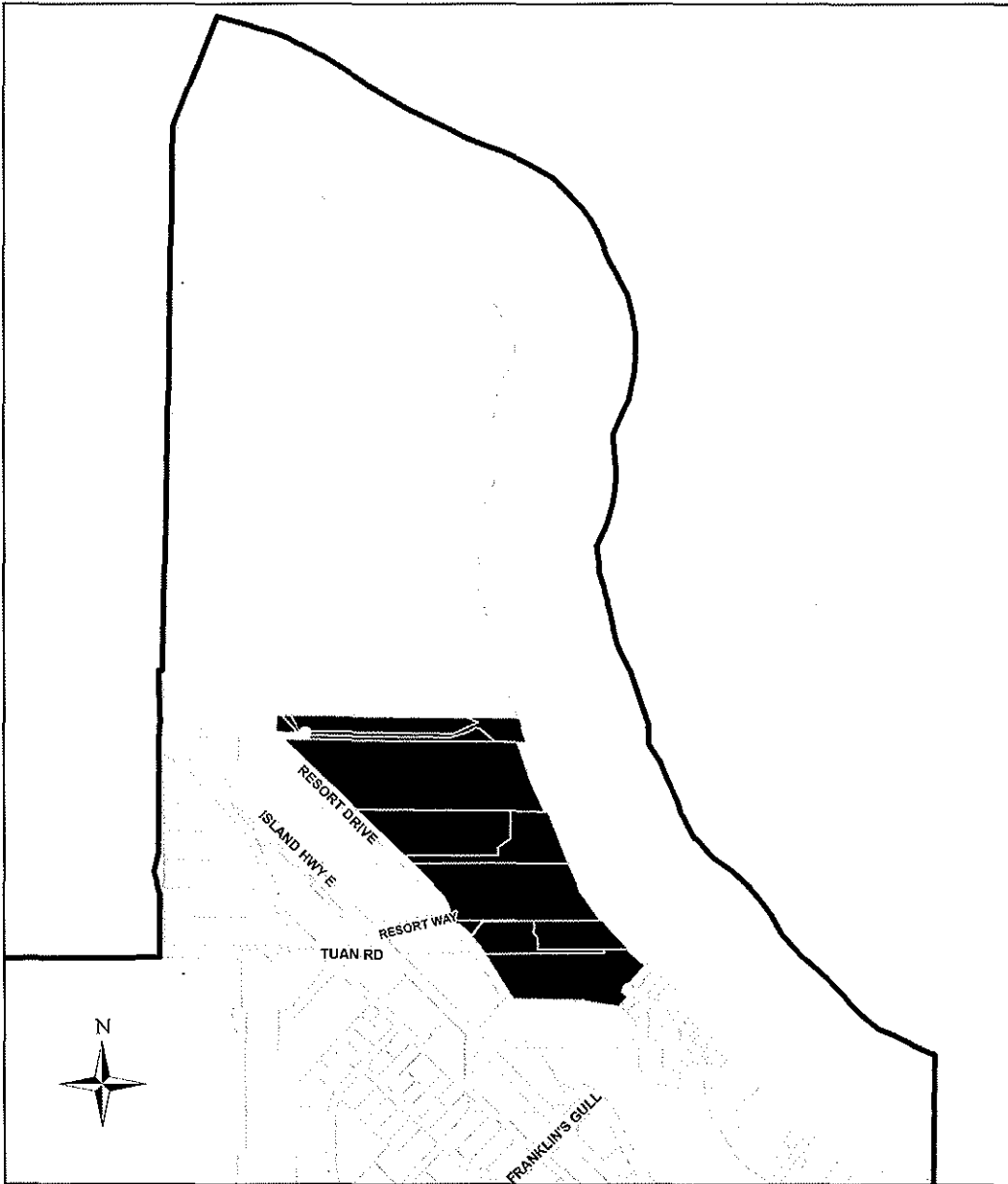
FROM: 'Residential 1 RS1' subdivision district 'N' (RS1N)  
TO: 'Single Family Residential RS-1' (RS-1)



Map "2" of Bylaw No. 2000.101

Corporate Officer

FROM: 'Commercial 5 CM5' subdivision district 'D' (CM5D)  
TO: 'Tourist Commercial CS-2' (CS-2)

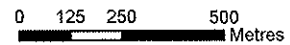
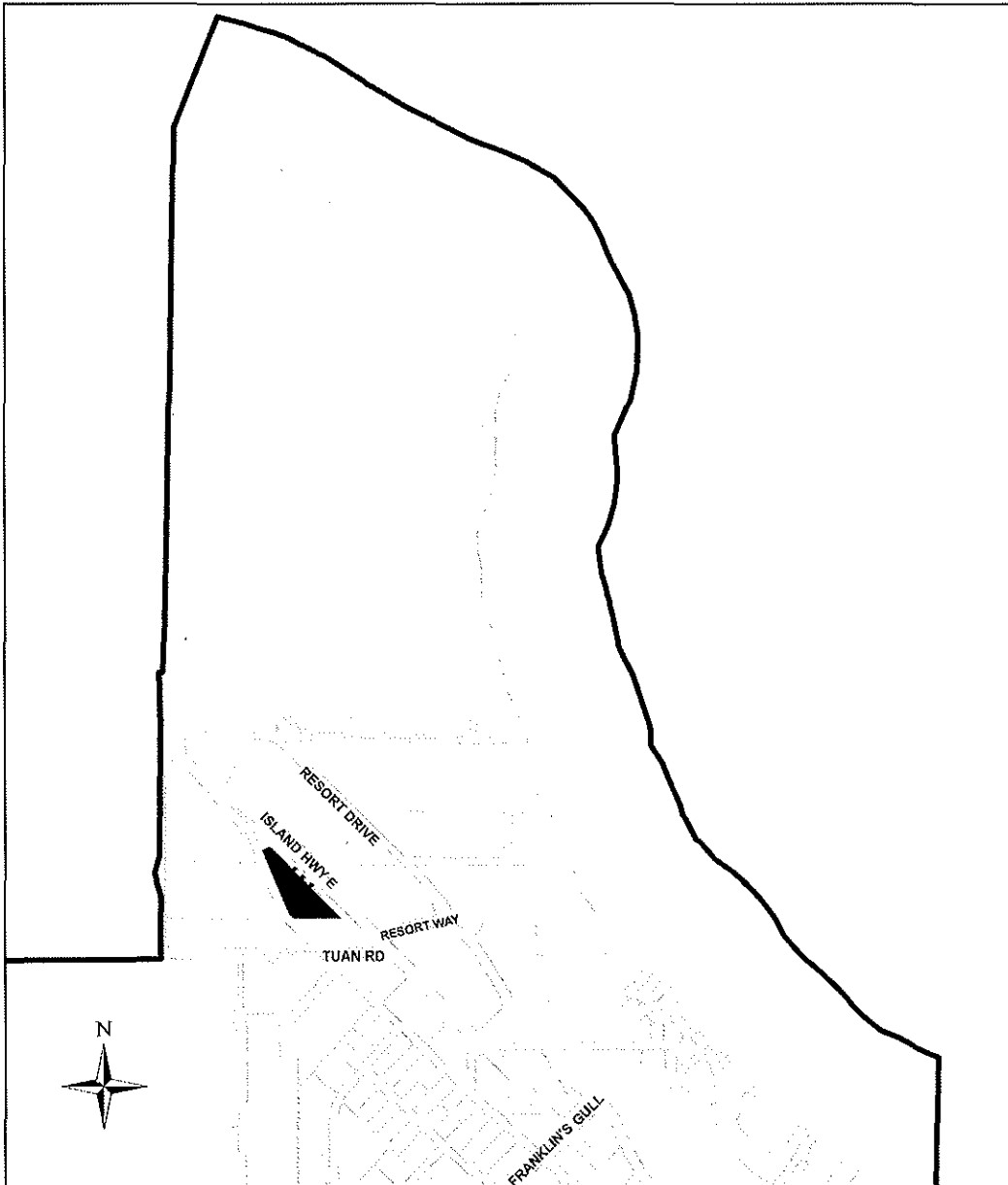


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Map "3" of Bylaw No. 2000.101

Corporate Officer

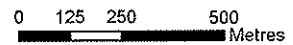
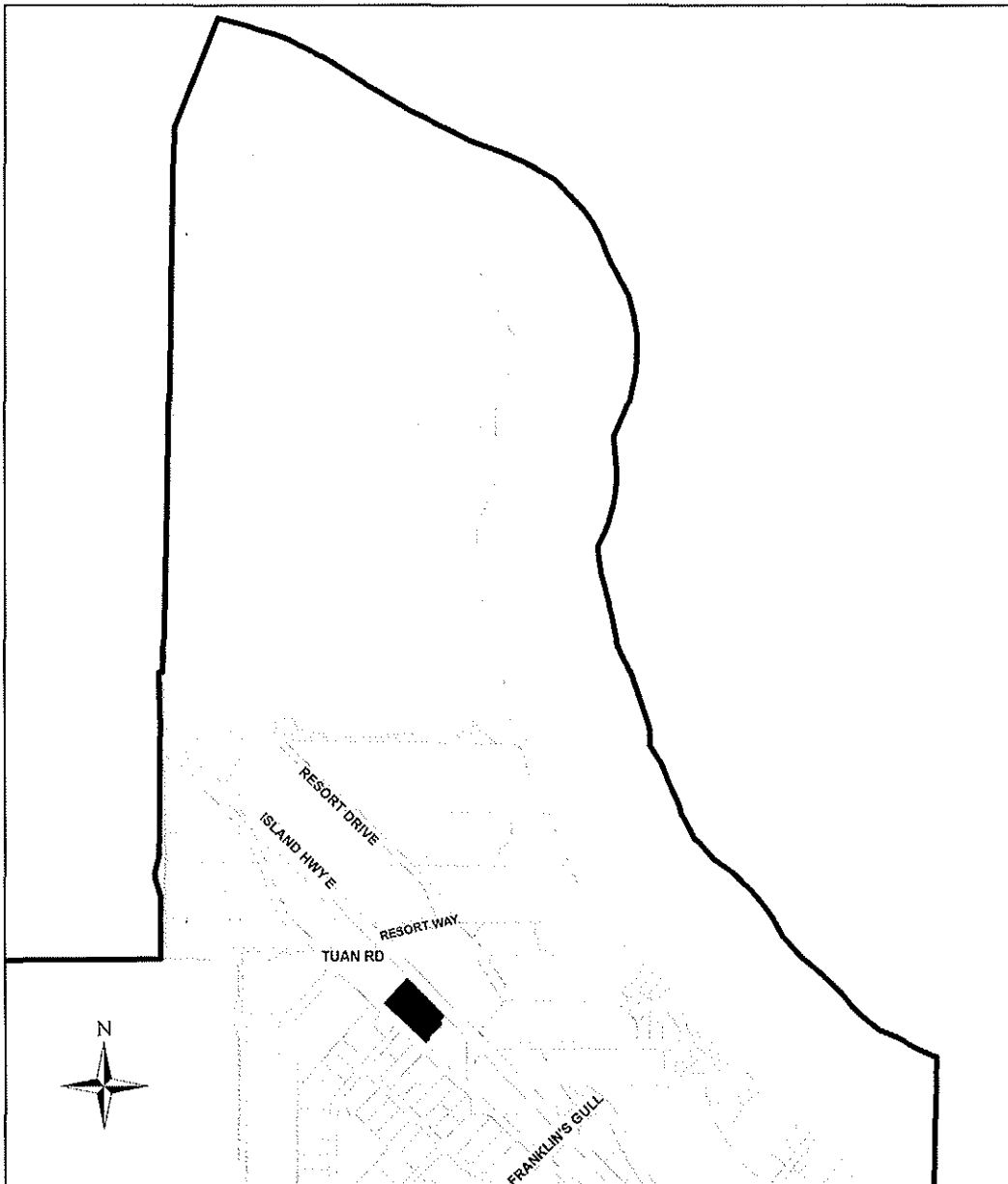
FROM: 'Industrial 1 IN1' subdivision district 'H' (IN1H)  
TO: 'Industrial I-1' (I-1)



Map "4" of Bylaw No. 2000.101

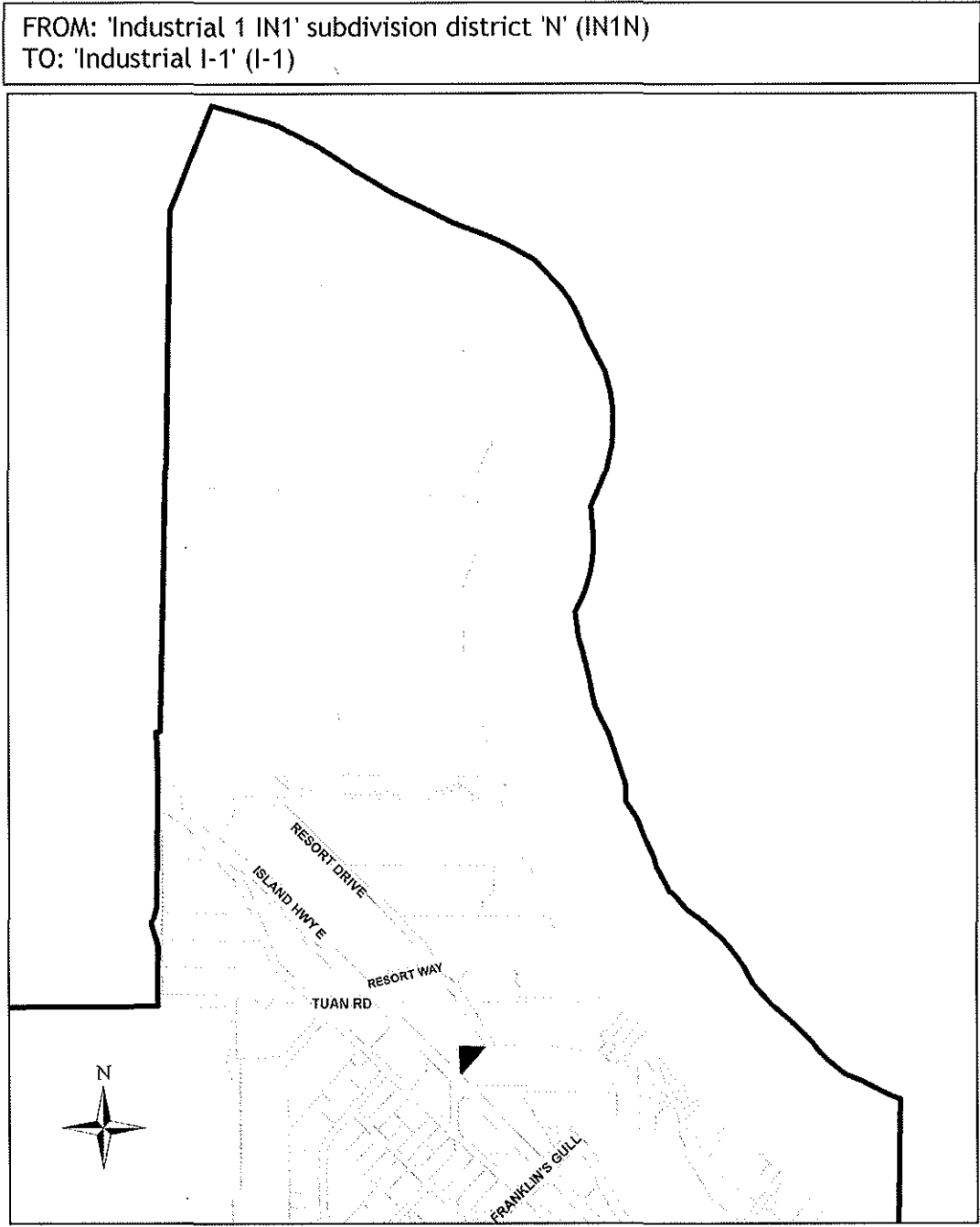
Corporate Officer

FROM: 'Industrial IN1' subdivision district 'J' (IN1J)  
TO: 'Industrial I-1' (I-1)



Map "5" of Bylaw No. 2000.101

Corporate Officer

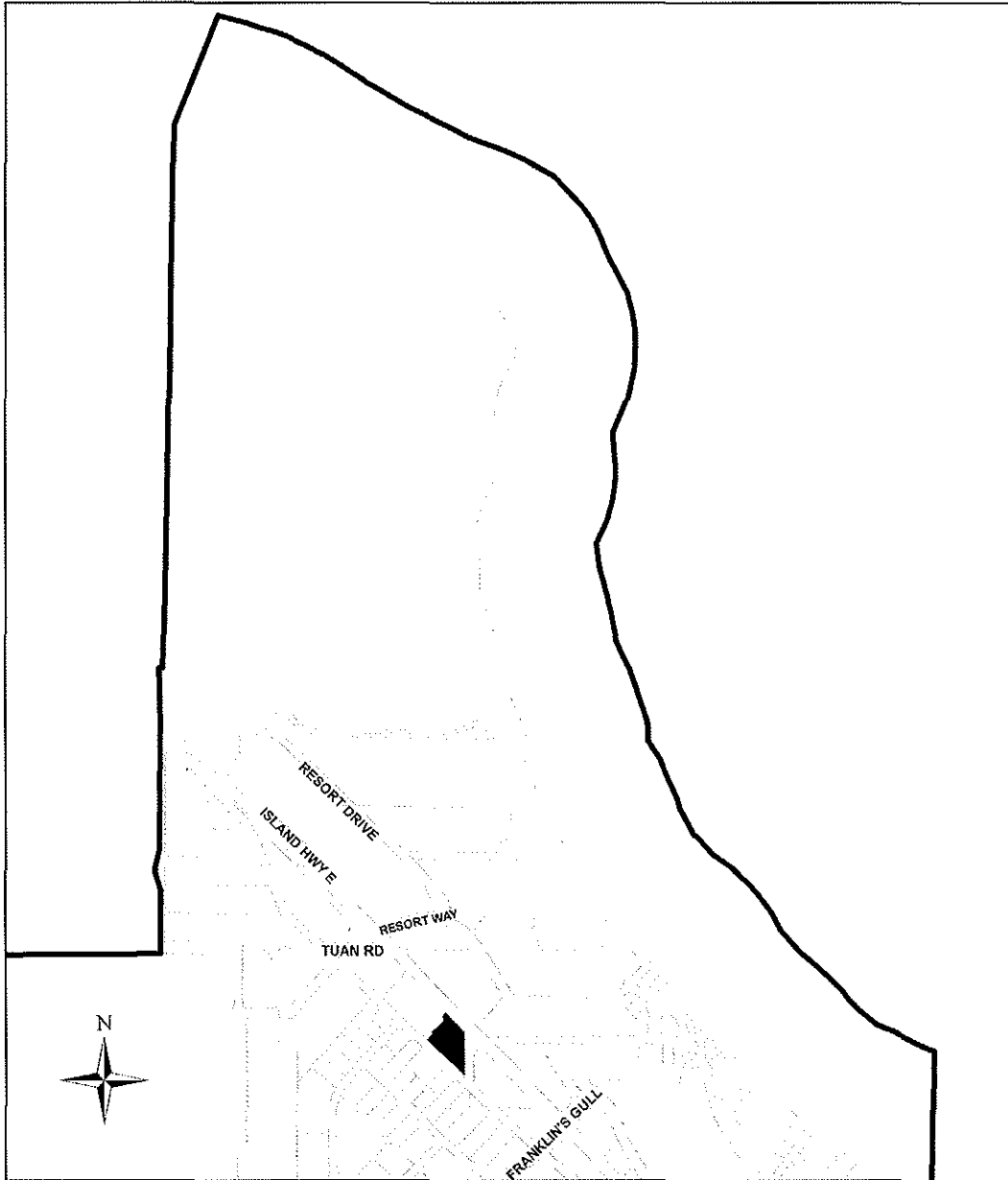




Map "6" of Bylaw No. 2000.101

Corporate Officer

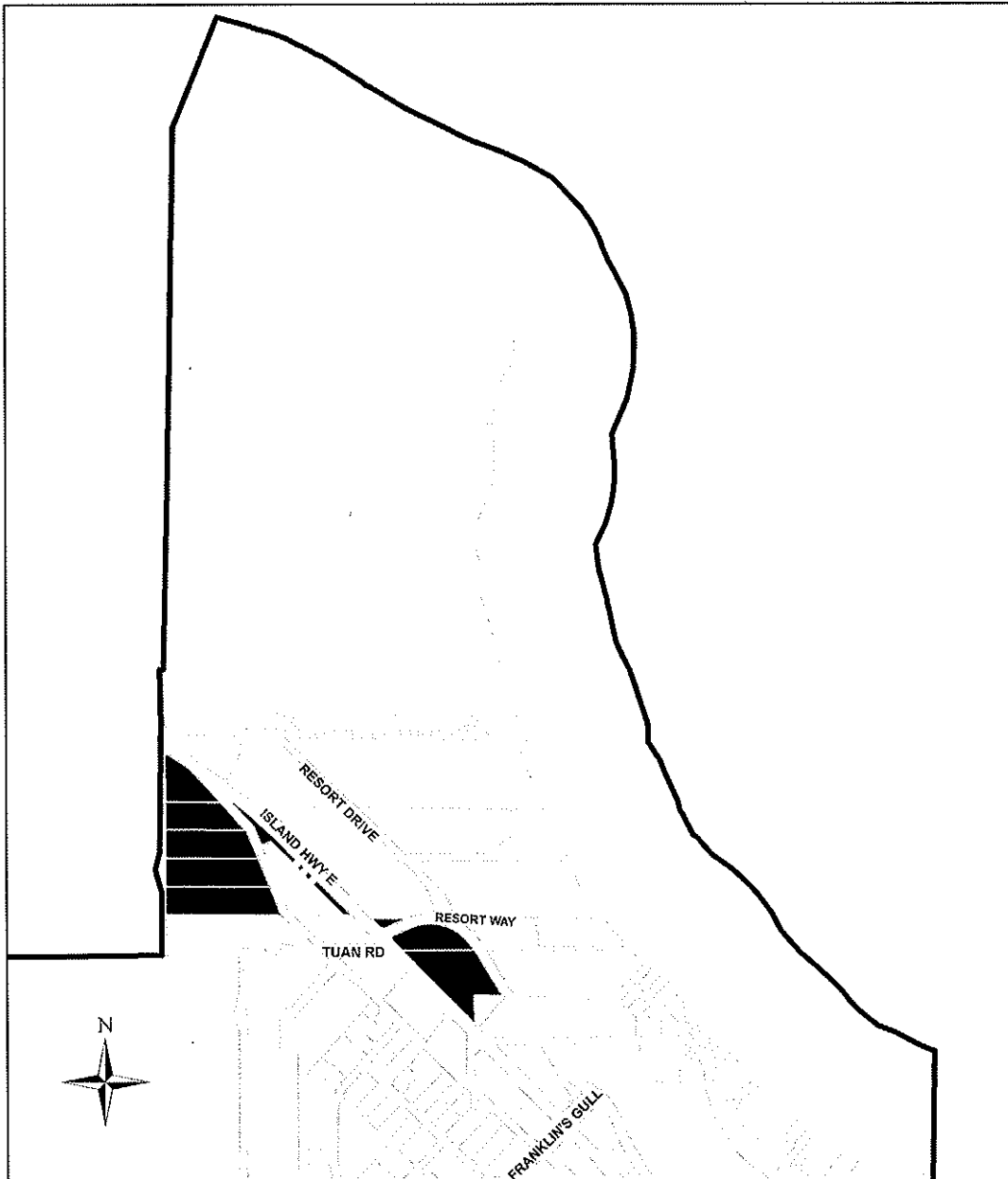
FROM: 'Industrial 2 IN2' subdivision district 'J' (IN2J)  
TO: 'Industrial I-1' (I-1)



Map "7" of Bylaw No. 2000.101

Corporate Officer

FROM: 'Rural 1 RU1' subdivision district 'D' (RU1D)  
TO: 'Agriculture A-1' (A-1)

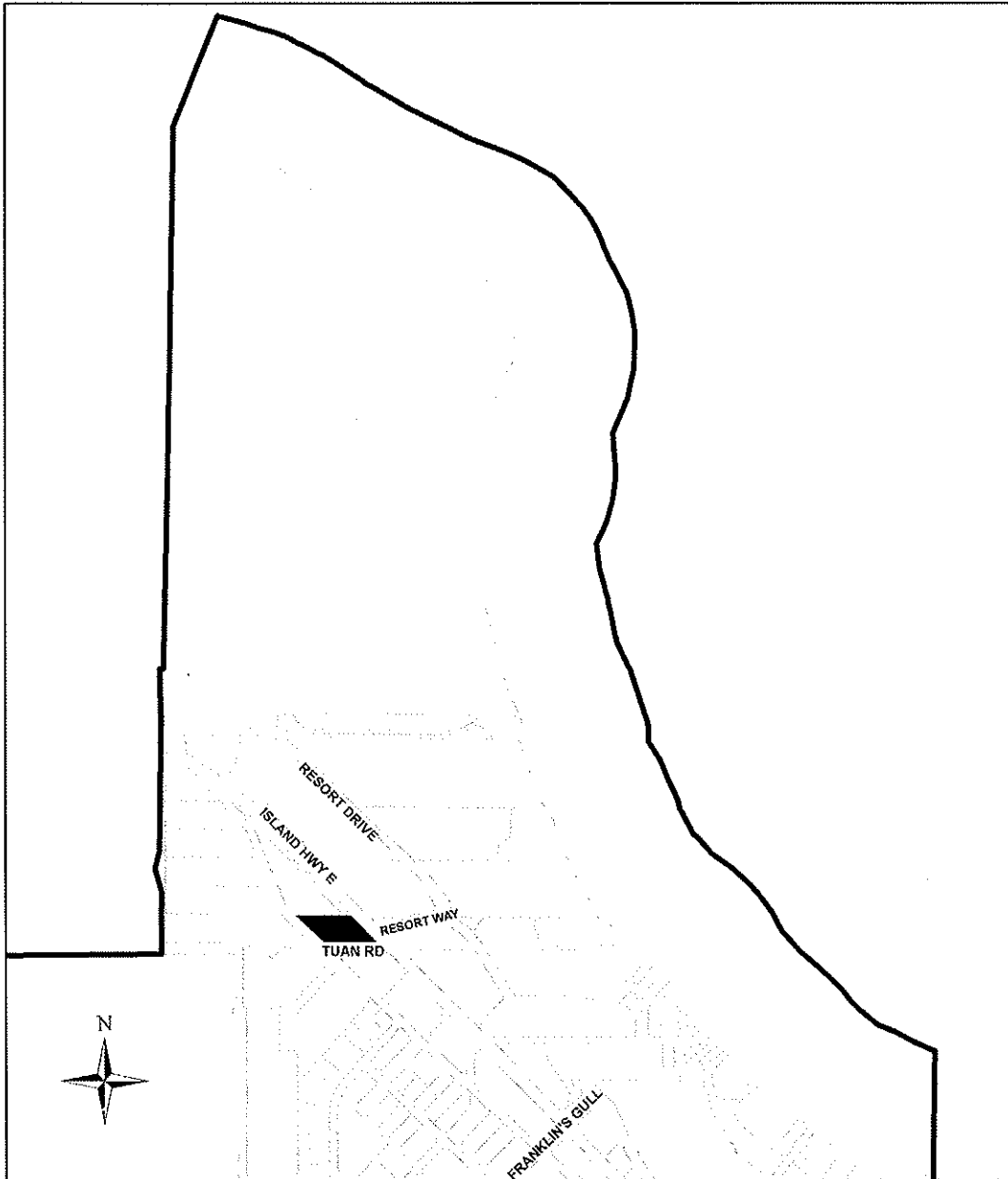


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Map "8" of Bylaw No. 2000.101

Corporate Officer

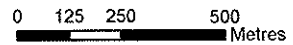
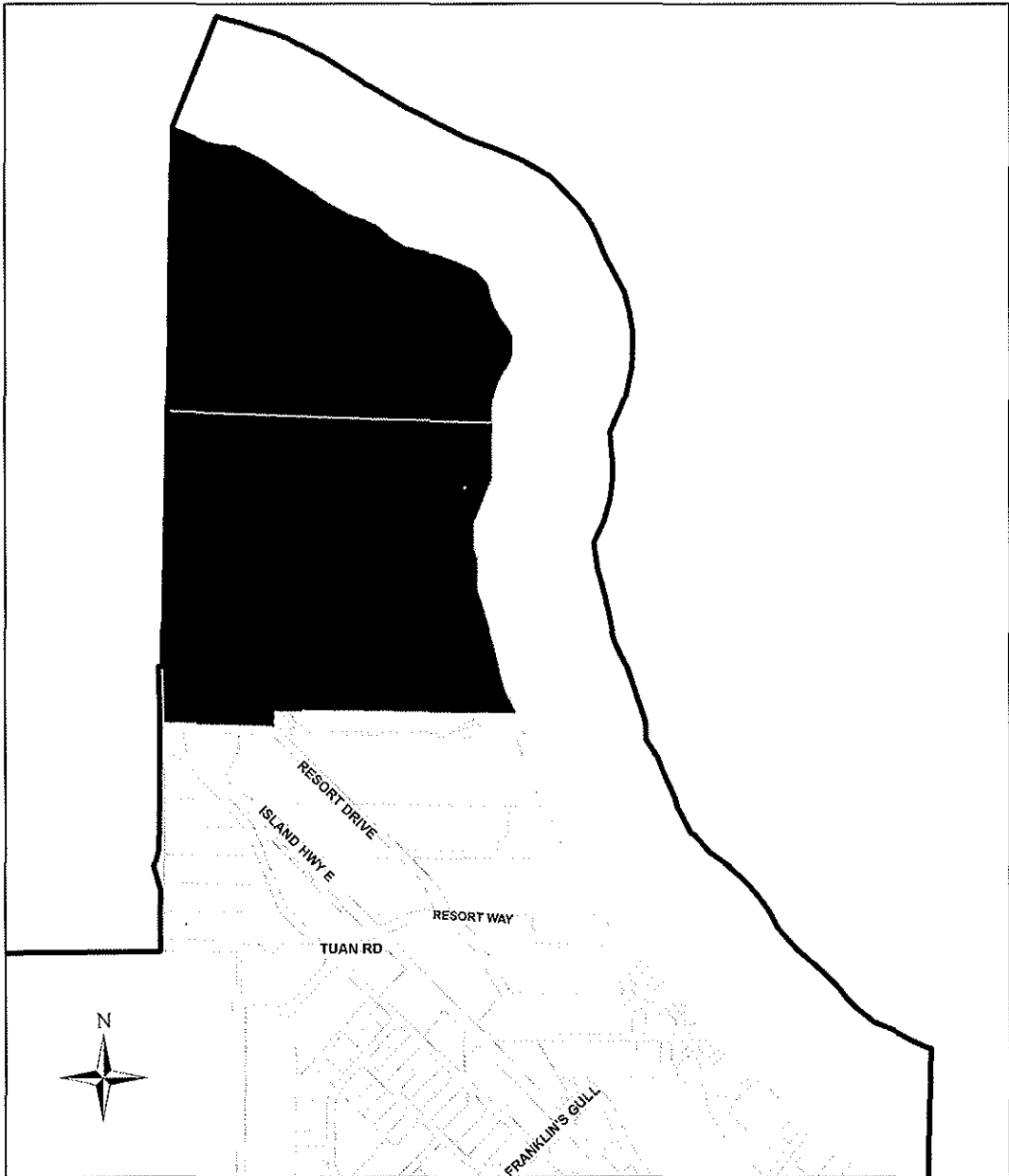
FROM: 'Commercial 2 CM2' subdivision district 'J' (CM2J)  
TO: 'Commercial Tuan CTX-1' (CTX-1)



Map "9" of Bylaw No. 2000.101

Corporate Officer

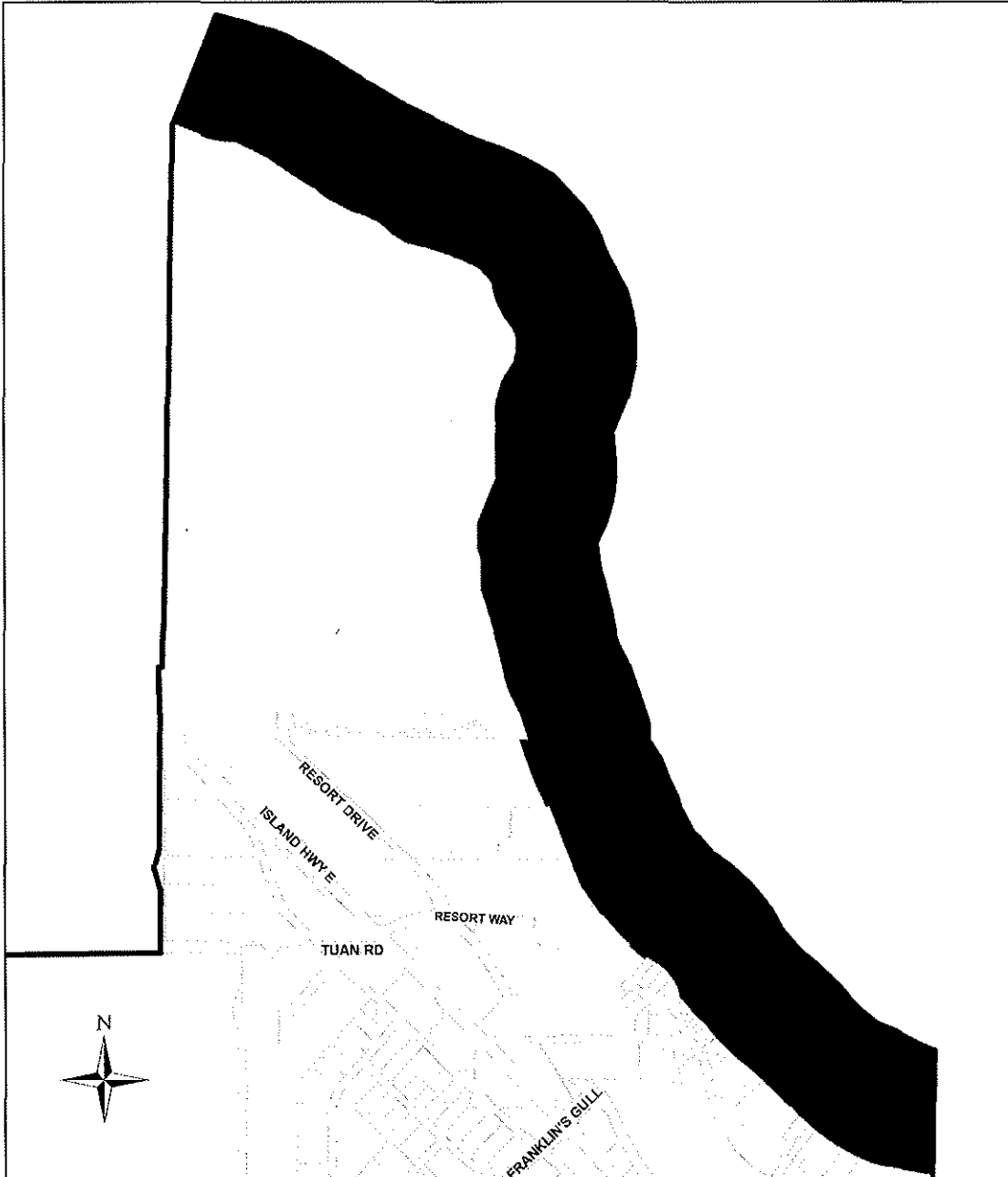
FROM: 'Recreation 1 RC1' subdivision district 'Z' (RC1Z)  
TO: 'Recreation RCX-1' (RCX-1)



Map "10" of Bylaw No. 2000.101

Corporate Officer

FROM: 'Water WA1' subdivision district 'Z' (WA1Z)  
TO: 'Water WX-1' (WX-1)



0 125 250 500 Metres

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**CITY OF PARKSVILLE**

**BYLAW NO. 1521**

**A BYLAW TO EXEMPT CERTAIN LANDS AND IMPROVEMENTS FROM MUNICIPAL  
PROPERTY TAXATION FOR THE YEAR 2016**

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**WHEREAS** Section 224(1) of the *Community Charter* provides Council may, by bylaw, and in accordance with that section, exempt land or improvements or both, as referred to in subsection (2), from taxation under Section 197(1)(a) [municipal property taxes], to the extent, for the period and subject to the conditions provided in this bylaw;

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

1. Those certain parcels or tracts of land and improvements, situated, lying and being in the City of Parksville, as described in Schedules "A" to "F", attached hereto and forming part of this bylaw, shall be exempt from taxation for the municipal portion for the year 2016 at the percentage rate specified, providing such properties are used for the purposes set out in Sections 220 and 224(2) of the *Community Charter*.
2. This bylaw will not apply to property in the event the use or ownership no longer conforms to the conditions necessary to qualify for exemption and will be liable to taxation.
3. This bylaw may be cited for all purposes as "Permissive Taxation Exemption Bylaw, 2015, No. 1521".

**READ A FIRST TIME** this

**READ A SECOND TIME** this

**READ A THIRD TIME** this

**SECTION 227 PUBLIC NOTIFICATION** on the

**RECONSIDERED AND FINALLY ADOPTED** this

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Mayor

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Corporate Officer

## SCHEDULE "A"

### TAXATION EXEMPTION PROPERTIES FOR 2016

#### Section 224(2)(a)

- a) Roll No. 158.500 - Lot 1, District Lots 2 and 50, Nanoose District, Plan VIP55660 - 200 Corfield Street North [The Nature Trust of BC]; at a rate of 100%
- b) Roll No. 180.000 - Lot 17, District Lot 13, Nanoose District, Plan 6836 - 144 Middleton Avenue [Parksville Seniors Activity and Drop-In Centre Society]; at a rate of 100%
- c) Roll No. 196.000 - Lot 33, District Lot 13, Nanoose District, Plan 6836 - 136 Hirst Avenue [Forward House Community Society]; at a rate of 100%
- d) Roll No. 214.001 - Lot A, District Lot 14, Nanoose District, Plan VIP74182 - 188 Hirst Avenue West [District 69 Society of Organized Services]; at a rate of 100%
- e) Roll No. 273.000 - That part of Lot A, District Lot 14, Nanoose District, Plan 4095 lying to the west of a boundary parallel to and perpendicularly distant 89 feet from the westerly boundary of the lot and that part of Lot A, District Lot 14, Nanoose District, Plan 4095 lying east of a boundary parallel to and perpendicularly distant 89 feet from the west boundary of the lot - 146 Hirst Avenue West [Mt. Arrowsmith (Pacific No. 49) Branch, Royal Canadian Legion]; at a rate of 100%
- f) Roll No. 366.901 - Lot 1, District Lot 89, Nanoose District, Plan 45926 - 245 Hirst Avenue West [District 69 Society of Organized Services]; at a rate of 100%
- g) Roll No. 366.902 - Lots 1 to 4 inclusive, District Lot 89, Nanoose District, Plan 26728 - 249 Hirst Avenue West [Parksville and District Association for Community Living]; at a rate of 100%
- h) Roll No. 366.903 - Lot A, District Lot 89, Nanoose District, Plan 49747 - 133 McMillan Street [Oceanside Community Arts Council and Parksville and District Association for Community Living]; at a rate of 100%
- i) Roll No. 441.000 - Part of Lot 1, District Lot 89, Nanoose District, Plan VIP13939 - 107 - 109 Hirst Avenue West [The Salvation Army, Mt. Arrowsmith Community Services]; at a rate of 100%
- j) Roll No. 453.001 - Part of Lot 1, District Lot 89, Nanoose District, Plan 43366 - 109 - 192 Island Highway West [The Salvation Army, Mt. Arrowsmith Community Services]; at a rate of 100%
- k) Roll No. 670.080 - Lot 1, Block 564, Nanoose District, Plan 22048 - 1245 Chattell Road [Parksville, Qualicum Fish and Game Association]; at a rate of 50%



## SCHEDULE "B"

### TAXATION EXEMPTION PROPERTIES FOR 2016

#### Section 224(2)(c)

- a) Roll No. 125.200 - Lot 1, District Lot 13, Nanoose District, Plan VIP71491 - 149 Stanford Avenue East [Parksville Lawn Bowling Club]; at a rate of 100%
- b) Roll No. 158.001 - Lease Area "A" of that Part of the Remainder of Parcel "B" (DD34903-1), District Lot 13, Nanoose District, Plan VIP67307 - 193 Island Highway East [Regional District of Nanaimo/Parksville Curling Club]; at a rate of 100%
- c) Roll No. 77.016 - Lot 16, District Lot 4, Nanoose District, Strata Plan VIS2590 - 116 - 425 Stanford Avenue East [Oceanside Cadet Youth Society]; at a rate of 50%
- d) Roll No. 670.043 - Lot 8, Block 564, Nanoose District, Plan 33339 except part in Plan VIP60816 and VIP62488 - 1245 Island Highway East [Parksville and District Historical Society]; at a rate of 100%

## SCHEDULE "C"

### TAXATION EXEMPTION PROPERTIES FOR 2016

#### Section 224(2)(f)

- a) Roll No. 218.000 - Lots 6 and 7, District Lot 14, Nanoose District, Plan 5663 except Plan 36767 - 187 Alberni Highway [Governing Council of Salvation Army BC & Yukon Territory Divisional Headquarters]; at a rate of 100%
- b) Roll No. 366.085 - Lot 1, District Lot 74, Nanoose District, Plan 34131 - 795 Island Highway West [Our Saviour Lutheran Church]; at a rate of 100%
- c) Roll No. 366.365 - Lot A, District Lot 87, Nanoose District, Plan 41355 - 550 Pym Street North [Trustees Parksville Baptist Church]; at a rate of 100%
- d) Roll No. 366.665 - Lot 4, District Lot 74, Nanoose District, Plan 2467 - 407 Wembley Road [Anglican Synod Diocese of BC]; at a rate of 100%
- e) Roll No. 605.801 - Lot 1, District Lot 127, Nanoose District, Plan 34272 - 345 Pym Street [Trustees Congregation of Knox United Church]; at a rate of 100%

SCHEDULE "D"

TAXATION EXEMPTION PROPERTIES FOR 2016

Section 224(2)(g)

- a) Roll No. 217.000 - Lots 4 and 5, District Lot 14, Nanoose District, Plan 5663 - 170 Hirst Avenue West [Mt. Arrowsmith (Pacific No. 49) Branch Royal Canadian Legion/Arbutus Grove Reformed Church]; at a rate of 100%

SCHEDULE "E"

TAXATION EXEMPTION PROPERTIES FOR 2016

Section 224(2)(h)

- a) Roll No 144.056 to 144.060 inclusive - Lots 8 to 40, District Lot 13, Nanoose District, Plan EPS421 - 205 Jensen Avenue East [Parksville Lions Senior Citizen Housing Society]; at a rate of 100%
- b) Roll No. 283.000 - Lot 8, District Lot 14, Nanoose District, Plan 5797 - 312 Hirst Avenue West [Kingsley Low-Rental Housing Society]; at a rate of 100%

SCHEDULE "F"

TAXATION EXEMPTION PROPERTIES FOR 2016

Section 224(2)(j)

- a) Roll No. 295.011 - Lot A, District Lot 14, Nanoose District, Plan VIP80791 - 266A Moilliet Street South [Arrowsmith Rest Home Society]; at a rate of 100%
- b) Roll No. 295.012 - Lot B, District Lot 14, Nanoose District, Plan VIP80791 - 266B Moilliet Street South [Arrowsmith Rest Home Society]; at a rate of 100%

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**CITY OF PARKSVILLE**

**BYLAW NO. 1520**

**A BYLAW TO PROVIDE FOR ADVANCE VOTING OPPORTUNITIES FOR THE  
2015 ASSENT VOTING**

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**WHEREAS** Section 97 of the *Local Government Act* requires Council to provide voting opportunities in advance of the general voting day for the 2015 assent voting on the 10<sup>th</sup> day before the general voting day and on another date established by bylaw;

**AND WHEREAS** Section 98 of the *Local Government Act* empowers Council, by bylaw, to provide for additional voting opportunities in advance of the general voting day for the assent voting;

**AND WHEREAS** general voting day for the 2015 assent voting is November 21, 2015;

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

1. This bylaw may be cited as "Parksville Advance Voting Opportunities Bylaw, 2015, No. 1520".
2. In addition to the required advance voting opportunity on November 12, 2015, November 18, 2015, is hereby established as an advance voting day for the 2015 assent voting.
3. Advance voting opportunities on the dates specified in Section 2 shall be available at the Parksville Community and Conference Center, 132 Jensen Avenue East, Parksville, British Columbia between the hours of 8 am and 8 pm.

**READ A FIRST TIME** this

**READ A SECOND TIME** this

**READ A THIRD TIME** this

**RECONSIDERED AND FINALLY ADOPTED** this

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Mayor

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Corporate Officer