

# TOWN OF SMITHERS

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD AT THE TOWN OFFICE, 1027 ALDOUS STREET, SMITHERS, B.C. ON TUESDAY, OCTOBER 19, 2010, AT 6:00 PM.

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Council Present:

Cress Farrow, Mayor  
Norm Adomeit, Councillor  
Mark Bandstra, Councillor  
Jo Ann Groves, Councillor  
Charlie Northrup, Councillor  
Frank Wray, Councillor.

Council Excused:

Lorne Benson, Councillor.

Staff Present:

Susan Bassett, Director of Corporate Services  
Mark Allen, Director of Development Services  
Alison Walker, Planner  
Penny Goodacre, Recording Secretary.

Staff Excused:

Deborah Sargent, Chief Administrative Officer  
Leslie Ford, Director of Finance  
Andrew Hillaby, Directory of Recreation, Parks and Culture  
Keith Stecko, Fire Chief  
Wilf Taekema, Director of Work and Operations.

Media Present: M. Dekkema, The Peak.

## 1. CALL TO ORDER

Mayor Farrow called the meeting to order (6:00 p.m.).

## 2. CORRESPONDENCE / REPORTS

### 2.1 Downtown Parking:

Adomeit/

THAT Report DEV 10-107 dated October 14, 2010, from A. Walker, Planner, regarding Downtown Parking, be received (6140-20).

**CARRIED UNANIMOUSLY.**

### Discussion:

Under Section 906 of the *Local Government Act*, a local government may, by bylaw, require owners to provide off-street parking, including spaces for disabled persons, and loading spaces. The requirements may depend on the use of the land or zones, may specify exemptions and may establish design standards, including size, surface, lighting and number of spaces. Council has the power to vary these requirements through a Development Variance Permit or in some cases a Development Permit.

Council reviewed Section 2.9 of the Zoning Bylaw No. 1403, parking requirements in the downtown core. The Zoning Bylaw permits parking in the C-1 (Town Centre Commercial) and C-1A (Downtown Commercial) to be provided in the following three ways: 1) On-site: Required parking may be provided on same site as the building; 2) Parking on another parcel: Required parking may be provided on another parcel under conditions specified in the bylaw provided that a covenant is registered under the *Land Title Act*, to the Town, which restricts the use of the parcel to off-street parking. Development of the covenanted parking to Town standards is not required; and 3) Cash-in-lieu: Required parking may be provided through a cash-in-lieu payment of \$5,500 per parking space for a maximum of 15 parking spaces. Funds received go into a reserve fund for the development of new Town-owned parking lots. Cash-in-lieu installments must be paid in a lump sum.

The Town of Smithers currently owns and maintains a parking lot on Second Avenue, between Queen Street and Main Street. A future town-owned parking area is located on Second Avenue, between King Street and Main Street. On-street parking is provided throughout the downtown core. There is a one (1) hour parking maximum on Main Street (extending to the lanes) and a two (2) hour parking maximum on the side streets (extending to King Street and Queen Street).

Council reviewed Section 2.9 of the Zoning Bylaw No. 1403, parking design and maintenance standards in the downtown core. In all commercial zones and the M-1 zone, a parking area with four or more parking spaces is required to be developed to full standard, which includes, but is not limited to: paving, curbs, lighting, connection to the municipal storm sewer (if available and adjacent to the property), and landscaping. All other required parking areas can be designed and constructed with curbs, gravel surface, and with proper drainage.

Properties that do not conform to the regulations contained in Section 2.9 are deemed to be lawfully non-conforming and are protected by the Local Government Act (Section 906) from having to comply with these requirements. Triggers for conforming to the Zoning Bylaw are: 1) construction of a new building; 2) the use in the building is discontinued for a period of six months or more; 3) there is a change of use or addition that results in an increase in parking or loading spaces, than what was required for the previous use; and 4) issuance of a Development Permit, provided that there are no variances included.

Some challenges with the existing parking regulations include: 1) having two standards of design for parking areas with 4 or more spaces requiring paving and for parking areas requiring less than 4 spaces gravel is permitted; 2) there are a high proportion of non-conforming properties on Main Street and the required off-street parking makes these sites expensive to redevelop; 3) covenanted parking areas are not required to be developed to full standard nor designated by signage; 4) providing an off-street loading space is impractical with the presence and width of the rear lanes; 5) calculated, decimal parking spaces must be rounded up to a full space; and 6) there is no bicycle parking requirements.

Council discussed potential changes to the parking regulations to make it more equitable to all developers, including: 1) rounding down the number of parking spaces, for example. 6.1 to 6.4 is 6 spaces and 6.5 to 6.9 is 7 spaces; 2) have all covenanted parking spaces developed to Town standards; 3) revisit the number of spaces required, based on gross leasable area versus total area; 4) increase the amount/percentage/proportion of small vehicle; 5) review the cash-in-lieu fee; 6) if the property has the land available, parking must be developed - no cash-in-lieu option; 7) investigate the Town purchasing parking spaces to be developed at a later date; 8) consider staff/employee parking areas separately from customer parking; 9) consider parking meters; and 10) abolish parking requirements and let owners/developers decide for themselves.

Councillor Adomeit left for the duration of the meeting (8:13 p.m.).

## 2.2 Subdivision Servicing Bylaw and Development Standards:

Groves/

THAT Report DEV 10-108 dated October 14, 2010, from M. Allen, Director of Development Services, regarding Subdivision Servicing Bylaw and Development Standards, be received (5600-03).

**CARRIED UNANIMOUSLY.**

### Discussion:

The Town's Development Standards are from the Subdivision Servicing Bylaw No. 747 and the Zoning Bylaw No. 1403. Part 26 of the *Local Government Act* sets out legislation for a municipality, by enabling bylaws, to require owners to subdivide and develop to certain requirements and standards. All costs are generally the owner/developer's responsibility. Some requirements are: 1) water metering of all non-residential water services (Water Regulation Bylaw No. 954); 2) storm drainage treatment - requires that all storm drainage outlets be designed and constructed, some with biofiltration depending on location from outfall; and 3) lanes in the Commercial zones, which are required to be paved, must be constructed to Town standards.

Discussion occurred over a Development Permit requiring the lane to be paved, where the development is in the middle of the street with a gravel lane, resulting in an "island" of pavement in the lane. In this case, the Town can pursue a Local Area Service project with the neighbouring owners to cost-share 50% with the Town for the remaining lane paving. The issue of drainage and the costs associated with the maintenance of an "island" of pavement in the lane was discussed.

It was agreed to revisit the issue of water metering at a later date, and until then Council will be aware of water usage and implement water restrictions if required.

3. **OTHER BUSINESS / NEW BUSINESS**

None.

4. **ADJOURNMENT**

Groves/  
THAT the meeting be adjourned (9:15 p.m.).

**CARRIED UNANIMOUSLY.**

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Cress Farrow  
Mayor

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Susan Bassett  
Director of Corporate Services

**Certified a True Copy and Correct Copy** of the minutes of the Committee of the Whole meeting held Tuesday, October 19, 2010, 6:00 p.m. in the Town Office, 1027 Aldous Street, Smithers, B.C.

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Deborah Sargent  
Corporate Administrator