

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., August 8, 2005.

Present: Mayor Michael Coleman; Councillors Mike Caljouw, Jenny Farkas, Phil Kent, Geoff Maxwell and Ken Newcomb.

Absent With Prior Notice: Councillor Sharon Jackson.

Also

Present: Peter de Verteuil - Director of Finance/Deputy City Administrator and Lynn Ketch - Administrative Assistant.

His Worship Mayor Michael Coleman opened the Council Meeting with a prayer and called for order.

Approval of Agenda

Agenda

Movd. Councillor G. Maxwell
Secd. Councillor M. Caljouw
THAT the Agenda for the August 8, 2005 Regular Meeting of City Council be approved.

Carried.

Adoption of Minutes

Minutes

Movd. Councillor M. Caljouw
Secd. Councillor P. Kent
THAT the Minutes of the Regular Meeting of City Council held July 11, 2005 be AMENDED by adding the following Warrant No. 6 - 05 resolution and then ADOPTED:

| | |
|--|---------------------|
| <u>THAT</u> Warrant No. 06-2005 covering | |
| General Account cheque numbers 109935 - 110067 | |
| in the total amount of | \$422,720.44 |
| - Payroll Account - Payroll #12 | |
| covering cheque numbers 3592 - | |
| 3623 and Direct Deposits in the | |
| amount of | 48,508.57 |
| - Payroll #13 covering cheque | |
| numbers 3624 - 3637 and Direct | |
| Deposits in the amount of | 42,859.46 |
| GRAND TOTAL | <u>\$514,088.47</u> |

be ratified.

Carried."

Public and Statutory Hearings and Consideration of Bylaw

780 Coronation Avenue - Development Variance Permit Application

City Council adopted the following resolution on July 11, 2005:

THAT Council authorize commencement of the Development Variance Permit process to issue a Development Variance Permit for Lot 1, Section 17, Range 7, Quamichan District, Plan 15684 (780 Coronation Avenue) to permit the removal of the decrepit carport/shed addition and the replacement with a proper enclosed garage and covered porch acknowledging the following variances:

- Exterior Side Yard (Trunk Road Side)
3.6m (11.8') vs. the required 4.5m
(14.8') - For New Garage
- Rear Yard (Opposite Side of Dwelling
from Coronation & Trunk Intersection)
1.1m (3.6') vs. the required 7.5m
(24.6') - Existing Situation."

Mayor Coleman asked whether all legally required advertising was fulfilled and was advised that it had been.

Mayor Coleman noted that no correspondence was received to oppose or support the application.

Mayor Coleman noted that there were no members of the public present except the press and Inspector Linton Robinson. The Mayor called for further input or comment three times and hearing none declared this portion of the Public Hearing concluded.

Movd. Councillor G. Maxwell
Secd. Councillor K. Newcomb

THAT Council authorize the issuance of a Development Variance Permit for Lot 1, Section 17, Range 7, Quamichan District, Plan 15684 (780 Coronation Avenue) to permit the removal of the decrepit carport/shed addition and the replacement with a proper enclosed garage and covered porch acknowledging the following variances:

1. Exterior Side Yard (Trunk Road Side)
3.6m (11.8') vs. the required 4.5m
(14.8') - For New Garage
2. Rear Yard (Opposite Side of Dwelling
from Coronation & Trunk Intersection)
1.1m (3.6') vs. the required 7.5m
(24.6') - Existing Situation.

Carried.

Delegations:

RCMP Inspector
Linton Robinson

Present to present the 2nd Quarter Report for 2005 was RCMP Inspector Linton Robinson.

The Inspector noted that there has been an decrease in Theft Under complaints in this Quarter (April - June) and there has been a substantial decrease in break and enters both to residences and businesses within the City of Duncan compared to 2004.

The overall calls for service for 2005 total 12,390 compared to 11,588 for 2004.

The Inspector outlined the following statistics for April to June 2005 as compared to the same period for 2004:

| | <u>2004</u> | <u>2005</u> |
|--------------------|-------------|-------------|
| Assault | 106 | 97 |
| Break and Enters | | |
| <i>Residential</i> | 26 | 15 |
| <i>Business</i> | 44 | 19 |
| Theft Motor | | |
| Vehicles | 15 | 17 |
| Theft Under | 263 | 158 |
| \$5,000 | | |
| Drug Offences | 25 | 16 |

The Inspector also noted that there is a slight increase in the Young Offenders statistics for this quarter.

| <u>1st Quarter</u> | <u>2nd Quarter</u> |
|-------------------------------|-------------------------------|
| 9 | 13 |

Regarding the North Cowichan/Duncan RCMP Strategic Plans for 2005/2010, the four main priorities for the next five years are:

- Youth
- Organized Crime/Drugs
- Traffic
- Community Policing

The Business Fan Out program has gained in popularity over the past year. There are now 168 members in the Duncan area. Businesses that are renewing their membership say they like the communication and educational materials.

The Community Policing Advisory Committee made recommendations to North Cowichan Council to consider a bylaw to help reduce marijuana grow operations in the area. The proposed bylaw is under review by the Council of the District of North Cowichan with RCMP input.

The Inspector was most appreciative of the job being performed by Carol-Ann Rolls and the Community Policing unit. Ms. Rolls will be holding a Money Laundering Awareness Workshop for Businesses at City Hall on Tuesday, August 16, 2005 at 5:30 p.m. He encouraged everyone to attend.

He paid a strong tribute to the Victim Services Department, noting that monthly statistics and client-involvement reports to the Cowichan Valley Victim Services continue to rise with June being a peak month in the 2nd Quarter with 712 victim/clients served compared to the 487 in the same Quarter for 2004.

Of note in the changes to the Human Resources for the Detachment are as follows:

- Cpl. Tracey Rook was promoted to Sgt. and transferred to Saltspring Island for 1 week before being promoted to the

position of Inspector and transferred to the Prime Minister's Detail.

- Cp. Larry Chomyn was promoted to Sgt. and transferred to 100 Mile House Detachment.

The Inspector was thanked for this very informative presentation and he left the meeting.

Report of the Deputy Administrative Officer

Deputy
Administrator's
Report

The Deputy Administrator reported the following:

1. The Totem Tour Footprints will be repainted soon under a contract with the Cowichan Historical Society.
2. The Parking Plan implementation is going well with a predominantly positive response. We are working with the DBIAS on an information brochure for merchants, employees and other long-term parkers.
3. Paving of Coronation Avenue has been delayed until early next week.
4. 75% of the City's long line painting has been completed.
5. The Trunk Road medians are scheduled to be removed one evening in August, to be replaced that same evening with line painting except for the section south of Brae Road which will have the concrete barriers extended slightly.
6. The City Commissionaires nighttime patrols have played a significant role in reducing crime in the downtown and surrounding area.

Unfinished Business

Standards for
Home and Property
Inspection

Movd. Councillor G. Maxwell

Secd. Councillor J. Farkas

THAT the following items of correspondence, regarding Standards for Home and Property Inspection, be received, the contents noted and filed:

- Letter dated July 7, 2005 from the Canadian Association of Home & Property Inspectors (BC)
- Copy of a letter dated June 8, 2005 from former Deputy Minister Gerry Armstrong, Ministry of Community Aboriginal and Women's Services to the Town of Sidney
- Letter dated April 13, 2005 from the City Administrator to Premier Gordon Campbell
- Letter dated March 29, 2005 from the Canadian Association of Home & Property Inspectors (BC).

Carried.

Policing Costs

Movd. Councillor P. Kent
Secd. Councillor G. Maxwell

THAT the following items of correspondence, regarding Policing Costs, be received, the contents noted and filed:

- Letter dated July 28, 2005 from the Honourable John Les, Solicitor General, Province of BC
- Discussion Paper dated September 2002 from the Ministry of Public Safety and Solicitor General entitled "Restructuring Police Financing in Municipalities under 5,000 Population and Unincorporated Areas"
- Letter dated April 27, 2005 to the Honourable Rich Coleman, former Solicitor General.

Carried.

Fire Fighter
Cancers

Movd. Councillor G. Maxwell
Secd. Councillor J. Farkas

THAT the following items of correspondence be received with appreciation, the contents noted and filed:

- Letter dated August 2, 2005 from the Honourable Michael de Jong, Minister of Labour and Citizens' Services
- Letter dated May 26, 2005 from the City Administrator to the Honourable Gordon Campbell, Premier of BC
- Letter dated May 5, 2005 from the UBCM

Carried.

Correspondence

Cowichan 2005 BC
Seniors Games -
Greeters

Movd. Councillor G. Maxwell
Secd. Councillor J. Farkas

THAT the letter dated July 20, 2005 from the City Administrator, requesting City elected officials and staff to volunteer as GREETERS for the commencement of the "Cowichan 2005 BC Seniors Games" on August 24, 2005, be received, the contents noted and filed.

Carried.

Councillor Kent advised that he will be volunteering to assist at the Antique Car Show.

6th Annual Harvest
Fair

Movd. Councillor P. Kent
Secd. Councillor K. Newcomb

THAT Council authorize the Duncan United Church to stage a Harvest Fair on Ingram Street on October 1, 2005 (Saturday);

AND THAT Ingram Street between Jubilee Street and the westerly boundary of 246 Ingram Street be closed to vehicular traffic from 6:00 a.m. to 4:00 p.m. on Saturday, October 1, 2005 for this purpose, subject to the following terms and conditions:

- Duncan United Church apprising the DBIA Society and all businesses in this block of the event.

- Duncan United Church holding harmless the City of Duncan from any and all possible public liability claims.
 - Provision of insurance to a minimum of \$2,000,000. per occurrence for this Harvest Fair with the City of Duncan being named "An Additional Insured Third Party";
 - Payment of a \$300.00 deposit, which will be returned to the Church if the street and infrastructure are left in a clean and undamaged condition;
- AND THAT City barricades be provided to the organizers for this event.

Carried.

Agricultural Land Reserves

Movd. Councillor K. Newcomb
Secd. Councillor P. Kent

THAT the letter dated July 12, 2005 from the City of Burnaby, regarding the loss of Agricultural Land Reserves, be received, the contents noted and filed;

AND THAT a copy of this letter be forwarded to the Cowichan Valley Regional District.

Carried.

Big Brothers Big Sisters of Canada - Proclamation

Movd. Councillor M. Caljouw
Secd. Councillor G. Maxwell

THAT the month of September 2005 be proclaimed as "Big Brothers Big Sisters Month" in the City of Duncan as requested in the July 12, 2005 letter from the City of Burlington, Ontario.

Carried.

11th Annual Black Tie Excellence Awards

Movd. Councillor K. Newcomb
Secd. Councillor P. Kent

THAT the letter dated July 15, 2005 from Cathy Mailhot, Black Tie Committee, Duncan-Cowichan Chamber of Commerce, regarding the 11th Annual Black Tie Excellence Awards, be received, the contents noted and filed.

Carried.

The Honourable Ida Chong, Minister of Community Services - Letter of Introduction

Movd. Councillor P. Kent
Secd. Councillor M. Caljouw

THAT the letter of introduction received July 20, 2005 from The Honourable Ida Chong, Minister of Community Services, be received, the contents noted and filed.

Carried.

Cowichan District Hospital Foundation - Annual Appeal Banner

Movd. Councillor P. Kent
Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan authorize the display of the Cowichan District Hospital Foundation Annual Appeal banner from the banner poles adjacent to the east-side of the Trans Canada Highway and south of the Cowichan River from December 1 - 9, 2005 and November 1 - 15, 2006 as requested in the July 22, 2005 e-mails from the Cowichan District Hospital Foundation.

Carried.

UBCM Centennial
Week

Movd. Councillor M. Caljow
Secd. Councillor G. Maxwell

THAT September 26 - 30, 2005 be proclaimed as "UBCM Centennial Week" in the City of Duncan as requested by the Union of British Columbia Municipalities in their June 27, 2005 letter.

Carried.

Church of Jesus
Christ of Latter-
Day Saints -
Nativity Banner
Request

Movd. Councillor P. Kent
Secd. Councillor K. Newcomb

THAT the Council of the City of Duncan authorize the display of the Church of Jesus Christ of Latter-Day Saints Nativity Pageant banner from the banner poles adjacent to the east-side of the Trans Canada Highway and south of the Cowichan River from December 12 - 31, 2005 as requested in the July 27, 2005 letter from the Church of Jesus Christ of Latter-Day Saints.

Carried.

World Teachers'
Day -
Proclamation

Movd. Councillor G. Maxwell
Secd. Councillor M. Caljow

THAT October 5, 2005 be proclaimed as "World Teachers' Day" in the City of Duncan as requested by the British Columbia Teachers' Federation in their August 2, 2005 letter;

AND THAT Council convey appreciation to the teachers in our Schools for the role they play in assuring the well-being of society.

Carried.

Reports of Committees, COTW and Commissions

General Purposes Committee

For consideration were the notes of the August 2, 2005 meeting.

Cowichan Gaming
Centre

Movd. Councillor P. Kent
Secd. Councillor G. Maxwell

THAT the Council of the City of Duncan reply to the July 19, 2005 letter from the Cowichan Tribes, regarding Relocation and Substantial Change of Duncan Dabbers Bingo and Consultation with Adjacent Jurisdictions, requesting the following:

- No vehicular left turns onto or off of Cowichan Way unless a traffic light is installed.
- Consideration of the City's recently developed Design Guidelines.

Carried.

Movd. Councillor P. Kent
Secd. Councillor J. Farkas

THAT the Council of the City of Duncan send a copy of the July 19, 2005 letter from the Cowichan Tribes, regarding Relocation and Substantial Change of Duncan Dabbers Bingo and Consultation with Adjacent Jurisdictions, to the Provincial Government and Lottery Corporation of BC requesting clarification of the following:

- What impact will this operation have on the health and safety services in our community?
 - What is the intended use of the increased revenue and how will it impact on our local charities?
- AND THAT copies of these letters be sent to Cowichan Tribes.

Carried.

Craig Street
Revitalization
Survey

Movd. Councillor J. Farkas
Secd. Councillor P. Kent

THAT the City proceed with the Preliminary Design Phase (for costing purposes) of the Craig Street Revitalization Option #1 and the Counter Petition process with a view to commencing the work phase in 2006;

AND THAT a copy of this resolution be forwarded to all property owners on Craig Street at the appropriate time.

Carried.

Bylaw
Adjudication

Movd. Councillor P. Kent
Secd. Councillor K. Newcomb

THAT the City of Duncan enter into an agreement with the Province of British Columbia to establish a Bylaw Notice Dispute Adjudication System, as outlined in the Local Government Bylaw Notice Enforcement Act;

AND THAT staff enter discussions with the Provincial Government to prepare the necessary bylaw, policies and operating procedures for Council consideration and to have the Bylaw Notice Dispute Adjudication System implemented in Duncan as soon as possible;

AND THAT all neighbouring jurisdictions be informed of this Council motion, encouraging them to consider a similar course of action.

Carried.

Public Works Committee

Terasen Utility
Services

Movd. Councillor G. Maxwell
Secd. Councillor M. Caljow

THAT the Council of the City of Duncan explore the viability of a partnership between the City of Duncan and Terasen Utility Services, for the City's water metering services, to see if it would be feasible for both partners.

Carried.

McKinstry Road -
Al Wilson Grove
to Trunk Road

Movd. Councillor G. Maxwell
Secd. Councillor M. Caljow

THAT the July 6, 2005 memorandum from the Public Works Superintendent, regarding McKinstry Road improvements (Al Wilson Grove to Trunk Road) be forwarded to the Rivers Edge Strata Council in response to their June 8, 2005 letter noting that further investigation into long-term solutions will be undertaken.

Carried.

Planning & Priorities Committee

For consideration were the notes of the August 2, 2005 meeting.

Margaret Moss
Health Clinic -
Proposed
Alterations

Movd. Councillor P. Kent
Secd. Councillor K. Newcomb

THAT in response to the letter dated July 25, 2005 from davidpoiron architect inc., wherein they request the City's approval of their proposed alterations to the Margaret Moss Health Clinic building at 675 Canada Avenue, City Council advise David Poiron, Principal of davidpoiron architect inc. that Council is unable to approve any alterations to this building until the lease term issues with VIHA have been resolved;

AND THAT a copy of this letter be sent to our MLA and to the Vancouver Island Health Authority (VIHA).

Carried.

Volume One
Bookstore -
Development
Permit (Awnings
and Painting)

Movd. Councillor P. Kent
Secd. Councillor M. Caljouw

THAT a Development Permit be issued for 145-149 Kenneth Street (Volume One Bookstore) for replacing the existing awning with an awning of the exact same design and the painting of the front and/or sides of the building where needed (no colour change).

Carried.

1063 Holmes
Street -
Development
Variance Permit

Movd. Councillor P. Kent
Secd. Councillor M. Caljouw

THAT Council authorize the commencement of the Development Variance Permit Public Hearing process for 1063 Holmes Street to consider permitting the owners to raise the house for provision of a full height basement and thus exceeding the maximum structure height.

Carried.

24 - 28 Station
Street -
Development
Permit

Movd. Councillor P. Kent
Secd. Councillor M. Caljouw

THAT the Development Permit received July 19, 2005 from Michael Shaw of Plesyumi Holdings Ltd. for 24 - 28 Station Street, be accepted;

AND THAT Plesyumi Holdings Ltd. be advised that new signage is not included in the Development Permit but must be applied for separately;

AND THAT a copy of the Downtown Design Guidelines be forwarded to Mr. Shaw.

Carried.

Fire Committee

Fire Department
Evolutions

Councillor Caljouw reported that the District of North Cowichan recently hosted the Vancouver Island Fire Department Evolutions and expressed accolades to the Duncan Volunteer Fire Department members and partners for their excellent performance. They placed first and second in several events and placed first for having the most

fire fighters to attend all meetings and fire calls.

Miscellaneous

Mayor Coleman reported on the following:

- On July 16, 2005, he attended the Summer Festival Parade and Cowichan Tribes Pow Wow, noting they were both excellent events.
- On July 30, he attended the Ladysmith Parade and festivities.
- Also on July 30, he attended the very successful Cowichan Cultural Expo in Duncan.

Building
Statistics Report
- July 2005

Movd. Councillor G. Maxwell
Secd. Councillor P. Kent
THAT the Building Statistics Report for July 2005, as presented, be received, the contents noted and filed.

Carried.

Bylaws

Fees and Charges
Bylaw No. 1759,
1995, Amendment
Bylaw No. 1989,
2005 (Cosmetic
Improvements)

Movd. Councillor M. Caljouw
Secd. Councillor J. Farkas
THAT "Fees and Charges Bylaw No. 1759, 1995, Amendment Bylaw No. 1989, 2005" be reconsidered, finally passed and adopted.

Carried.

Zoning Bylaw No.
1540, 1988,
Amendment Bylaw
No. 1, No. 1987,
2005 (270
Government Street
- C-1 to RM-6)

Movd. Councillor G. Maxwell
Secd. Councillor P. Kent
THAT "Zoning Bylaw No. 1540, 1988, Amendment Bylaw No. 1, No. 1987, 2005" be read for the third time.

Carried.

Streets Bylaw No.
1127, Amendment
Bylaw 2005,
No. 1990

Movd. Councillor K. Newcomb
Secd. Councillor P. Kent
THAT Council give leave to Councillor Jenny Farkas to introduce "Streets Bylaw No. 1127, Amendment Bylaw 2005, No. 1990".

Carried.

Movd. Councillor J. Farkas
Secd. Councillor P. Kent
THAT "Streets Bylaw No. 1127, Amendment Bylaw 2005, No. 1990" be read for the first time.

Carried.

Movd. Councillor G. Maxwell
Secd. Councillor M. Caljouw
THAT "Streets Bylaw No. 1127, Amendment Bylaw 2005, No. 1990" be read for the second time.

Carried.

Movd. Councillor M. Caljouw
Secd. Councillor G. Maxwell
THAT "Streets Bylaw No. 1127, Amendment Bylaw 2005, No. 1990" be read for the third time.

Carried.

New Business

New Disabled
Persons Parking
Stall

Movd. Councillor G. Maxwell
Secd. Councillor P. Kent

THAT a Disabled Persons Parking Stall be created on the east side of Duncan Street, south of the crosswalk that is immediately south of Coronation Avenue.

Carried.

Petition -
Speeding and
Traffic Volume
(East of TCH and
South of Trunk
Road)

For consideration was a petition from residents and property owners east of the Trans Canada Highway and south of Trunk Road.

Movd. Councillor P. Kent
Secd. Councillor G. Maxwell

THAT the letter and petition received August 4, 2005 from Lee Alves and property owners/tenants in the area east of the Trans Canada Highway and south of Trunk Road, be referred to the Public Safety Committee to provide a recommendation back to City Council.

Carried.

Everyone was reminded that the Opening Ceremonies for the Cowichan 2005 BC Seniors Games will be held at 6:30 p.m. on Wednesday, August 24, 2005 at the Cowichan Sportsplex.

Special Meeting

Movd. Councillor G. Maxwell
Secd. Councillor P. Kent

THAT the Council of the City of Duncan resolve into Special Meeting (Committee of the Whole) to discuss personnel and property issues;

AND THAT persons other than Council Members and the Deputy Corporate Officer be excluded from this meeting (Section 242.3 - Local Government Act).

Carried.

At 8:46 p.m., City Council resolved into Special Meeting.

At 9:15 p.m., the following Motion was PUT:

Adjournment

Movd. Councillor J. Farkas
Secd. Councillor P. Kent

THAT this meeting of City Council rise;

AND THAT this meeting of City Council do now adjourn.

Carried.

Michael Coleman
Mayor

Peter de Verteuil
Deputy Corporate Officer