

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC at 7:30 p.m., January 9, 2006.

Present: Mayor Phil Kent; Councillors Ray Cadorette, Mike Caljouw, Paul Fletcher, Sharon Jackson and Ken Newcomb.

Absent With Prior Notice: Councillor Jesse Winfrey.

Also

Present: Paul Douville - City Administrator.

His Worship Mayor Phil Kent opened the Council Meeting with an affirmation and called for order.

Approval of Agenda

Agenda

Movd. Councillor S. Jackson

Secd. Councillor K. Newcomb

THAT the Agenda for the January 9, 2006 Regular Meeting of City Council be approved.

Carried.

Adoption of Minutes

Minutes

Movd. Councillor M. Caljouw

Secd. Councillor K. Newcomb

THAT the Minutes of the Regular Meeting of City Council held December 12, 2005 be adopted.

Carried.

Public & Statutory Hearings

Development

Variance Permit -
116 Queens Road

His Worship Mayor Kent advised that the purpose of this Public Hearing was for Members of Council to hear all input regarding a proposed Development Variance Permit and consider all facts presented. He asked the City Administrator whether all legal advertising and notifications were duly fulfilled for the subject matters before this Public Hearing and was advised that the requirements of the Local Government Act and Community Charter were fully met.

Cam Pringle, one of the principals of Cadillac Homes Inc., the owner of 116 Queens Road, addressed Council outlining the variances required for the project to proceed. He said that there will be a shortfall of 3 parking spaces and that they are prepared to pay \$24,000 for this shortfall (i.e. \$8,000 per space). He also pointed out that they have agreed to the suggestions of City Council regarding the siting of the structure.

Joe Newell, Architect with Bas Smith Architect Inc. then addressed Council. He explained the proposal in detail including the use of the rear wall of the commercial

premises as a retaining wall and the provision of a second retaining wall at a higher elevation behind the second and third floors. He advised that there will be four (4) two-storey residential units above the commercial space on the main floor and each residential unit will contain two bedrooms and will be approximately 900 ft² each. The exterior facades of the building will be comprised of corrugated metal siding (Buckland Blue) and Cedar shingles.

Mr. Newell then reviewed the landscape plan in detail. On a question, Mr. Newell noted that the entrance/exit locations for the residential units will be provided with "locked gates".

Mr. Brian Parnell of 81 Coronation Avenue then addressed council. He said he was concerned regarding the construction of stairs over the water and sanitary sewer easement along the east property line of the subject development. It was noted that if repair work was necessary to these utilities, the City and the owners would have to restore this area to the condition existing prior to the repair/restoration work. On his question regarding water run-off, Mr. Newell noted that engineers will be retained to ensure that all storm water is properly processed on their property and will not create any problems for adjacent properties.

Mr. Parnell requested that the proposed retaining wall at the higher elevation be increased in height by two (2) feet so that he can level off his back yard. Mr. Pringle suggested that this would be a considerable cost for them to do so. It was noted that in the recommendation from the Planning Committee it was noted that the rear fence on top of the retaining wall is to be subject to the agreement of the neighbours. Therefore, this item will have to be negotiated between Mr. Parnell and the developers of 116 Queens Road.

Mr. Parnell advised that he was also speaking on behalf of Mark Marriott, owner of 73 Coronation Avenue. Mr. Marriott is concerned about the Cedar trees and Maple trees along the north boundary of his property. Mr. Newell said they will be using the services of a Certified Arborist and will ensure that the trees are preserved.

Mayor Kent called for further input and hearing none declared the Hearing concluded.

Movd. Councillor K. Newcomb
Secd. Councillor M. Caljow

THAT Council authorize the issuance of a Development Variance Permit for Lot 1, Block 1, Section 17, Range 6, Quamichan District, Plan 39709 (116 Queens Road) to allow the following:

- That the side yard setback variance be approved to permit a west side yard setback of 1.32 metres (4'4") rather than 1.5 metres (5').
- That the rear yard setback variance be approved to permit a setback of 3.73 metres (12'3") rather than 7.5 metres (25'), subject to the following terms and conditions:
 - The landscaping between the curb and the sidewalk be installed and maintained at the cost of the developer.
 - That the sidewalk be given priority level treatment with the gradient change for the cross-over being within the landscape strip between the curb and the sidewalk.
 - That the shortfall of 3 parking spaces be approved and that the developer pay the required \$24,000.00 for the shortfall (i.e. \$8,000.00 per space).
 - That a new 2 metre (6'6") fence be provided across the rear property line on top of the retaining wall subject to the neighbour's agreement.
 - All service lines within the 3.05 metre (10') easement area be inspected and replaced if deemed appropriate, prior to landscaping and placing sidewalks or stairs over them, at the cost of the developer.

Carried.

Report of Chief Administrative Officer

Retirement of
City
Administrator
Paul Douville and
Administrator's
Report

Movd. Councillor S. Jackson
Secd. Councillor K. Newcomb
THAT the letter dated December 23, 2005 from the Paul Douville, City Administrator, wherein he advises of his proposed 2006 retirement and his last day of work with the City of Duncan on June 30, 2006, be received with sorrow, the contents noted and filed;

AND THAT the matter be referred to the General Purposes Committee for the possible commencement of an Executive Search.

Carried.

Mayor Kent and other Members of Council expressed accolades to Mr. Douville for a "job well done" over his 30 years of service to the City of Duncan.

Mr. Douville then reported on the following items:

- The Christmas decorations will be taken down before the end of January. The exception will be the continuation of the lights in the trees on Station Street and in the City Square Park.
- Daily patching of potholes is

occurring.

- 2006 Budget preparations are now underway.
- In preparation for new lighting heads, the poles in Centennial Park are being painted and the whole area in and around the Centennial Park parking lot is being cleaned up.

Unfinished Business

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| City Gate Church
- Alvin's Alley
Mural | Movd. Councillor S. Jackson
Secd. Councillor K. Newcomb
<u>THAT</u> the letter dated December 30, 2005 from City Gate Church, wherein they request a contribution of \$1,000 from the City for the proposed second Alvin's Alley Mural be referred to the 2006 Budget Review process. | Carried. |
| Canada Post -
Closing Post
Offices and
Plants | Movd. Councillor K. Newcomb
Secd. Councillor R. Cadorette
<u>THAT</u> the letter dated December 20, 2005 from Canada Post, regarding the position outlined by the Canadian Union of Postal Workers about service in rural and urban Postal facilities across Canada, be received, the contents noted and filed. | Carried. |
| Boundary
Restructure Study
Public Steering
Committee | For consideration were the following items: <ul style="list-style-type: none"> • Memo dated January 6, 2006 from the City Administrator re: Boundary Restructure Study Public Committee - Randy Ralph (Industrial Park Business - Area "E") Resignation • E-mail resignation from Randy Ralph Movd. Councillor K. Newcomb
Secd. Councillor M. Caljouw
<u>THAT</u> the subject of a replacement for Randy Ralph on the Boundary Restructure Study Public Steering Committee be referred to the next Steering Committee meeting for discussion. | Carried. |
| Micro Parking
Spots Amendment | Movd. Councillor K. Newcomb
Secd. Councillor S. Jackson
<u>THAT</u> micro car spaces numbers 3 and 8 be deleted from the Streets Bylaw, 1127, Schedule "D". | Carried. |
| Human Rights in
China | Movd. Councillor S. Jackson
Secd. Councillor M. Caljouw
<u>THAT</u> the letter dated January 1, 2006 from the Honourable Pierre Pettigrew, Minister of International Trade, in reply to our letter dated September 20, 2005 to the Prime Minister regarding human rights conditions in China, be received, the contents noted and filed. | Carried. |

- Kidney Month
 Movd. Councillor S. Jackson
 Secd. Councillor M. Caljow
THAT the month of March 2006 be proclaimed as "Kidney Month" in the City of Duncan;
AND THAT the Council of the City of Duncan authorize the Kidney Foundation of Canada, BC Branch, to conduct a fundraising canvass in the City of Duncan during the month of March 2006 as requested in the December 14, 2005 letter from the Kidney Foundation of Canada.
 Carried.
- Boundary
 Restructure Study
 - Provincial
 Grant
 Movd. Councillor K. Newcomb
 Secd. Councillor M. Caljow
THAT the letter dated December 20, 2005 from Ida Chong, Minister of Community Services, wherein she advises of a \$40,000 grant for the Boundary Restructure Study, be referred to the upcoming Steering Committee meeting.
 Carried.
- TCH Access
 Strategy - MOT
 Grant
 Movd. Councillor M. Caljow
 Secd. Councillor S. Jackson
THAT the letter dated December 19, 2005 from the Ministry of Transportation, wherein they advise of approval of a \$20,000 grant to the City for the TCH Access Strategy Plan, be received, the contents noted and filed.
 Carried.
- Assessment System
 Movd. Councillor M. Caljow
 Secd. Councillor K. Newcomb
THAT the letter dated January 3, 2006 from the BC Assessment authority, regarding the assessment system, be received, the contents noted and filed.
 Carried.
- The Administrator was asked to arrange for a meeting with Council and the local Area Assessor.
- Reports of Committees, COTW and Commissions**
- General Purposes Committee
- For consideration were the notes of the January 3, 2006 meeting.
- Website Link
 Policy
 Movd. Councillor S. Jackson
 Secd. Councillor K. Newcomb
THAT Council adopt the Policy entitled "City Website Links, Advertising & Councillor Information".
 Carried.
- Building
 Statistics Report
 - December 2005
 Movd. Councillor K. Newcomb
 Secd. Councillor M. Caljow
THAT the Building Statistics Report for December 2005, as presented, be received, the contents noted and filed.
 Carried.

Miscellaneous

Mayor Kent reported on the following items:

- He met recently with CVRD Chair Jon Lefebure regarding the proposed Regional Growth Strategy, our Boundary Restructure process and regional recreation.
- On January 6, he met with Cowichan Tribes Chief Harvey Alphonse regarding mutual interest issues, the homeless situation, Cowichan Tribes housing needs and services of the Joint Utilities Board, the Protocol Agreement and the cleanup of the fire site on the south-side of Government Street at Boundary Road.

Bylaws

City of Duncan
Delegation Bylaw
No. 1996, 2005

Movd. Councillor M. Caljow
Secd. Councillor K. Newcomb
THAT "City of Duncan Delegation Bylaw
No. 1996, 2005" be reconsidered, finally
passed and adopted.

Carried.

Special Meeting
(In Camera)

Movd. Councillor S. Jackson
Secd. Councillor R. Cadorette
THAT the Council of the City of Duncan
resolve into Special Meeting (Committee of
the Whole) to discuss a property issue;
AND THAT persons other than Council
Members and the Corporate Officer be
excluded from this meeting (Section 242.3 -
Local Government Act).

Carried.

At 8:50 p.m., City Council resolved into
Special Meeting.

At 9:45 p.m., the following Motion was Put:

Movd. Councillor S. Jackson
Secd. Councillor R. Cadorette
THAT this Special Meeting of City
Council rise;
AND THAT this meeting of City Council
do now adjourn.

Carried.

Phil Kent
Mayor

Paul Douville
Corporate Officer