

City of Duncan Committee of the Whole Minutes

A Committee of the Whole Meeting was held in the Committee Room, City Hall, 200 Craig Street, Duncan BC, at 6:45 p.m. on June 7, 2010.

Present	Councillor Sharon Jackson, Chair	Mayor Phil Kent (7:37p.m.)
	Councillor Ray Cadorette	Councillor Tom Duncan
	Councillor Paul Fletcher	Councillor Joe Thorne

Absent With Notice Councillor Jesse Winfrey

Also Present Tom Ireland – Chief Administrative Officer
Lynn Ketch – Director of Corporate Services
Peter de Verteuil – Director of Finance

Approval of Agenda

Agenda
COW-115-10 Moved by Councillor Thorne
Seconded by Councillor Cadorette

That the Agenda be approved as circulated.

CARRIED

Introduction of Late Items

Late Items
COW-116-10 Moved by Councillor Thorne
Seconded by Councillor Duncan

That the following late items be accepted:

- Report from the Director of Corporate Services re: Amendment to June 1, 2010 RFD – Fees and Charges Bylaw 2010, No.2090 Addendum - 8.2 Finance and Administration;
- Report from the Director of Finance re: Tangible Capital Assets – 8.4 Finance and Administration;
- Verbal Report from the Director of Finance re: Centennial Park Tree Assessment – 12.2 - New Business;
- Bus Shelters Designs – Mayor Kent to report. – 12.3 – New Business;
- Somenos Marsh – letter of support – Councillor Fletcher to Report – 12.4 – New Business;

CARRIED

Delegations

Lembi
Buchanan – BC
Coalition for
Action on
Alcohol Reform
COW-117-10

Ms. Buchanan of the BC Coalition for Action on Alcohol Reform outlined the Coalition's request for Council's support for alcohol reform in BC.

Moved by Councillor Fletcher
Seconded by Councillor Cadorette

That the subject of BC Coalition for Action on Alcohol Reform be deferred to a future Committee of the Whole meeting.

CARRIED

Sustainable Development

Rezoning – 360
& 370 Brae and
361 & 371 Ypres
COW-118-10

Moved by Councillor Fletcher
Seconded by Councillor Thorne

That item 10.9 from Sustainable Development be brought forward to this point in the meeting.

CARRIED

Phillipa Atwood, Architect and Darcy Mattson, Project Facilitator, representing the proponents of the proposed rezoning of 360 and 370 Brae and 361 and 371 Ypres, answered questions from the Committee regarding this project.

COW-119-10

Moved by Councillor Fletcher
Seconded by Councillor Thorne

That the proponents of the rezoning application to amend Lot 2, Block 3, Section 17, Range 6, Quamichan District, Plan 2905 (Civic address of 360 Brae Road) from RM-4 Medium Density Multi-Family Residential to RM-6 High Density Residential Commercial, and to amend Lots 3, 16 and 17, Block 3, Section 17, Range 6, Quamichan District, Plan 2905 (civic addresses of 370 Brae Road and 361 & 371 Ypres Street) from RM-3 Medium Density Multi-Family Residential to RM-6 High Density Residential, be advised that this application will be considered further after an open house has been held by the proponent, for all interested parties, to the satisfaction of City Council.

CARRIED

COW-120-10

Moved by Councillor Duncan
Seconded by Councillor Thorne

That the Committee direct staff to proceed with the following text amendments to the Zoning Bylaw for the proposed rezoning of Lot 2, Block 3, Section 17, Range 6, Quamichan District, Plan 2905 (Civic address of 360 Brae Road) and Lots 3, 16 and 17, Block 3, Section 17, Range 6, Quamichan District, Plan 2905 (civic addresses of 370 Brae Road and 361

& 371 Ypres Street):

1. The provision of affordable housing by guaranteeing 20% of the units qualify as affordable for households earning no more than 80% of the median Cowichan Valley Area household income. Methods employed to achieve this may be through any combination of unit size or provisions guaranteeing permanent affordability such as covenant restrictions in the increase of unit value (10 of the potential 52 units).
2. A density bonus tied to a percentage of the qualifying affordable units.
3. Off street parking requirements may be reduced in exchange for alternative transportation facilities on site and cash in lieu for facilities off site.
4. This development must achieve a water balance storm water management plan, based on the principals of Stormwater Planning: A Guidebook for British Columbia; and
5. This development must achieve a net energy use equivalent to or exceeding the LEED Platinum energy component standards or an equivalent standard.

CARRIED

472 Chesterfield Avenue – DVP 2010-03
COW-121-10

Moved by Councillor Thorne
Seconded by Councillor Cadorette

That item 10.3 of Sustainable Development be brought forward to this point in the meeting.

CARRIED

COW-122-10

Moved by Mayor Kent
Seconded by Councillor Duncan

That the Committee of the Whole refer the following recommendation to Council:

That Council approve Development Variance Permit (DVP 2010-03) for 472 Chesterfield Avenue (Lot 3, Block 1, Section 17, Range 7, Quamichan LD, Plan 5868) to permit a reduction to the southern interior side yard setback for a single family dwelling from 1.5 metres to 1.3 metres for the purposes of subdivision approval.

CARRIED

Unfinished Business

Bus Shelter Designs

Mayor Kent reviewed available bus shelter designs, requesting feedback from the Committee members prior to the end of the meeting.

Councillor Thorne left the meeting at 7:55 p.m.

Bus Shelter Locations

The subject of bus shelter locations was discussed and it was suggested that this subject be discussed at the end of the meeting.

Community Oven

It was the consensus of those present that the Cowichan Community Kitchens be requested to continue researching funding opportunities for an outdoor brick oven for Centennial Park.

Correspondence

**CUPW Victoria Local
COW-123-10**

Moved by Councillor Duncan
Seconded by Councillor Cadorette

That, in regards to their April 28, 2010 letter, staff be requested to invite CUPW Victoria Local to attend a Committee of the Whole meeting to present their concerns regarding the recent review by Canada Post affecting mail operations for Vancouver Island.

CARRIED

**West Park Elementary School
COW-124-10**

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the Committee of the Whole refer the following recommendation to Council:

That Council support the May 4, 2010 requests from West Park Elementary School in Red Deer, Alberta, by sending them 50 lapel pins (25 of each type), brochures, postcards and a letter from the Mayor inviting the students to visit the City of Duncan.

CARRIED

**Cowichan Green Community - Fresh Food Revolution: Farm to School
COW-125-10**

Moved by Mayor Kent
Seconded by Councillor Cadorette

That the Committee of the Whole refer the following recommendation to Council:

That City Council authorize the partnership between the City of Duncan and the Cowichan Green Community (CGC) for their initiative, Fresh Food Revolution: Farm to School.

CARRIED

**Just Jakes Liquor Licence Extension – 2010
COW-126-10**

Moved by Councillor Duncan
Seconded by Councillor Cadorette

That the Committee of the Whole refer the following recommendation to Council:

That Council advise the Liquor Control and Licensing Branch that it has no objection to a temporary extension of the Licensed Area of Just Jakes Restaurant on July 16 & 17, 2010 from 11:00 a.m. to 11:00 p.m. each day

to include the paved area of Craig Street adjacent to the Craig Street Brew Pub and Just Jakes Restaurant (25 & 45 Craig Street – less a lane for emergency vehicle access), in order to accommodate street entertainment, BBQ food service and to create a festive atmosphere during the 2010 Summer Festival;

And That this approval is subject to a deposit of \$300 for any and all cleanup costs that may be incurred in this area by the City of Duncan and proof of liability insurance for a minimum of \$2,000,000 with the City of Duncan being named as an additional third party on the insurance policy.

CARRIED

Canada World Youth – Duncan/Mozambique Exchange Program
COW-127-10

Moved by Mayor Kent
Seconded by Councillor Duncan

That the Committee of the Whole recommend the following resolution to City Council:

That a letter of endorsement from the Mayor and Council and a list of suggested key community contacts be sent to Canada World Youth regarding the 2010 Duncan, BC/Mozambique Exchange Program;

And That the organization be notified that the City will request transit passes from the Cowichan Valley Regional District;

And That the Canada World Youth Program Manager be regrettably informed that the City is unable to provide team meeting space or Project Supervisor office space for this program.

CARRIED

DCS Festival – 2010 Festival Requests
COW-128-10

Moved by Councillor Duncan
Seconded by Councillor Cadorette

That the Committee of the Whole recommend the following resolution to City Council:

That July 10 – 25, 2010 be proclaimed “Duncan-Cowichan Summer Festival Days” in the City of Duncan;

And That City Commissionaires assist the Festival Society during the parade as it travels through the City;

And That the Summer Festival Society be advised to contact the City Square Manager to book the use of the City Square during the evenings of July 14, 15 and 16;

And That permission be granted for an area along the parade route to be roped off for disabled persons;

And That four (4) parking stalls in the Train Station Parking lot, nearest the Caboose, be reserved to facilitate parking for emergency vehicles;

And That two (2) parking stalls on the south-side of Ingram Street and

west of Craig Street be reserved for the purposes of access by entertainment crews;

And That extra garbage cans be provided in City Square from July 12 – 17, as well as throughout downtown Duncan on July 16 and 17;

And That the Public Works department be requested to empty the downtown garbage receptacles in the early afternoon on Saturday, July 17.

And That the public washrooms on Canada Avenue remain open until 10:00 p.m., July 12 to July 25, with the City providing extra cleaning of the facility on July 16 and 17.

CARRIED

Finance and Administration

**False Security
Alarm Bylaw
COW-129-10**

Moved by Mayor Kent
Seconded by Councillor Cadorette

That the following recommendation be forwarded to City Council:

That False Security Alarm Bylaw 2091 be read for the first, second and third time.

CARRIED

**Fees & Charges
Bylaw 2010
COW-130-10**

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the following recommendation be forwarded to City Council:

That Fees and Charges Bylaw 2090 be read for the first, second and third time.

CARRIED

**Local
Government
COW-131-10**

Moved by Councillor Duncan
Seconded by Mayor Kent

That the following recommendation be forwarded to City Council:

That the UBCM be requested to approach the Ministry of Education for BC requesting 'Local Government Studies' be added to the Grades 8 to 12 school curriculum;

And That this resolution be included in the 'late resolutions' for the 2010 UBCM Conference (deadline: June 30, 2010).

CARRIED

**Tangible Capital
Assets and Year
End
COW-132-10**

Moved by Mayor Kent
Seconded by Councillor Cadorette

That the following recommendation be forwarded to City Council:

That Council approve an expenditure for specialized assistance in

completing the Tangible Capital Assets requirement to a maximum of \$12,000, be expended from the 2009 Budget (reducing surplus).

CARRIED
Councillor Fletcher Opposed

Public Works

Government and Jubilee Intersection Upgrade Plan

The Government and Jubilee Intersection Upgrade Plan was reviewed with the following notations:

- Scan and email a readable plan to Council
- Requested priority to get the crossings painted now
- James van Hemert to work with Abbas regarding bicycle access
- The CAO to discuss with the Director of Public Works availability of space for a totem instead of a tree
- Give a copy of the plan to the Totem Committee.

Purchase of Conventional Diesel Engine Refuse Truck COW-133-10

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the following recommendation be forwarded to City Council:

That City Council authorize the Public Works Department to Purchase a Conventional Diesel Engine Single Axle Chassis Refuse Truck to replace our current Garbage Truck;

And That the cost of this equipment purchase be covered by the 2010 Capital Budget.

CARRIED
Councillor Fletcher Opposed

Biodiesel Program COW-134-10

Moved by Mayor Kent
Seconded by Councillor Duncan

That the Public Works staff be requested to explore the feasibility of moving towards a 100% biodiesel program (B100) in cooperation with Cowichan Biodiesel Cooperative for the City's entire fleet of vehicles and report back to the Committee.

CARRIED

Waste Reduction/ Resource Recovery COW-135-10

Moved by Councillor Fletcher
Seconded by Councillor Duncan

That staff begin working with Cowichan Recyclists to develop a plan for the implementation of Curbside Organics Collection program including:

- the proposed rotation of weekly/biweekly pickups for organics, recycling, and garbage
- a public awareness strategy
- a timeline for implementation
- with some background information on the waste reduction/ resource recovery considerations;

And that the plan be brought to the Committee for consideration.

CARRIED

Sustainable Development, cont'd.

DVP 2010-01
126 Queens Rd.
COW-136-10

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the following recommendation be forwarded to City Council:

That Council approve Development Variance Permit (DVP 2010-01) for 126 Queens Road (Lot 1, Section 17, Range 6, Quamichan LD, Plan 9445) for the purposes of a lot line adjustment, to permit:

1. a reduced minimum lot size to allow a lot of 671 square metres rather than the required 1600 square metres; and
2. a reduced lot frontage to allow a frontage of 26.82 metres instead of the required 30 metres;

And That approval is subject to the following condition:

1. the sanitary sewer servicing for 127 Coronation Avenue and 126 Queens Road be addressed to the satisfaction of the Approving Officer.
2. the existing carport at the rear of the property be removed.

CARRIED

DVP 2010-04
127 Coronation
Avenue
COW-137-10

Moved by Mayor Kent
Seconded by Councillor Cadorette

That the following recommendation be forwarded to City Council:

That Council approve Development Variance Permit (DVP 2010-04) for 127 Coronation Avenue (Lot 2, Section 17, Range 6, Quamichan LD, Plan 9445) for the purposes of a lot line adjustment, to permit:

1. a reduced rear yard setback to allow a building to be within 3.5 metres of the rear lot line rather than the required 7.5 metres for that portion of the existing building shown in blue on Schedule A-2; and
2. a reduced rear yard setback to allow a building to be within 7.0 metres of the rear lot line rather than the required 7.5 metres for that portion of the existing building shown in orange on Schedule A-2; and
3. a reduced minimum frontage requirement to allow a frontage of 26.82 metres instead of the required 30 metres; and
4. a reduced minimum lot size to allow a 720 square metre lot instead of the required 1600 square metres;

And That approval is subject to the following condition:

- The sanitary sewer servicing for 127 Coronation Avenue and 126 Queens Road be addressed to the satisfaction of the Approving Officer.

CARRIED

**130 TCH DP
(Fence and
Landscaping)
COW-138-10**

Moved by Mayor Kent
Seconded by Councillor Cadorette

That the subject of modifying the existing Development Permit for 130 Trans Canada Highway be TABLED to the next COW meeting.

CARRIED

COW-139-10

Moved by Mayor Kent
Seconded by Councillor Duncan

That the Director of Development Services be requested to work with the applicant for DP 2010-05 at 130 Trans Canada Highway (SUN FM) to develop a more significant landscaping plan to screen the fence installed on the property several years ago, with the property owner being informed of this process.

CARRIED

**DP 2010-12 –
328 TCH (Dairy
Queen)
COW-140-10**

Moved by Councillor Duncan
Seconded by Councillor Cadorette

That the Committee of the Whole recommends that Council approve the following resolution:

That Council approve DP 2010-12, with accompanying schedules “A-1 to A-3”, amending the previously authorized DP 2009-14 for a Pylon sign for the Dairy Queen located at 328 Trans Canada Highway, be approved subject to the applicant immediately planting medium sized plants in the existing planter that will reach the bottom of the display board.

CARRIED

**DP 2010-06 –
254 Trans
Canada
Highway (Papa
Murphy’s Pizza)
– Facia Signage
COW-141-10**

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the Committee of the Whole recommends that Council approve the following resolution:

That Development Permit No. DP 2010-06 for 254 Trans Canada Highway (Lot A, Section 16, Range 7, Quamichan District, Plan VIP66983) be approved for an externally lit facia sign using the existing gooseneck fixtures.

CARRIED

**DP 2010-06 –
254 Trans
Canada**

Moved by Councillor Duncan
Seconded by Councillor Cadorette

Highway (Papa
Murphy's Pizza)
– Free Standing
Sign
COW-142-10

That the Committee of the Whole recommend that Council approve the following resolution:

That Council approve issuance of a Development Permit (DP 2010-06) for the free standing sign at 254 Trans Canada Highway, based on the following changes:

- a) to require landscaping at the base of the sign in accordance with the Bylaw requirements
- b) the landscaping being such that it will grow up to the bottom of the signage
- c) That the modified free standing pole/pylon sign not exceed the existing height of 16 feet (4.9m).

CARRIED

DP 2010-07 –
1065 Canada
Avenue- Summit
Signs – Signs &
Free Standing
Pole
COW-143-10

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the item regarding issuance of Development Permit (DP-2010-07) for 1065 Canada Avenue (Lot 1, Section 19, LD 45, Plan 27137) for building signage be TABLED;

And That Staff be requested to bring back a report and recommendation for consideration at the next meeting.

CARRIED

Rezoning
Application –
Microbrewery
126 Government
COW-144-10

Moved by Councillor Fletcher
Seconded by Councillor Duncan

That staff be directed to draft a Bylaw to amend Zoning Bylaw No. 1540, 1988 to rezone those premises legally described as:

Parcel D, Block 6, Section 17, Range 6, Quamichan District, Plan 2070 (126 Government Street) from C-1 (General Commercial) to C-1.A (General Commercial/ Microbrewery) to accommodate a microbrewery operation.

CARRIED

OCP
Amendment –
Green
Communities
Act (Bill 27)
COW-145-10

Moved by Councillor Duncan
Seconded by Mayor Kent

That staff be directed to draft a Bylaw to amend the Official Community Plan, Bylaw No. 2030, 2007 for the purpose of responding to the City's obligation under the Green Communities Act (Bill 27) as outlined in "Attachment 1" of the June 1, 2010 Request for Decision prepared by the Director of Development Services.

CARRIED

The Director of Development Services was requested to give a

presentation at the next Council meeting outlining the changes being proposed to the Official Community Plan, Bylaw No. 2010, 2007 regarding the Green Communities Act (Bill 27).

New Business

Rack Cards

Councillor Jackson reviewed the draft rack card as it will be presented to the Duncan Business Improvement Area Society (DBIAS), noting that the City rack cards are in need of replacement. Councillor Jackson offered to do this free-of-charge with the printing expenses being shared with the DBIAS.

Centennial Park Tree Assessment

The Director of Finance gave a verbal report on the necessary removal of several trees and several that needed to be topped in Centennial Park's new west side access trails. A third party assessment of dangerous trees was obtained that identified hazardous trees and bored those that appeared to show signs of rot. So long as they bored sufficiently sound to not yet be a danger to public safety, they will be left. Several will be topped above found nesting cavities.

The work prescribed in Centennial Park has 2 priorities: firstly, public safety, secondly, wildlife biodiversity and in addressing these issues, the work carried out has a mandate to leave the park in as pristine condition as possible. Hazard modification takes precedence over removal. Public safety and wildlife biodiversity were balanced by attempting to avoid the removal of any trees. Several trees that are clearly dead will be left standing for the time being due to their wildlife habitat value and they were bored to determine that the tree was still sound enough to be left standing or were not so close to the trails as to impact public safety.

The Director of Finance will be issuing a press release to make the public aware of the upcoming tree work. He also reviewed the recently completed Centennial Park Tree Assessment and will communicate with the public explaining what is happening with the trees and prepare a press release accordingly.

Bus Shelter Designs COW-146-10

Moved by Mayor Kent
Seconded by Councillor Duncan

That wood accents be incorporated into the new bus shelter design;

And That the locations be Charles Hoey Memorial Park main terminal on Canada Avenue and Day/Trunk Roads intersection.

CARRIED
Councillor Fletcher Opposed

Somenos Marsh Moved by Mayor Kent

**Society - Letter
of Support
Request
COW-147-10**

Seconded by Councillor Duncan

That the Committee of the Whole recommend that Council approve the following resolution:

That City Council support the Nature Trust of BC in its efforts to establish a Wildlife Management Area in portions of the Somenos Marsh presently leased to the Province and managed by the Ministry of Environment, namely the lands owned by the Nature Trust and Crown Lands to the east of Somenos Creek.

CARRIED

Adjournment

**Adjourn
COW-148-10**

Moved by Councillor Duncan
Seconded by Councillor Cadorette

That this meeting be adjourned.

CARRIED

Adjourn

The meeting adjourned at 11:11 p.m.

Lynn Ketch
Director of Corporate Services

Councillor Sharon Jackson
Chair