

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 pm on Monday, November 7, 2011.

Present
Councillor Jesse Winfrey, Chair
Councillor Ray Cadorette
Councillor Tom Duncan
Councillor Paul Fletcher
Councillor Sharon Jackson
Mayor Phil Kent
Councillor Joe Thorne

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

Approval of Agenda

Agenda
COW-241-11
Moved by Councillor Thorne
Seconded by Councillor Cadorette

That the Agenda be approved as circulated.

CARRIED

Agenda Order
COW-242-11
Moved by Councillor Jackson
Seconded by Mayor Kent

That the Sustainable Development section of the Agenda be moved forward to this point.

CARRIED

Sustainable Development

DP-2011-26 – 58
Craig Street (Nha
Trang Sushi
Restaurant)
COW-243-11
Moved by Councillor Jackson
Seconded by Councillor Duncan

That the Committee of the Whole recommend the following to Council for approval:

That Council authorize the issuance of Development Permit No. DP-2011-26 for Lot 7, Block 4, Section 17, Range 6, Quamichan District, Plan 2070, Except Parcel A (DD 128944-I) thereof and Except Part in Plan 10754 (PID 005-766-338), 58 Kenneth Street.

CARRIED

**DP-2011-29 – 384
Beech Avenue
COW-244-11**

Moved by Mayor Kent
Seconded by Councillor Cadorette

That the following resolution to be forwarded to Council for approval:

That Council authorize issuance of Development Permit (DP-2011-29) for Strata Lot B, Section 17, Range 7, Quamichan District, Strata Plan VIS6119 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V – 384 Beech Avenue (PID 026-830-922);

And That the Committee of the Whole direct staff to present amendments to the Delegation Bylaw No. 2040, 2007 to permit the issuance of Hazard Lands (DPA6) Development Permits by the CAO, regardless of the value of the work to be undertaken, in circumstances where no other type of Development Permit would be required.

CARRIED

**DVP-2011-09
1010 Marchmont
Road
COW-245-11**

Moved by Councillor Jackson
Seconded by Councillor Cadorette

That the Committee of the Whole direct staff to process the application for Development Variance Permit No. DVP-2011-09 (1010 Marchmont Road) by giving Notice to neighbouring properties and that if approval is forthcoming, that Council authorize issuance of Development Variance Permit No. DVP-2011-09 to permit a variance to Section 7.1(b)3 of the Zoning Bylaw No. 1540, 1988:

1. To vary the front yard setback from 7.5 meters to 6.0 meters for the proposed addition to the existing residential dwelling only.

CARRIED

**RZ-2011-04
163 First Street –
Rezone from P-1
(Institutional) to
C-1 (General
Commercial)
COW-246-11**

Moved by Councillor Jackson
Seconded by Councillor Duncan

That the following recommendation be forwarded to Council for approval:

That Council authorize the introduction of an amendment to Zoning Bylaw No. 1540, 1988 to rezone Lot 2, Section 18, Range 6, Quamichan District, Plan 4332 (PID 001-320-050), 163 First Street, from P-1 Institutional to C1-General Commercial, subject to the following conditions:

1. Registration on Title of a Covenant with the following items:
 - a. Heritage designation restricting future modifications and expansions of the primary building to be consistent with the heritage architecture; costs to be borne by the applicant.

- b. Replacement of the existing sidewalk and construction of a 0.5 meter expansion to be provided as a dedication to the City, constructed to the Master Municipal Construction Documents Platinum Edition standards, in a form acceptable to the Director of Public Works.
- c. Cost of sidewalk widening and curb repair and replacement to be borne by the applicant, security of 125% of the estimated cost to be provided to the City and returned upon completion.

CARRIED

**DVP-2011-08 –
163 First Street
COW-247-11**

Moved by Councillor Jackson
Seconded by Councillor Duncan

That the Committee of the Whole direct staff to process the application for Development Variance Permit No. DVP-2011-08 (163 First Street), by giving Notice to neighbouring properties, to permit a variance to the Off Street Parking and Loading Bylaw for the following:

- a. to allow a minimum of 8 off street parking spaces for this use only (Table I requires a total of 23 spaces: 1 space per 3 seats plus 3 required for a restaurant);
- b. to require zero loading spaces (Table 1 requires 1 space); and
- c. to allow parking spaces for commercial uses to gain direct access to the rear lane (Subsection 4.7 (b) restricts such access to single family or duplex residential buildings).

And That if approval is forthcoming that it be subject to the following:

- 2. Registration of a covenant in favour of the City of Duncan in accordance with the required elements of Rezoning No. RZ-2011-04.
- 3. Final reading of the Bylaw changing the zoning designation from P-1 Institutional to C-1 General Commercial.
- 4. Conditions of the Development Variance Permit to include:
 - a. Provision of a minimum of 6 Class II bicycle parking spaces
 - b. Provision of surety of \$1,250 for the installation of bicycle parking facilities.
 - c. Provision of surety of \$_____ for sidewalk replacement and expansion on First Street (125% of estimated cost, to be determined prior to authorization).
 - d. Payment of \$8,000 to the City Parking Fund for off-street parking.

CARRIED

Michelle Geneau, Interim Planner, left the meeting at 7:21 p.m.

Correspondence

**St. Julian Street –
Correct Name
COW-248-11**

Moved by Councillor Duncan
Seconded by Councillor Jackson

That staff be directed to forward Mr. Nolan's letter, regarding the correct spelling of St. Julian (Julien) Street, to the Royal Canadian Legion (Pacific), Branch 53, asking for comments.

CARRIED

**Bench – 1005
Trunk Road Bus
Stop Area
COW-249-11**

Moved by Councillor Jackson
Seconded by Councillor Duncan

That the subject of installing a bench near the 1005 Trunk Road bus stop area be tabled pending a report from the Director of Public Works.

CARRIED

**Sister City
Request –
Comune Di
Cagnano Amiterno
COW-250-11**

Moved by Councillor Jackson
Seconded by Mayor Kent

That staff be directed to write a letter to Comune Di Cagnano Amiterno for more information as to the type of Sister City relationship they are requesting.

CARRIED

**BC Community
Living Action
Group – Housing
for Adults with
Developmental
Disabilities
COW-251-11**

Moved by Councillor Jackson
Seconded by Councillor Duncan

That the following recommendation be forwarded to Council for approval:

That Council urge the Provincial Government to end funding cuts, implement a moratorium on the closure of group homes and provide sufficient financial resources both to maintain this vital housing resource and address growing waitlists;

And That this motion be circulated to the AVICC and the UBCM for consideration at a future conference.

CARRIED

**Pioneer Park
Complex
Committee
COW-252-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That the following recommendation be forwarded to Council for approval:

That Council agree to the proposal of the District of North Cowichan to:

1. Dissolve the Pioneer Complex Committee

2. Refund the Committee's surplus funds (\$200,770 as of December 31, 2010) to North Cowichan and the City of Duncan based on their historical contributions (\$155,870 to North Cowichan and \$44,900 to Duncan), and
3. Allow the Aquannis Centre surplus funds (approximately \$100,000) to be administered by North Cowichan's Parks and Recreation Commission for future development and maintenance of the Aquannis Centre building;

And That Council transfer the City's portion of the Pioneer Park Complex surplus (\$44,900) to a reserve for recreation infrastructure in the City of Duncan.

Amendment Moved by Councillor Duncan
Amendment Seconded by Councillor Jackson

That part 3 of the resolution regarding the dissolution of the Pioneer Park Complex Committee be amended to propose that the City's portion of the Aquannis Centre surplus funds be returned to the City to be held in a reserve fund for future Aquannis Centre capital improvements.

The above motion Moved by Mayor Kent and Seconded by Councillor Jackson and the Amendment Moved by Councillor Duncan and Seconded by Councillor Jackson in regards to dissolving the Pioneer Park Complex Committee and regarding the Aquannis Centre surplus funds were withdrawn.

COW-253-11

Moved by Councillor Duncan
Seconded by Councillor Thorne

That staff be directed to rework the recommendation presented to the Committee of the Whole at this meeting regarding the Pioneer Park Complex Committee and the Aquannis Centre surplus funds for the November 21 Council meeting.

CARRIED

Finance and Administration

Financial Plan
Bylaw
Amendment
COW-254-11

Moved by Councillor Jackson
Seconded by Councillor Thorne

That "Financial Plan Amendment Bylaw No. 3042, 2011" be forwarded to Council for introduction and consideration of 1st, 2nd, and 3rd reading.

CARRIED

Public Works

**Operational
Planning &
Activities Report –
October 2011**
COW-255-11

Regarding the traffic lights at Government/Duncan/Cowichan Way, it was noted that the work is to commence in the next few weeks.

Moved by Councillor Cadorette
Seconded by Councillor Duncan

That the October 2011 Operational Planning & Activities Status Report prepared by Abbas Farahbakhsh, Director of Public Works, be accepted.

CARRIED

Closed Session
COW-256-11

Moved by Councillor Duncan
Seconded by Councillor Jackson

That the meeting be closed to the public under the following section of the *Community Charter*:

- Personal Information – Section 90(1)(b).

CARRIED

Adjournment

Adjournment
COW-257-11

Moved by Councillor Duncan
Seconded by Councillor Jackson

That this Meeting be adjourned.

CARRIED

The meeting adjourned at 7:58 p.m.

Lynn Ketch
Director of Corporate Services

Councillor Jesse Winfrey
Chair