

Order of the
Agenda
COW-29-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That Section 10, Sustainable Development, be considered after Section 7.1, Finance and Administration.

CARRIED

Correspondence

North Cowichan
Letter of
Support – Gas
Tax Grant –
Chemainus
River Bridge
COW-30-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That staff be directed to provide a letter of support to the District of North Cowichan regarding its Gas Tax Grant application for the Chemainus River Bridge Replacement.

CARRIED

Cowichan
Sportsplex –
2011 Water
Grant
COW-31-11

Moved by Councillor Fletcher
Seconded by Mayor Kent

That the Cowichan Sportsplex water grant request be tabled until the next Committee of the Whole meeting, with staff providing some water usage projections for this property for the ensuing year.

CARRIED

Finance and Administration

2010 Audit
Planning Report
COW-32-11

Cara Light and Todd Humen, Hayes Stewart Little & Company, provided an overview of the 2010 Audit Planning Report.

Moved by Mayor Kent
Seconded by Councillor Jackson

That the Audit Planning Report for the year ending December 31, 2010, presented by Hayes Stewart Little & Company, be accepted.

CARRIED

Sustainable Development

File No.
OCP2011-01,
730 Jubilee
Street
COW-33-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That staff be directed to draft a Bylaw to amend “Map 1 – Land Use” of the Official Community Plan, Bylaw No. 2030, 2007, by designating the parcel of land shown in Schedule A from a “Commercial” to “High Density Multi-Family Residential” land use.

CARRIED

Moved by Councillor Jackson
Seconded by Mayor Kent

That the following resolution, with amendments to element 2.b. by replacing the word “replace” with “repair” and removing the words “to a point 1.5 metres to the east of the existing sidewalk such that a grassed boulevard can be placed between the curb and the sidewalk”, removing 2.c., adding an element regarding the Silver LEED Standard and adding an element regarding on-site storm water collection, be approved:

That staff be directed to draft a Bylaw to amend Zoning Bylaw No. 1540, 1988, to change the current RM-1 Low Density Multi-Family Residential to RM-4 Medium Density (4 storey) Multi-Family Residential for Lot 1, Block 7, Section 18, Range 6 Quamichan District, Plan 798 subject to the following:

1. Approval of an amendment to the Official Community Plan designating the subject property as “High Density Multi-Family Residential” on the Land Use Map (Map 1).
2. Approval of a covenant to be registered on the property in favour of the City of Duncan in accordance with the following elements:
 - a. a new sidewalk, curb, gutter and storm drainage inlet shall be constructed to the south of the existing curb on the property’s Third Street frontage. The design and materials will include a combination of concrete and pavers constructed a minimum of 1.5 metres in width and shall be subject to the approval of the Director of Public Works;
 - b. replace the existing sidewalk along the property’s frontage along Jubilee Street to a point 1.5 metres to the east of the existing sidewalk such that a grassed boulevard can be placed between the curb and the sidewalk;
 - c. provide to the City a 1.5 metre wide Right-of-Way along the entire Jubilee Street frontage to accommodate the new sidewalk and grassed boulevard;
 - d. construction of a traffic calming “bulb out” along Jubilee at its northeast corner intersection with Third Street. The design and materials will include a combination of concrete and pavers and shall be subject to the approval of the Director of Public Works;
 - e. provision of a one (1) metre wide Right-of-Way in favour of the City of Duncan along the full length of the rear property line adjacent to the rear alley;
 - f. paving of the full width of the rear alley for a distance of 4.0 metres from the existing edge of curb on Jubilee eastward;
 - g. planting of a minimum 3 (three) street trees along Jubilee and Third Street in accordance with the City’s approved tree planting palette (Urban Forest Strategy).

CARRIED

Rezoning
Application File
RZ2010-01 - 360
& 370 Brae Road
and 361 & 371
Ypres Street
COW-35-11

Moved by Councillor Jackson
Seconded by Mayor Kent

That the following resolution be forwarded to Council for approval:

That Council consider an amendment to Zoning Bylaw No. 1540, 1988 to rezone 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-A High Density Residential Commercial 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) from RM-3 Medium Density Multi-Family Residential to RM-6-A High Density Residential.

CARRIED

Covenant - 360
& 370 Brae Road
and 361 & 371
Ypres Street
COW-36-11

Moved by Councillor Jackson
Seconded by Mayor Kent

That the following resolution be forwarded to Council for approval:

That a covenant be registered on Lots 2, 3, 16 & 17, Block 3, Section 17, Range 6, Quamichan District, Plan 2905 in favour of the City of Duncan in accordance with the following elements:

1. an interior parcel line setback of 6.0 m to the northern property line of Lots 2 and 17 Block 3, Section 17, Range 6, Quamichan District, Plan 2905;
2. an interior parcel line setback of 9.0 m for the 5th and 6th stories to the northern property line of Lots 2 and 17, Block 3, Section 17, Range 6, Quamichan District, Plan 2905;
3. the 5th and 6th stories shall each encompass no more than 80% of the average floor area of the 2nd, 3rd and 4th stories;
4. no trees may be cut until such time as a tree preservation plan is prepared and approved by the City;
5. a tree preservation plan shall be prepared by the applicant and approved by the City as part of the Development Permit approval process;
6. construction of a new sidewalk to City standards between Coronation Avenue and Trunk Road along Ypres Street; and
7. buildings shall be constructed to at least a Silver LEED (Leadership in Energy and Environmental Design) standard or an equivalent such as participation in the Living Building Challenge of the Cascadia Green Building Council;

And That a component for onsite storm water management be included in this proposal.

CARRIED

**Zoning Bylaw
No. 1540
Amendment –
“Retail,
Restricted”
COW-37-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That Council consider an amendment to Zoning Bylaw No. 1540, 1988 to add a definition for “retail, restricted”;

And that a Public Hearing date be set for March 14, 2011 to consider these amendments.

CARRIED

**Development
Permit No. DP-
2010-21, 177
Kenneth Street
COW-38-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That the Committee of the Whole table the proposal (Development Permit DP-2010-24 as presented for 177 Kenneth Street, Lot 6, Plan 2070, Block 11, Section 17, Range 6, Quamichan Land District) to provide the applicant time to develop alternative plans that satisfies the concerns expressed by staff regarding an additional full building setback of 1.5 metres and a further setback of 1.5 metres for the fourth storey.

CARRIED

**DVP2011-01 -
1006
Government St
COW-39-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That the following recommendation be forwarded to Council for approval:

That Council issue Development Variance Permit DVP 2011-01 for 1006 Government Street (Lot A, Section 19, Range 5, Quamichan LD, Plan 54586) to permit a reduction to the College Street exterior side yard setback from 4.5 metres to 0.0 metres for that portion of the canopy shown in blue on Schedule “A-1.”;

And That the issuance of Development Variance Permit DVP 2011-01 be subject to the following conditions:

1. continuation of the curb and provision of a 1.0 metre wide (interior of curbs) landscape bed with two street trees and screening landscaping on the College Street frontage for a distance of 10 metres from the existing landscape bed, and
2. addition of one street tree and screening landscaping in the existing bed on the north side of the College Street frontage, and
3. replacement of the existing dead or distressed heathers in the existing landscape bed adjacent to the pole sign with new plant material from the City of Duncan planting palette, and
4. all planted material and landscape design to be as shown on the drawing designated as Schedule “A-2” (DVP 2011-01), and
5. provision of security in the amount of \$6,000.00 in accordance with the “Security Deposit Regulations for Development Variance Permits Bylaw No.1933, 2002” to ensure the completion of the landscaping and off-site works;

And That an encroachment to a maximum of 0.6 metres over the College Street Right-of-Way be authorized for that portion of the canopy shown in blue on Schedule "A-1."

CARRIED

**DP-2010-29 –
1006
Government St
COW-40-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That the following recommendation be forwarded to Council for approval:

That Council authorize issuance of Development Permit DP-2010-29 in accordance with the plans and specifications shown in Schedules A1 to A8 for 1006 Government Street (Lot A, Section 19, Range 5, Quamichan Land District, Plan VIP 54586) subject to the following conditions:

1. Authorization by Council of DVP 2011-01.
2. Replacement of the existing under canopy lighting with flush mounted LED lighting.

CARRIED

**Covenant
Modification –
361 Bundock/
574 Coronation
Avenue
COW-41-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That the following recommendation be forwarded to Council for approval:

That Council approve modifications to the Plans authorized by Schedule A to the covenant registered February 23, 2007 as FB017628 for the property located at 361 Bundock Avenue and 574 Coronation Avenue (Lot A, Section 17, Range 7, Quamichan District, Plan VIP82740) to the extent shown on the plans and specifications attached as "FB017628 Schedule A Modifications A-1 to A-10" and that staff be authorized to prepare any further documentation to alter the covenant if necessary.

CARRIED

Finance and Administration, cont'd.

**Operating
Expense
Reserve Fund
Bylaw No. 3017
COW-42-11**

Moved by Mayor Kent
Seconded by Councillor Jackson

That "Operating Expense Reserve Fund Bylaw No. 3017" be forwarded to Council for processing.

CARRIED

Councillor Fletcher Opposed

**Pre-Budget
Approval –
Computer
Hardware and
Software
COW-43-11**

Moved by Councillor Jackson
Seconded by Mayor Kent

That the following resolution be forwarded to Council for approval:

That Council give Pre-Budget approval to purchase a new network server hard drive for up to \$18,000 including installation and conversion and the purchase and installation of the VADIM Icitizen module for up to \$7,500, so that online home owner grants can be offered to City property owners in time for the 2011 taxes.

CARRIED

2011 Water and
Sewer Rates
COW-44-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That staff be directed to draft an amendment Bylaw for the 2011 Water Rates based on a 7.6% increase for outside the City and 6% for inside the City for consideration at a Special Council meeting on February 14, 2011;

And that staff be directed to draft an amendment Bylaw for the 2011 Sewer Rates based on a 7% increase, at a Special Council meeting on February 14, 2011.

CARRIED

Environment Services

Active
Transportation
Fund
COW-45-11

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That the following resolution be forwarded to Council for approval:

That \$35,000.00 of gas tax monies be used to fund the Active Transportation Plan.

CARRIED

Critical
Pedestrian
Corridor

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That the following resolution be forwarded to Council for approval:

That the Critical Pedestrian Corridor be a priority in the snow clearing protocol and that a separate budget item be set aside for clearing of sidewalks;

And That the Critical Pedestrian Corridor be added to the Active Transportation Plan.

COW-46-11

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That the previous motion be divided into two parts and that each part be voted on separately.

CARRIED

Voting on the first part:

That the Critical Pedestrian Corridor be a priority in the snow clearing protocol and that a separate budget item be set aside for clearing the sidewalks.

DEFEATED

Mayor Kent and Councillors Duncan,
Jackson and Winfrey Opposed

COW-47-11

Voting on the second part:

That the Critical Pedestrian Corridor be added to the Active Transportation Plan.

CARRIED

COW-48-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That staff be directed to prepare a report outlining costs to be attributed to the current Critical Pedestrian Corridor plan for 2011 budget deliberations.

CARRIED

North Cowichan
– Critical
Pedestrian
Corridor Plan
COW-49-11

Moved by Councillor Jackson
Seconded by Councillor Winfrey

That staff write a letter to North Cowichan advising them that the City is considering a plan for clearing certain sidewalks that are deemed critical for enabling pedestrians to get around after snowfalls and inviting them to consider something similar to connect with the City of Duncan.

CARRIED

Public Works

Operational
Planning &
Activities Status
Report –
January 2011

The Director of Public Works reviewed the January 2011 Operational Planning & Activities Status Report noting the following:

- water metering program – ongoing
- Eagle Heights Booster Pump Station Upgrade – Design and engineering review work is underway
- Gibbins Road booster pump station upgrade final inspection was completed
- City-wide storm drainage study project - ongoing
- new Garbage, Recycling & Organics Bylaw – for adoption by Council on February 21; about 500 new containers have been delivered, still 800 to go; Shaw Cable filming an introduction to the program on February 8; Herby Kerbys will not be accepted because of WorkSafe BC regulations (too heavy; users are being notified)
- temporary dike repair completed – permanent repair application to be done soon
- preliminary seepage evaluation on Lee Street - ongoing
- emergency chlorination grant application has been sent with North Cowichan, CVRD, Cowichan Tribes and VIHA letters of support
- detail design for flood pump station at Lee Street (Fish Gut Alley) proposals recommendation going to Council on February 21
- Duncan Street/Cowichan Way/Trunk Road signal light meeting with Boulevard Transportation Group and stakeholders has been set for 5:00 p.m., February 21
- bus shelters at Charles Hoey Park has been completed and waiting for the right-of-way documents in order to complete the one at Day

- Road/Trunk Road
- 2011 Operational and Capital Budget preparations – ongoing.

COW-50-11

Moved by Councillor Winfrey
Seconded by Councillor Jackson

That the January 2011 Operational Planning & Activities Status Report presented by Abbas Farahbakhsh, Director of Public Works, be received.

CARRIED

Lee Street –
Flood Pump
Station

COW-51-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That the following resolution be forwarded to Council for approval:

That City Council accepts the proposal from Dayton & Knight Ltd. Consulting Engineers to carry on the Detailed Design of the Lee Street – Flood Pump Station and provide subsequent professional services as described on the Request For Proposal letter and their proposal for the cost ranging from \$139,435 to \$158,475 plus Taxes;

And that the cost of the work is to be covered by 2/3's of Federal/Provincial Grants Funds and 1/3 from the Surplus Funds;

And that the project be included in the 2011 Capital Budget.

CARRIED

Dangerous
Trees Between
Arbutus Avenue
West and
Dogwood
COW-52-11

Moved by Mayor Kent
Seconded by Councillor Jackson

That the January 31, 2011 Report from the Operations Manager, Len Thew, regarding Dangerous Trees in the park between Arbutus Avenue West and Dogwood Avenue, be accepted.

CARRIED

Adjournment

Adjourn
COW-53-11

Moved by Councillor Winfrey
Seconded by Councillor Jackson

That this meeting be adjourned.

CARRIED

The meeting adjourned at 11:31 p.m.

Lynn Ketch
Director of Corporate Services

Councillor Tom Duncan
Chair