

City of Duncan Public Hearing Minutes

A Public Hearing regarding Official Community Plan Amendment Bylaw No. 2058, 2008 and Zoning Amendment Bylaw No. 2059, 2008 was held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC, at 6:30 p.m. on Tuesday, September 2, 2008.

Present Mayor Phil Kent – in the Chair
Councillor Ray Cadorette Councillor Sharon Jackson
Councillor Mike Caljouw Councillor Jesse Winfrey
Councillor Paul Fletcher (6:35 pm)

Absent With Notice Councillor Ken Newcomb

Also Present Tom Ireland – Chief Administrative Officer
Peter de Verteuil – Director of Finance
Abbas Farahbakhsh – Director of Public Works
Lynn Ketch – Director of Corporate Services
Paula Divis – Office Support Clerk

Public Attendance There were several members of the public in attendance.

Public Hearing – Official Community Plan Amendment Bylaw No. 2058, 2008 The Chairman called the Public Hearing to order at 6:30 p.m.
The Chairman explained that the purpose of the Public Hearing was to hear from people who deemed themselves affected by the proposed amendments in Official Community Plan Amendment Bylaw No. 2058, 2008 and Zoning Amendment Bylaw No. 2059, 2008.
The Chairman asked the Director of Corporate Services if the City had received any communications regarding the proposed amending Bylaws and was advised that none had been received.
The proposed amending Bylaws were dealt with separately. The OCP Amendment Bylaw No. 2058 was the first item for consideration:

(1) PROPOSED TEXT AMENDMENTS – Schedule “A” to “Official Community Plan Bylaw No. 2030, 2007”, shall be amended by:

- a) in Section 12.1 Development Permit Areas, exemption 12.1.2. (b), replacing the number “50” with the number “10” and replacing the number “538.2” with the number “107.6”;
- b) in Section 12.1 Development Permit Areas, exemption 12.1.2. (d), adding the words “, other than signs,” after the word “structures”;

- c) deleting, in Section 12.1 Development Permit Areas, the exemptions 12.1.2. (i) and (k) relating to canopies and decorative features, and buildings excluded by Council;
- d) adding, in Section 12.2 DPA-1 “Multi-Family Residential Areas” under the sub heading “Form, Character, and Building Materials” a new sub-bullet that says “**With the exception of HardiePlank and similar cementitious sidings, use of artificial materials (those that are made to appear as something they are not such as vinyl siding) is not permitted.**”;
- e) adding, in Section 12.3 DPA-2 “Downtown” under the sub heading “Building Materials” the words “**and other cementitious sidings**” after the word “HardiePlank” in the final bullet;
- f) replacing, in Section 12.4 DPA-3 “Highway 1 Corridor” under the sub heading “Building Materials”, the wording of the final bullet which reads “Use of artificial materials (those that are made to appear as something they are not) is not permitted.”, with the following words “**With the exception of HardiePlank and similar cementitious sidings, use of artificial materials (those that are made to appear as something they are not) is not permitted.**”;
- g) adding, in Section 12.5 DPA -4 “Other Commercial Areas” under the sub heading “Coordinate Building & Site Design” the following bullet:
 - “**With the exception of HardiePlank and similar cementitious sidings, use of artificial materials (those that are made to appear as something they are not such as vinyl siding) is not permitted.**”

The Chairman then asked three times if there was anyone in attendance who deemed themselves affected by the proposed Official Community Plan Bylaw amendments or who wished to address Council regarding the proposed amendments.

No one came forward.

**Zoning Amendment
Bylaw 2059, 2008**

The Zoning Amendment Bylaw 2059, 2008 was then considered:

(a) **PROPOSED TEXT AMENDMENTS** – the proposed Bylaw will be amended by:

a. Adding, in PART THREE - DEFINITIONS:

“CONTAINER” – means a non-combustible, portable unit used

for the storage or transporting of goods, and includes cargo containers, but specifically excludes dumpsters and recycling receptacles intended for neighbourhood collection.”

b. adding the following to PART FOUR – BASIC PROVISIONS:

“4.4(g) the use of land for the placement or use of containers.”

The Chairman then asked the first time if there was anyone in attendance who deemed themselves affected by the proposed Zoning Bylaw amendments or who wished to address Council regarding the proposed amendments.

Lee Ryder of Adams Tarp & Tools, 170 Trans Canada Highway made the following points and suggestions:

- his business will be affected since they have several bins on the property and one was purchased to use as an office
- perhaps the City could allow bins that are hidden from view and not ban them completely
- the bins are good for security and keep B & E's down
- he requested Council to assist with a solution to allow him to keep the bins for his business.

Mik Ferguson of Adams also from Tarp & Tools, 170 Trans Canada Highway made the following suggestions:

- he would like to see the bins legislated and not banned completely
- he advised that London, Ontario has allowed the use of these storage containers but regulates the size and colour and has specific rules for graffiti cleanup, keeping the appearance of the property using the containers aesthetically pleasing.

The Chairman thanked the members of the public for their input.

The Chairman declared the Public Hearing closed.

Adjournment

Adjournment

The Public Hearing was adjourned at 6:57 p.m.

Phil Kent, Mayor

Lynn Ketch, Director of Corporate Services