

City of Duncan Public Hearing Minutes

Public Hearings regarding Official Community Plan Amendment Bylaw No. 3020, 2011, Zoning Amendment Bylaw No. 3021, 2011, Zoning Amendment Bylaw No. 3022, 2011, Zoning Amendment Bylaw No. 3023, 2011 and Zoning Amendment Bylaw No. 3024, 2011 were held in the Council Chamber, City Hall, 200 Craig Street, Duncan, BC, at 7:30 p.m. on Monday, March 14, 2011.

Present	Mayor Phil Kent – Chair Councillor Ray Cadorette Councillor Tom Duncan	Councillor Sharon Jackson Councillor Joe Thorne
Absent With Notice	Councillors Paul Fletcher and Jesse Winfrey	
Also Present	Tom Ireland – Chief Administrative Officer Peter de Verteuil – Director of Finance Lynn Ketch – Director of Corporate Services James van Hemert – Director of Development Services	
Public Attendance	There were nine (9) members of the public in attendance.	
Public Hearing – OCP Amendment Bylaw No. 3020, 2011	<p>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. 3020, 2011.</p> <p>The Chairman called on the Director of Development Services who explained that the City of Duncan Official Community Plan Bylaw No. 2030, 2007 is being proposed for amendment by:</p> <p>Amending Map 1:</p> <ul style="list-style-type: none">(a) Reclassifying the property legally described as Lot 1, block 7, Section 18, Range 6, Quamichan District, Plan 798 (730 Jubilee Street) from Commercial to High Density Multi-Family Residential. <p>The Chairman asked the Director of Corporate Services if the City had received any communications, other than the one referred to by the Director of Development Services, regarding the proposed amending Bylaw and was advised that no others had been received.</p> <p>The Chairman then asked if any member of the public wished to speak on this proposal. The Architect for the proponent, Gordon Burdge provided several comments in favour of the project. Dan Barrette from Third Street opined that 4 storeys was too high for this area.</p>	

The Chairman called for further comments three times and hearing none declared the Public Hearing for Zoning Amendment Bylaw No. 3020, 2011 closed at 7:40 p.m.

**Public Hearing –
Zoning Amendment
Bylaw No. 3021,
2011**

The Chairman called the Public Hearing for Zoning Amendment Bylaw No. 3021, 2011 to order at 7:40 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 Zoning Amendment Bylaw No. 3021, 2011.

The Chairman called on the Director of Development Services who explained that the City of Duncan Zoning Bylaw No. 1540, 1988 is being proposed for amendment by:

Amending Schedule "Z-1" Official Zoning Map:

- Reclassifying the property legally described as Lot 1, Block 7, Section 18, Range 6, Quamichan District, Plan 798 (730 Jubilee Street) from RM-1 Low Density Multi-Family Residential to RM-4 Medium Density (4 storey) Multi-Family Residential.

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 Chairman then asked a first, second and third 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.

No one came forward.

The Chairman declared the Public Hearing for Zoning Amendment Bylaw No. 3021, 2011 closed at 7:42 p.m.

**New Definitions
Zoning Amendment
Bylaw No. 3022,
2011**

The Chairman called the Public Hearing for Zoning Amendment Bylaw No. 3022, 2011 to order at 7:42 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 Zoning Amendment Bylaw No. 3022, 2011.

The Chairman called on the Director of Development Services who explained that the City of Duncan Zoning Bylaw No. 1540, 1988 is being proposed for amendment by:

- Adding the following definitions to PART THREE of Zoning Bylaw No. 1540, 1988:
 - ‘car-free’ means a residential dwelling unit upon which a covenant is registered restricting the owners from storing or parking a vehicle within the City of Duncan;
 - ‘retail, restricted’ means the sale of goods to the general public except for the use of a convenience store;
 - ‘parking, Class I’ means bicycle parking facilities where bicycles will be left for hours at a time; it requires a high degree of security and weather protection, with well-designed racks in covered areas, lockers, storage rooms, or fenced areas with restricted access;
 - ‘parking, Class II’ means bicycle parking where bicycles will be left for short stops; it requires a high degree of convenience (as close to destinations as possible); at least some short-term bicycle parking should be protected from the weather;
 - ‘vehicle, shared community’ means a vehicle provided for the exclusive shared use of residents of the residential building or complex.

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.

Lenore Armstrong of Ypres Street requested an explanation as to how the City was going to enforce the car-free designation for the proposal at 360/370 Brae and 361/371 Ypres. The CAO noted that it would be one of the rules of the Strata Corporation for eligibility to own or occupy the affected units. It would also be the Strata Corporation’s obligation to enforce the rule.

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

No one came forward.

The Chairman declared the Public Hearing for Zoning Amendment Bylaw No. 3022, 2011 closed at 7:49 p.m.

Proposed New RM-6-A Zone - Zoning Amendment Bylaw No. 3024, 2011

The Chairman called the Public Hearing for Zoning Amendment Bylaw No. 3024, 2011 to order at 7:49 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 Zoning Amendment Bylaw No. 3024, 2011.

The Chairman called on the Director of Development Services who explained that the City of Duncan Zoning Bylaw No. 1540, 1988 is being proposed for amendment by:

- a) Adding the following zone to PART SIX – CREATION AND DEFINITIONS OF ZONES -:

6.1 – <u>Column I</u>	<u>Column II</u>
RM-6-A	HIGH DENSITY (6-storey) RESIDENTIAL COMMERCIAL (BONUS)

- b) Adding the following new section 7.9 to PART SEVEN – RESIDENTIAL ZONES -

7.9 RM-6-A ZONE – HIGH DENSITY (6 Storey)
RESIDENTIAL COMMERCIAL (BONUS)

The Director of Development Services, James van Hemert, noted among other things, that:

- This new zone district RM-6-A (Bonus) will allow for a density bonus based on the provision of affordable housing.
- An applicant may choose from three ways of providing affordable housing: 1) car-free; 2) price restricted; and 3) a combination of car-free and price restricted.
- Density bonus is based on affordable housing and is associated with the next item on the Agenda (rezoning application for 360/370 Brae and 361/371 Ypres).
- This new zone district is similar to one currently being used in Langford and North Cowichan.
- Affordable housing, as a requirement in the Zoning Bylaw, can only be done with the permission of the owner.

The Chairman asked the Director of Corporate Services if the City had received any communications regarding the proposed amending Bylaws and was advised that four additional letters in opposition had been received.

Lenore Armstrong of Ypres Street read aloud her letter of opposition to this new zone opining the following points, among others:

- No need for additional commercial units with a large shopping mall with empty premises less than one block away.

- Traffic problems creating safety issues
- Only one sidewalk on Ypres
- Uncontrolled intersections at both ends of Ypres
- Limited parking when funerals are taking place on Ypres and Brae
- No provision of visitor or commercial parking
- 6 storeys is too high
- Tree removal.

Elinor Bell of Brae Road spoke in opposition to the new RM-6-A Zone District citing traffic, safety concerns and the proposal of 6 storeys.

The Chairman noted that the majority of these concerns applied to the next item on the Agenda and not the proposed addition of the RM-6-A Zone District.

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

No one came forward.

The Chairman declared the Public Hearing for Zoning Amendment Bylaw No. 3024, 2011 closed at 8:06 p.m.

**Zoning Amendment
Bylaw No. 3023,
2011 – 360/370 Brae
Road and 361/371
Ypres Street – RM-
6-A**

The Chairman called the Public Hearing for Zoning Amendment Bylaw No. 3023, 2011 to order at 8:06 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 Zoning Amendment Bylaw No. 3023, 2011.

The Chairman called on the Director of Development Services who explained that the City of Duncan Zoning Bylaw No. 1540, 1988 is being proposed for amendment by:

Amending Schedule "Z-1" Official Zoning Map:

- by reclassifying the property legally described as 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 and 371 Ypres from RM-3 Medium Density Multi-Family Residential to RM-6-A High Density Residential.

Among other points, Mr. van Hemert noted the following:

- The Official Community Plan allows for mixed use commercial and medium or high density residential in this area
- The block itself already contains 3 multi-family residential building
- It is supported by the Official Community Plan in regards to green house gas targets
- It is a very ideal location for high density residential
- Car restrictions and parking restrictions are a deliberate attempt to restrict an increase in traffic
- Ypres is a quiet street and will not see a dramatic increase in traffic and the quiet nature of these streets may be maintained
- Ypres has no sidewalk on the west side – one will be built
- A 6-storey building could have a negative impact on surrounding buildings, particularly to the north. A shadow analysis plan has been provided. A covenant will protect the Cedars building at 380 Brae Road with an additional setback to mitigate the impact of the 6-storey building on this property
- There are some concerns about the speed of traffic on Coronation, but it is not clear how this project will impact the traffic – people in high-density may walk more rather than drive more – overall increase may not be realized
- A covenant will be in place to ensure that these commitments take place through a covenant.

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

No one came forward.

The Chairman declared the Public Hearing for Zoning Amendment Bylaw No. 3024, 2011 closed at 8:20 p.m.

Lynn Ketch
Director of Corporate Services

Mayor Phil Kent
Chair