

## City of Duncan Regular Council Minutes

The Regular Meeting of City Council was held in the Council Chamber, City Hall, 200 Craig Street, Duncan BC, at 7:30 pm on Monday, September 8, 2008.

**Present** Mayor Phil Kent  
Councillor Ray Cadorette Councillor Mike Caljouw  
Councillor Paul Fletcher Councillor Sharon Jackson  
Councillor Ken Newcomb Councillor Jesse Winfrey

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

His Worship Mayor Kent opened the Council Meeting with an affirmation and called for order at 7:32 p.m.

### **Approval of Agenda**

**Agenda** Moved by Councillor Newcomb  
R-228-08 Seconded by Councillor Jackson  
**That** the agenda be approved as circulated.

**CARRIED**

### **Adoption of Minutes**

**Minutes** Moved by Councillor Caljouw  
R-229-08 Seconded by Councillor Winfrey  
**That** the Minutes of the August 11, 2008 Regular Council meeting be adopted.

**CARRIED**

R-230-08 Moved by Councillor Winfrey  
Seconded by Councillor Newcomb  
**That** the Minutes of the September 2, 2008 Public Hearing be adopted.

**CARRIED**

R-231-08 Moved by Councillor Cadorette  
Seconded by Councillor Winfrey  
**That** the Minutes of the September 2, 2008 Special Council meeting be adopted.

**CARRIED**

## **Introduction of Late Items**

### **Late Items**

R-232-08

Moved by Councillor Winfrey  
Seconded by Councillor Jackson

**That** the following late item be added to the Agenda:

- Request for Decision for DP 2008-17 (107 Second Street) attached (9.6.2 Reports of Staff).

CARRIED

## **Delegations**

### **City Council Presentation – Louise Hamilton**

Louise Hamilton presented the Mayor and Councillor Jackson with ribbons presented by previous Mayor Jim Quaife at the opening of the Aquannis Centre in 1975. Ms. Hamilton also presented the City with a carving by Francis Horne that she presented at the 20<sup>th</sup> Anniversary celebration of the Aquannis Centre. The Aquannis Centre's logo was developed from this carving, but has now been retired. The carving will now be displayed in a prominent area at City Hall. Council also received a "memory book" from Mrs. Hamilton.

Ms. Hamilton was thanked for her presentation and she left the meeting.

### **Centennial Park Preload**

Gene Mazza from 1<sup>st</sup> Team Consulting Ltd. the proposal to upgrade Centennial Park with a new playground and water park for children. Phase I will include a new playground with two sections – one for children under 5 and one for children up to approximately age 12. A detailed planting plan will be presented to Council at a later date. Phase I should be completed by Spring 2009.

Mr. Mazza answered questions from Council, was thanked for his presentation and he left the meeting.

## **Report of the Chief Administrative Officer**

### **CAO Report**

The CAO, Tom Ireland, gave an overview of his CAO Report dated September 5, 2008. The report is on file at City Hall.

## **Unfinished Business**

### **Proposed Sale of Land to School District 79 R-233-08**

Moved by Councillor Jackson  
Seconded by Councillor Winfrey

**That** the email dated September 1, 2008 from Leonard Mayea, opposing the sale of land to School District 79 for a new Secondary School because of its close proximity to a busy Highway, be received and filed.

CARRIED

**Sale of Land to  
School District  
#79**

R-234-08

Moved by Councillor Caljouw  
Seconded by Councillor Jackson  
**That** Council, having given notice and considered public input, authorize the Mayor and Director of Corporate Services to sign all necessary documents to transfer City of Duncan's interest in proposed Lot B (Pioneer Park Playfields) to the School District 79 (Cowichan Valley) for \$6,327,539, plus applicable fees and taxes.

CARRIED

**Reports of Mayor and Council and Committees**

**Committee of the  
Whole Report –  
August 11, 2008**

R-235-08

Moved by Councillor Newcomb  
Seconded by Councillor Jackson  
**That** City Council accept the 2007 Financial Statements;  
**And That** the 2007 Statements of Financial Information produced under the *Financial Information Act* be approved.

CARRIED

**Committee of the  
Whole Minutes –  
August 11, 2008**

R-236-08

Moved by Councillor Winfrey  
Seconded by Councillor Cadorette  
**That** the Minutes from the August 11, 2008 Committee of the Whole Meeting be adopted.

CARRIED

**Committee of the  
Whole Report –  
September 2,  
2008**

R-237-08

Moved by Councillor Newcomb  
Seconded by Councillor Winfrey  
**That** items 1 thru 6 of the September 2, 2008 Committee of the Whole Meeting Report be adopted:

1. **That** Council encourage the 2008 UBCM delegates to support the 3 resolutions being presented by the Powell River Regional District requesting a federal ban on the passage of liquid natural gas tankers in the waters of Malaspina and Georgia Straits.
2. **That** City Council support the following items proposed by the Powell River Regional District:
  - i. Send a letter to the provincial government supporting the Board's request that it amend the "BC Energy Plan" to require zero greenhouse gas emissions from new gas-fired electricity generation facilities.
  - ii. Send a letter to the federal government supporting the Board's request that it implement a federal ban on the passage of LNG tankers in the waters of the Malaspina and Georgia Straits.
  - iii. Support the PRRD's three resolutions on these matters at the upcoming UBCM convention.

3. **That** Council approve the following sign to be installed near the ramped access to 275 First Street:



4. **That** Mayor Kent be authorized to sign the Cities Appeal in support of the Hiroshima-Nagasaki Protocol as requested in the August 14, 2008 letter from the Mayors for Peace 2020 Vision Campaign.
5. **That**, in accordance with City Policy, Council authorize the removal of the rotted tree located in the McAdam Preschool play area.
6. **That** Building Bylaw amendment Bylaw No. 2060, 2008, be processed to City Council for introduction and to be read for the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> time.

CARRIED

**Committee of the Whole Minutes – September 2, 2008**

Moved by Councillor Newcomb  
Seconded by Councillor Jackson  
**That** the Minutes from the September 2, 2008 Committee of the Whole Meeting be adopted.

R-238-08

CARRIED

**Mayor and Council Reports**

Mayor Kent reported on the following:

- on August 13, 2008, he attended a CVRD Engineering meeting and noted there will be items from that meeting forward to Council
- on August 16, he attended the Burma Star Remembrance Event at Charles Hoey VC Memorial Park
- On August 25, he met with Pam Alcorn of Safer Futures
- September 4, he had a very positive lunch meeting with Chief Hwitsum and a later meeting with Ron Rice and the Chief to discuss NAIG Legacy events
- On September 5, he attended the Opening of the 141<sup>st</sup> Cowichan Exhibition with this being the final Exhibition at the Clement/James Street location.

Councillor Jackson sadly reported the recent passing of Stan Wong, Cecilia Abram and Rajindi Mayo, a pioneer of the Cowichan Valley.

Councillor Winfrey reported favourably on this year's Cowichan Exhibition and gave an overview of previous locations of the Cowichan Exhibition over the past 141 years and the positive move to its new location.

### **Reports of Staff**

**Building  
Statistics Report  
for July 2008**

R-239-08

Moved by Councillor Jackson  
Seconded by Councillor Winfrey  
**That** the Building Statistics Report for the month of July 2008 be received and filed.

**CARRIED**

**107 Second  
Street –  
Development  
Permit No. DP –  
2008-17  
R-240-08**

Moved by Councillor Jackson  
Seconded by Councillor Newcomb  
**That** issuance of Development Permit 2008-17 be authorized for 107 Second Street (Lot A, Block 5, Section 18, Quamichan District, Plan 798) as presented.

**CARRIED**

It was suggested that Council revisit the \$10,000 maximum amount requiring Council approval for Development Permits.

### **Bylaws**

**Streets Bylaw  
Amend. Bylaw  
No. 2057, 2008 to  
Streets Bylaw No.  
1127, 1976  
R-241-08**

Moved by Councillor Jackson  
Seconded by Councillor Winfrey  
**That** City of Duncan Streets Bylaw Amendment Bylaw No. 2057, 2008 to Streets Bylaw No. 1127, 1976 – Schedule "K" be adopted.

**CARRIED**

**OCPlan Amend.  
Bylaw No. 2058,  
2008  
(Vinyl Siding)  
R-242-08**

Moved by Councillor Newcomb  
Seconded by Councillor Jackson  
**That** City of Duncan Official Plan Amendment Bylaw No. 2058, 2008 be read for the third time and be adopted.

**CARRIED.**

**Zoning  
Amendment  
Bylaw No. 2059,  
2008 to Zoning  
Bylaw 1540, 1988  
(Container  
Definition)**

Moved by Councillor Newcomb  
Seconded by Councillor Winfrey  
**That** City of Duncan Zoning Amendment Bylaw No. 2059, 2008 to Zoning Bylaw 1540, 1988 be read for the third time.

**DEFEATED  
UNANIMOUSLY**

R-243-08 8 Moved by Councillor Fletcher  
Seconded by Councillor Jackson  
**That** the subject of container use in the City be referred to the next  
Committee of the Whole Meeting.

CARRIED

**Building Bylaw  
Amendment No.  
2060, 2008  
(Water Closets)  
R-244-08** Moved by Councillor Caljouw  
Seconded by Councillor Jackson  
**That** City of Duncan Building Bylaw Amendment No. 2060, 2008 be  
read for the first, second and third time.

CARRIED

### Question Period

Mik Ferguson from Adam's Tarp and Tools stated that he would like  
to cooperate with the City and will move his container from the front of  
his store to the back.

### New Business

**Development  
Variance Permit  
No. DVP-2008-03  
R-245-08** Moved by Councillor Jackson  
Seconded by Councillor Cadorette  
**That** Council Authorize issuance of Development Variance Permit  
No. DVP-2008-03 for 1050 college Street subject to the applicant  
removing the fence and accessory building adjacent to the  
Holmesdale Street frontage.

CARRIED

**Transit Service  
Amendments  
R-246-08** Moved by Councillor Winfrey  
Seconded by Councillor Caljouw  
**That** the City of Duncan consents to the adoption of "CVRD Bylaw  
No. 3192 – CVRD Transit Service Establishment Amendment Bylaw,  
2008".

CARRIED

**CVRD - Social  
Planning Service  
Establishment  
Bylaw  
R-247-08** Moved by Councillor Jackson  
Seconded by Councillor Winfrey  
**That** the City of Duncan consents to the adoption of "CVRD Bylaw  
No. 3161 – Social Planning Cowichan Annual Financial Contribution  
Services Establishment Bylaw, 2008"

CARRIED

**Centennial Park  
Preload  
R-248-08** Moved by Councillor Jackson  
Seconded by Councillor Winfrey  
**That** Council approves the beginning of construction of the new  
playground and spray park in Centennial Park with the initiation of

preloading the play areas with appropriate fill;  
**And That** a package of visual materials be sent to all local service organizations and major local businesses seeking funding support for various components and phases of the Centennial Park plan.

CARRIED

**Resolve to go into Closed Meeting**

**Closed Session**

R-249-08

Moved by Councillor Winfrey  
Seconded by Councillor Newcomb  
**That** this Regular Council meeting be closed to the public to consider Labour Issues (s.90(1)(c) - *Community Charter*)  
Property Issues (s.90(1)(e) - *Community Charter*)  
Legal Issues (s.90(1)(g) – *Community Charter*)  
as per Section 90[ ] the *Community Charter*.

CARRIED

**Adjournment**

R-250-08

Moved by Councillor Winfrey  
Seconded by Councillor Jackson  
**That** this meeting be adjourned.

CARRIED

The meeting adjourned at 8:50 p.m.

---

Phil Kent  
Mayor

---

Lynn Ketch  
Director of Corporate Services