

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, August 13, 2007.

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

Absent with Notice Councillor Paul Fletcher

Also Present Tom Ireland – Chief Administrative Officer
Peter de Verteuil – Director of Finance
Cheryl Wirsz – Director of Corporate Services

His Worship Mayor Kent opened the Council Meeting with an affirmation and called for order.

Approval of Agenda

Agenda Moved Councillor Winfrey
Seconded Councillor Jackson
R-233-07 **That** the agenda be approved as circulated.

CARRIED

Adoption of Minutes

Minutes Moved Councillor Caljouw
Seconded Councillor Newcomb
R-234-07 **That** the minutes of the July 23, 2007 Special Council Meeting be adopted.

CARRIED

R-235-07 Moved Councillor Jackson
Seconded Councillor Caljouw
That the minutes of the July 9, 2007 Regular Council Meeting be adopted.

CARRIED

Introduction of Late Items

Late Items

R-236-07

Moved Councillor Jackson
Seconded Councillor Newcomb
That Item 9.6 – Report of the August 13, 2007 Committee of the Whole Report, Item 11.5 – Bylaw 2034, and Item 13.1 – JUB Repairs be added to the agenda.

CARRIED

Report of the Chief Administrative Officer

CAO Report

The Director of Finance has passed his exam and is now a CGA and the Building Inspector has given his resignation. The Cowichan Place Agreement has been finalized with North Cowichan. The 2007 Strategic Priorities have been updated. The QMS development has been proceeding. The Roundabout at Craig Street has been discussed with Cowichan Tribes Land Manager but approval of the band is still pending. Drilling on Coronation Street will begin on August 30 for the Shell redevelopment. Meetings have been held with regards to the outfall repairs to the JUB. Two subdivisions have received PLA. The Water Model Update Study has been awarded to the Focus Group. Single Business License Initiative meetings have been ongoing.

Reports of Mayor and Council and Committees

August 7, 2007 Committee of the Whole Report

R-237-07

Moved Councillor Newcomb
Seconded Councillor Winfrey

1. **That** the draft Totem Copyright Policy be forwarded to Council for approval:

City of Duncan Totem Copyright Policy

Whereas the City of Duncan holds the copyright policy on the City's totem collection.

Therefore the use of the totem images in any form requires approval from the City of Duncan.

Furthermore, the City of Duncan reserves the right to levy a copyright charge on a project by project basis.

The review and approval process shall consist of the applicant completing a right to use Totem pole image application from the Totem Committee. In this process the Committee will consider the following:

- Timeliness
- The Committee will weigh the economic return versus the promotional value in deciding whether a fee will be

charged

- Impact upon economic development
- Promotional value
- The ability to acknowledge the copyright and artist on the image in a visible location.
- Any fees or in-kind revenue as a result of approvals will be added to Totem Committee funding.

2. **That** a letter of support for Bill C458 [protecting library access to postal rates] be sent to Jean Crowder, MP with a copy to the Prime Ministers Office.
3. **That** August 12, 2007 be declared as Youth Day in the City of Duncan.
4. **That** Council approve the new design of the roof line for 361 Bundock Street as proposed in the Elevation Change drawing presented by the CAO [A2.4].
5. **That** the July 2007 Strategic Planning Short Term Action Chart be adopted and that the Director of Corporate Services be directed to attach the chart to each regular agenda package:

CITY of DUNCAN - SHORT TERM ACTION CHART

Date: July 2007

1. **COWICHAN PLACE**
2. **BOUNDARY RESTRUCTURE**
3. **CRAIG STREET REVITALIZATION**
 - **Tourism Strategy**
 - **TCH Medians**
 - **TCH Corridor Study**
 - **Aboriginal Culture Orientation**
 - **First Nations Relationship Building**
 - **Intermunicipal Protocol**
 - **JUB Review**

ORGANIZATIONAL IMPROVEMENTS (Council / CAO)

1. **Decision Making Guidelines**
2. **Priority Work Program System**

OPERATIONAL STRATEGIES (CAO / Staff)

PUBLIC WORKS / OPERATIONS (Len)

1. Trunk/Government St. Paving
2. Water Study
3. Planting Plan
 - Infrastructure Priorities

CHIEF ADMINISTRATION (Tom)

1. Cowichan Place Framework
2. Development Approval Study

CORPORATE ADMINISTRATION (Cheryl)

1. MTI Bylaw
2. Sustainability Indicators
3. Zoning Bylaw

- OCP Implementation
- Walkway System Plan
- Redevelopment Strategy

FINANCIAL ADMINISTRATION (Peter)

1. Centennial Park
2. Craig St. Revitalization
3. Tourism Strategy
 - DCC Bylaw Review

6. **That** the Silver Bridge banner pole request from the Cowichan United Way be approved from September 10 to September 30, 2007 and from November 1 to November 30, 2007.

And That the Cowichan United Way be authorized to use the Canada Avenue banner pole for the month of October if NAIG is not using it, subject to approval from BC Hydro.

And That this decision not be seen as setting any precedent due to the high demand for the banner pole and would be at the discretion of Council.

7. **That** the Passenger Transportation Branch of the Ministry of Transportation be advised that the City of Duncan has no comment regarding the 8.9% fare increase application from Country Cabs.

8. **That** the Passenger Transportation Branch of the Ministry of Transportation be advised that the City of Duncan has no comment regarding the 8.9% fare increase application from Duncan Taxi Cabs.

9. **That** Council authorize the closure of the west side of the 100 block of Jubilee Street from 4 pm – 8 pm on Thursday, August 16, 2007 subject to the following conditions:

- Arrange with a local rental company for barricades and signs.
- Erect sufficient barricades and signs to control and safely direct pedestrians and/or traffic around the closure.
- Sweep, wash, or otherwise clean up the street / sidewalk once the work is complete and prior to re-opening the street / sidewalk.
- Notify emergency services and transit.

10. **That** the City of Duncan authorize a street closure for the portion of Craig Street adjacent to 25/45 Craig Street from 4 pm to 11 pm, Thursday, August 30, 2007 for a Tour de Rock, Cops for Cancer Event hosted by Just Jakes and the Craig Street Brew Pub subject to receipt of a copy of the liability insurance.

And That approval for the temporary extension of the liquor license be granted for the same time period.

- Arrange with a local rental company for barricades and signs.
- Erect sufficient barricades and signs to control and safely direct pedestrians and/or traffic around the closure.
- Sweep, wash, or otherwise clean up the street / sidewalk once the work is complete

and prior to re-opening the street / sidewalk.

- Notify emergency services and transit.

11. That the nuisance maples located in the Dogwood / Arbutus west easement, and identified in the *Centennial Height Tree Report*, be removed entirely and replanted with a more appropriate species of tree.

12. That Council appoint Councillor Cadorette to be the chairperson of the City's Parking Advisory Committee.

And That the Terms of Reference for the Parking Advisory Committee be adopted: **City of Duncan**

Parking Advisory Committee

Terms of Reference

1. The Parking Advisory Committee shall consist of one Councillor and volunteer members of the community, all of whom shall be appointed by Council.
2. The Chair of the Parking Advisory Committee shall be the Councillor appointed to the committee.
3. The role of the Parking Advisory Committee shall be to advise Council on effective management of parking matters.
4. The parking matters may be referred from Council or be parking matters as determined by the committee.
5. The parking matters considered by the committee shall generally be effective parking management with regards to:
 - i. Parking in the downtown core
 - ii. Parking in the vicinity of the downtown core
 - iii. Parking in the residential areas adjacent to commercial uses
 - iv. Parking adjacent to parkland
6. The term of the Parking Advisory Committee shall be the same as the term of the current Council.
7. Each new Council shall reconsider the Terms of Reference and appointees to the committee

13. That the July 3, 2007 Downtown Revitalization Report from Paul Rollo be received and filed;

And That a copy of the report be forwarded to the District of North Cowichan, the Cowichan Valley Regional District, the attendees of the April 19, 2007 Focus Group, the Parking Advisory Committee, the Chamber of Commerce, and the DBIA;

And That the Director of Corporate Services be directed to incorporate as many of the suggestions as possible into the new Zoning Bylaw.

14. That the Committee of the Whole recommend that the Council

of the City of Duncan commence the process to issue a Development Variance Permit for 477 Alderlea, Block 3, Section 17, Range 6, Quamichan District, Plan 1063, to permit the construction of a covered porch and a 2nd storey balcony as depicted in the plans received June 18, 2007, subject to the additions being in character with the 1912 character home.

15. **That** the Committee of the Whole recommend that the Council of the City of Duncan amend the text of section 7.5 of Zoning Bylaw #1540 to permit parking as a principal use in the RM-3 zone, provided it is in conjunction with a permitted principal use on an adjacent P-1 zoned lot which meets the requirements specified in 4.4 of Parking Bylaw #1556.
16. **That** the Committee of the Whole recommend that the Council of the City of Duncan initiate the process to issue a Development Variance Permit to permit a canopy as shown on the attached plan to encroach 4.17 m to within .33 m of the site's property line adjacent to Bundock Avenue, and that the variance be for the life of the building only. The maximum area permitted for the encroachment is 25 m² [269 sq ft].
17. **That** the Council of the City of Duncan amend the Development Permit to permit the amendments to the sidewalk design at 280 Government Street in consideration of the applicants offer of approved and accepted public art and that Council would prefer this offer to be in the form of cash in lieu, received prior to issuance of the amended permit.
18. **That** Councillor Cadorette be authorized to be absent from Council meetings from September 2, 2007 to October 5, 2007.

CARRIED

**Capital Cost
Contribution
Waiver Request –
Cowichan Valley
Association for
Community
Living**

R-238-07

Moved Councillor Jackson
Seconded Councillor Winfrey

That the City of Duncan not waive the Capital Cost Contribution charge as requested by the July 4, 2007 letter from Cowichan Valley Association for Community Living for the development at 6124 Ryall Road.

CARRIED

OPPOSED COUNCILLOR JACKSON AND MAYOR KENT

**Committee of the
Whole Report –
August 13, 2007**

R-239-07

Moved Councillor Caljouw
Seconded Councillor Cadorette

1. That staff prepare a bylaw amendment for Council's consideration based on the changes recommended by the August 10th report of the Director of Finance;

And That the City initiate detailed design of the Ryall Road upgrade and Canada Avenue Bridge crossing water projects;

And That the City purchase a 2007 Honda Civic Hybrid at a cost of \$27, 525 plus taxes and levies as a replacement for the Commissionaire's truck as detailed in the Operations Manager's August 9th report.

2. That the request for a leave of absence from Councillor Newcomb from January 6, 2008 to March 18, 2008 be approved.

CARRIED

Committee of the Whole Minutes

R-240-07

Moved Councillor Jackson
Seconded Councillor Winfrey

That the minutes of the Committee of the Whole Meeting of August 7, 2007 be adopted.

CARRIED

Mayor and Council Reports

- Councillor Jackson reported on the process of getting a fountain in City Square.
- Mayor Kent reported that the Cowichan Place Project is proceeding. He attended the August 3 NAIG Kickoff in City Square, which was very well attended. He attended the inaugural meeting of the CVRD Environmental Committee.

Reports of Staff

Request to Waive Capital Cost Contribution Charges

R-241-07

Moved Councillor Jackson
Seconded Councillor Newcomb

That the City of Duncan not reduce the Capital Cost Contribution Charges by 50% as requested by the August 2, 2007 letter from Duncan Christian Senior Home Society for their proposed development to add 19 patio homes at 1015 Trunk Road.

CARRIED

June 2007 Building Statistics Report

R-242-07

Moved Councillor Cadorette
Seconded Councillor Winfrey

That the June 2007 Building Statistics Report be received and filed.

CARRIED

Resolutions

Notice of Motion from the July 23, 2007 Special Council Meeting – Provision of Dinner for Committee of the Whole Meetings

R-243-07

Moved Councillor Jackson
Seconded Councillor Cadorette

That Councillor Winfrey take over the responsibility for the ordering of the bimonthly dinner for Committee of the Whole Meetings;

And That sincere thanks be extended to Councillor Caljouw for his volunteer service.

CARRIED

Bylaws

- Bylaw 2032** Moved Councillor Jackson
R-244-07 Seconded Councillor Newcomb
That OCP Amendment [Map 2] Bylaw No. 2032, 2007 be given 1st and 2nd reading.
And That the public hearing be held on Tuesday, September 4, 2007.
CARRIED
- Bylaw 2027** Moved Councillor Caljouw
R-245-07 Seconded Councillor Newcomb
That City of Duncan Board of Variance Bylaw No. 2027, 2007 be adopted.
CARRIED
- Bylaw 2033** Moved Councillor Caljouw
R-246-07 Seconded Councillor Jackson
That Sewer Rates Amendment Bylaw No. 2033, 2007 be adopted.
CARRIED
- Bylaws 2006 and 2007** Moved Councillor Newcomb
R-247-07 Seconded Councillor Winfrey
That consideration of Bylaws 2006 and 2007 be tabled until bylaw 2034 is considered for final reading.
CARRIED
- Bylaw 2034** Moved Councillor Newcomb
R-248-07 Seconded Councillor Jackson
That OCP Amendment [QMS] Bylaw No. 2034, 2007 be given 1st and 2nd reading.
CARRIED

New Business

- JUB Outfall Repairs - Expenditure of Reserve Funds** Moved Councillor Newcomb
R-249-07 Seconded Councillor Winfrey
That Council authorize the JUB to expend reserve funds to implement remedial measure Option 2, or preferably Option 1, detailed in the Northwest Hydraulic Consultant's report regarding "Repair of the JUB Outfall on Cowichan River" prior to Fisheries wanting workers out of the river.
CARRIED

**Shaw Cable
Coverage of
Council Meetings
on Television**

R-250-07

Moved Councillor Newcomb
Seconded Councillor Jackson

Whereas the Council of the City of Duncan is of the view that the present time slot chosen by Shaw Cable for televising City Council Meetings does not serve the best interests of the residents of the Cowichan Valley in general and the City of Duncan;

Therefore it be Resolved That staff be directed to contact Shaw Cable with respect to the possibility of negotiating and choosing better telecast time slots for televised City Council Meetings.

CARRIED

Resolve to go into Closed Meeting

Closed Session

R-251-07

Moved Councillor Caljouw
Seconded Councillor Jackson

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*) and Legal Issues (s.90(1)(g) – *Community Charter*) as per the *Community Charter*.

CARRIED

Adjournment

R-252-07

Moved Councillor Winfrey
Seconded Councillor Jackson

That this meeting be adjourned.

CARRIED

The meeting adjourned at 8.25 p.m.

Phil Kent
Mayor

Cheryl Wirsz
Director of Corporate Services