

City of Duncan Public Hearing Minutes

**A Public Hearing was held in the Council Chambers, City Hall, 200 Craig Street,
Duncan, BC, on Monday, November 27, 2017 at 5:00 PM.**

Present	Mayor Phil Kent, Chair Councillor Michelle Bell Councillor Roger Bruce Councillor Tom Duncan	Councillor Sharon Jackson Councillor Michelle Staples Councillor John Horgan
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Also Present	Peter de Verteuil, Chief Administrative Officer Michelle Geneau, Manager of Planning Paige MacWilliam, Director of Corporate Services Allison Boyd, Corporate Services Coordinator Jane Armstrong, Acting Director of Corporate Services
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Call to Order

Call to Order	The Chair called the Public Hearing for "Zoning Bylaw No. 3166, 2017" to order at 5:02 pm.
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Public Hearing Process

Explanation of Public Hearing Process	The Chair provided an explanation of the Public Hearing process. He stated that the Public Hearing was convened pursuant to Section 465 of the <i>Local Government Act</i> to allow the public to make representation to Council respecting matters contained in the proposed "Zoning Bylaw No. 3166, 2017".
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The Director of Corporate Services stated that notification of the Public Hearing was advertised in the Cowichan Valley Citizen newspaper on November 15 and November 22, 2017. She stated that notice was also posted on the City's public notice posting places, on social media and on the City's website.

Proposed Zoning Bylaw

Staff Introduction of Zoning Bylaw No. 3166, 2017	The Manager of Planning provided an overview of the proposed Zoning Bylaw No. 3166, 2017. She listed the changes that had been made to the bylaw since the last Public Hearing was held on September 18, 2017.
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Correspondence Received Regarding Zoning Bylaw No. 3166, 2017	The Chair asked the Director of Corporate Services if any written submissions were received regarding the proposed bylaw. The Director of Corporate Services stated that three pieces of correspondence had been received after the meeting agenda was published and before 4:00 pm on November 27, 2017, from Mr. Blumel, Mr. Childs and Ms. Hill, all of which were pertaining to
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**Public Comment
Period**

Mr. Blumel's automobile dealership on the Trans-Canada Highway. Copies of the correspondence were provided to all members of Council and made available to the members of public in attendance at the Public Hearing.

The Chair asked for a first time whether anyone wished to present their views about the proposed bylaw.

Mr. Childs - Duncan Street, Duncan, BC

Mr. Childs spoke about his concerns regarding excluding automobile dealerships as a permitted use in the City of Duncan.

Mr. Blumel - TransCanada Highway, Duncan, BC

Mr. Blumel provided a history of his family's car dealership currently located on the highway within the City of Duncan. The proposed bylaw excludes automobile dealerships as a permitted use in the City of Duncan, which would make Mr. Blumel's dealership a legal non-conforming use. Mr. Blumel stated he is concerned that this would mean that they would not be able to do any renovations and would not be able to rebuild if the building were to be damaged. Mr. Blumel requested that Council consider allowing automobile sales as an allowable use or provide a site-specific exemption for his existing car dealership.

Mr. Mikel - Sherman Road, Duncan, BC

Mr. Mikel Representing the Duncan Curling Club, spoke in praise of Mr. Blumel's car dealership, which provides sponsorship to the Curling Club. He was against the proposed Zoning Bylaw excluding automobile sales as an allowable use.

Mr. Johnstone - Victoria, BC

Mr. Johnstone spoke against excluding automobile sales as an allowable use. He is a property owner in the Cowichan Valley Regional District and has experienced a rezoning that established the current use of his property as legal non-conforming. He expressed his frustration regarding the rezoning of his property.

The Chair asked for a second time whether anyone wished to present their view about the proposed bylaw.

Ms. Dunn - Evans Street, Duncan, BC

Ms. Dunn owns two single-family houses in an area currently zoned multi-family. She expressed concern that if 75% of her house is damaged, she will be unable to rebuild a single-family home on the property. She has been advised by her insurance provider that her insurance will lapse in the spring as her house is legal non-conforming.

Mr. Arnold - Maple Bay, North Cowichan, BC

Mr. Arnold owns commercial property in the City of Duncan. He spoke in support of Mr. Blumel's dealership.

Mr. Yolden - Victoria, BC

Mr. Yolden owns a property on Evans Street. He expressed concerns about the set-back provision for Evans Street, stating that it would be a liability as a future potential side-walk would be built on private property. He also spoke about the 40 metre frontage shared access requirement included in the bylaw being an issue as his lot has less than 40 metre frontage. He stated that there was a potential buyer for the property who has backed out due the new zoning bylaw provisions.

Mr. Ritter - Duncan, BC

Mr. Ritter requested that Council grant a site-specific exemption for automobile sales for the two existing car dealerships on the highway. He pointed out the other site-specific exemptions included in the bylaw.

The Mayor called for a third and final time for any additional speakers.

Ms. Dunn - Evans Street, Duncan, BC

Ms. Dunn stated that she is against the set-back requirements included for Evans Street as the street is already narrow.

Mr. Yolden - Victoria, BC

Mr. Yolden stated that the City had offered to purchase his Evans Street property and he expressed concern that the set back requirements and shared access provisions in the Zoning Bylaw are a deliberate attempt to devalue his property.

Adjournment

Adjournment

The Chair read the closing remarks and declared the Public Hearing for "Zoning Bylaw No. 3166, 2017" closed at 5:48 pm.

Phil Kent, Mayor

Paige MacWilliam, Director of Corporate Services