

**OVERVIEW**

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Below are questions that have been submitted to staff by candidates during election period, as well as the answers provided to them by staff. This information is being provided to all candidates that have filed nomination papers, to ensure that the same information has been made available to all candidates.

City reports and publications can be found here: <https://duncan.ca/city-hall/mayor-council/reports-and-publications>

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**QUESTIONS AND ANSWERS**

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**Will an under voted ballot be considered a spoiled ballot?**

No, an under voted ballot will not be considered a spoiled ballot. People can choose up to six candidates for Council, and up to one for Mayor, but they do not have to vote for Mayor or for Councillors, and if they choose to vote for Councillors, they do not have to vote for all six. If anyone votes for more than one person for Mayor or more than six Councillors, that would be considered a spoiled ballot, which will be rejected from the vote tabulator machine and the elector will be given the opportunity to complete a replacement ballot.

**Has the City considered bringing in a controlled substances property bylaw to deal with drug houses?**

City staff have had an initial conversation with a lawyer regarding the application of a Controlled Substances Property Bylaw in the City of Duncan. This type of bylaw has been adopted in other jurisdictions to deal with any property used for the illegal production of marijuana, controlled substances, amphetamines or other drugs. At this time Council has not yet considered the merits of a Controlled Substances Property Bylaw. Once more information is available, staff intend to bring forward a report for Council to consider as another tool.

**What current City of Duncan Bylaws under which the City of Duncan deals with drug related properties?**

Currently staff can utilize the City's Good Neighbour Bylaw, Maintenance of Property Bylaw, Fire Services Act, and Community Charter to deal with nuisance properties.

**How much reserves are left in the Police Bridging Capital Fund?**

As of December 31, 2017, there was \$1.7 million in the Police Bridging Capital (PBC) Fund. This amount is largely allocated, but additional amounts will be accumulated in 2018 and onward, and the new Council will determine the appropriate use of those funds.

This fund is an accumulation of the PBC levy since 2012. In 2012 the Province refunded previously paid policing costs to the City. At that time, Council had two choices:

1. Reduce the tax rate; funding capital projects with debt and risking large tax increases when the City goes over 5,000 people; or
2. Continue charging taxes as if the City were paying for police and use the funds to pay for capital projects that would otherwise have required borrowing.

Following a public notification period, Council decided to maintain consistency in tax rates by continuing to charge taxes as if the City were directly paying for police and to use those PBC funds for major capital projects.

This has allowed the City to pay for major capital projects, such as the diking construction, Canada Avenue upgrades, and firehall seismic upgrade, without incurring any debt.

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## **QUESTIONS AND ANSWERS CON'T**

**How is the City planning on transitioning to paying the upcoming policing costs (i.e. reducing infrastructure work or increasing taxation), which I understand are likely to paid 2022?**

Page 3 of the 2018-2022 Financial Plan shows a modest increase in taxes projected in 2022 (4.6%) when we assume the City will begin paying for policing costs. <https://duncan.ca/wp-content/uploads/2018/05/2018-2022-Financial-Plan-Operating.pdf>

However, Council typically strives to come in lower than projected when that year arrives.

Page 14 of the 2018-2022 Financial Plan projects no 2022 reduction in the amount of General Capital spending paid for by general taxation.

This is because the City is currently collecting the PBC levy in the interim and would stop collecting the PBC levy when the City begins paying 70% of policing costs; assumed in 2022.

**The CVRD policy on the use of the Alternative Approval Process (AAP) is being touted as an improvement over the lesser AAP requirements listed in section 86 of the Community Charter.**

**What are the City's policies on the use of AAP? Has the City of Duncan used the AAP procedure during the term of the present Duncan Council? Has the City of Duncan used the AAP procedure prior to the current Council being elected in October 2014?**

The 2016 CVRD Policy on AAP is an excellent example of going beyond the minimum legislative requirements, in order to attempt to ensure that people are aware of the initiative and have an opportunity to voice their opinion.

Page 23 of the following link includes the CVRD AAP policy:

<https://www.cvrld.bc.ca/DocumentCenter/View/78771/All-background-Reports-as-one-document?bidId=>

The City does not have a specific policy on the use of AAP.

The City has not used the AAP during the term of the present Council.

The following uses of the AAP (formerly called Counter Petition Process) were minimal in years previous to the present Council:

- 2005 – To lease a 2005 Pumper Truck (the last borrowing for a City fire truck, as the City now has reserve funds)
- 2003 – Notice of interconnect of the City and North Cowichan Water systems.
- 2002 – Joint Utilities Board Phosphorus Removal Loan Authorization Bylaw 1930
- 2001 – Fire Truck Loan Authorization Bylaw 1917
- 1998 – Loan Authorization for Sewage Lagoons Bylaw 1843 Staff did not investigate further back than 1998.

**Does the anticipated 4.6% increase for policing not include any other tax increases? Also, does it assume the entire Police Capital Bridging Fund will be converted to policing and not infrastructure? And if that is the case, what is to happen to the extra engineer hired to handle the extra work (or workers)?**

The projected 4.6% increase in taxes collected in 2022 will be for all municipal taxes, including the policing and the general levy. It excludes any changes to other taxes, such as school or hospital taxes. As long as increases in those other taxes (school etc.) are 4.6% or less, the overall increase is projected to be 4.6% or less.

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## QUESTIONS AND ANSWERS CON'T

In 2022, all amounts that were previously being levied for the Police Bridging Capital Fund (PBC) would then be levied for direct policing costs. While it may be correct to say that these funds would no longer be available for infrastructure, the City did not have the PBC levy prior to 2012 and still had one of the lower debt per capita ratios in the province. The City is now in the position of having essentially no debt.

The City has not hired an additional engineer due to additional PBC related work. The City utilized consultants along with the contractors to perform the above mentioned diking construction, Canada Avenue upgrades and Firehall seismic upgrades.

### **When filming takes place in Duncan, who approves the closures and the parking and how is that communicated to the merchants? Are the merchants reimbursed for lost revenue?**

Currently, the City approves filming in Duncan through a company's use of roadways, sidewalks, and parking through an application for "Work on City Property". These are approved by the Director of Public Works and Development Services.

Film Applicants are required to work with the DDBIA well in advance, and communicate out to the business community during the entire production – including where they will film each day, and what road closures are anticipated. It is quite common for businesses to be compensated by the Production Company for quantifiable impacts to their business. This can be negotiated prior to filming, and Creative BC can assist with the business/property owner if their business is being affected or has been chosen as a film site. Businesses are encouraged to work through the DDBIA and Creative BC ([creativebc.com](http://creativebc.com)) so there is an awareness of the compensation being afforded/offered to each business.

Staff are currently working on a draft filming policy anticipated to be discussed at the October Committee of the Whole meeting.

### **The costs to the City for dealing with the "Drug House" on Garden Street, including the clean up costs... the costs to the City of dealing with the owner prior to cleanup, Bylaw enforcement costs (before, during and after cleanup) and any other costs associated?**

Below you will find a summary of the costs associated to deal with the house and property of 454 Garden Street, Duncan, BC, including which costs were recovered from the property owner:

<b>Date</b>	<b>Description</b>	<b>Amount</b>	<b>Recovered</b>
June 2017	40 YRD Container at 454 Garden St.	\$ 2,625.00	Yes
June 2017	Dir of Corp Serv, Bylaw Enforc., Commissionaire	\$ 382.60	Yes
Jan 2018	Cleanup	\$ 200.00	No
Jan 2018	Legal advice	\$ 633.81	No
Feb 2018	Legal advice	\$ 517.61	No
Mar 2018	Legal advice	\$ 509.27	No
Mar 2018	Public Works crew callout	\$ 262.12	Yes
Apr 2018	Chemical and bio-hazard clean up	\$ 11,174.01	Yes
July 2018	Hazard assessment and cut grass	\$ 1,040.00	Yes

**All Bylaw enforcement action dealing with the “Drug House” on Garden Street?**

The City issued tickets to the owner, who allowed for the property to become unsightly, on the following dates:

<b>Date</b>	<b>Nature of Offence</b>	<b>Fine</b>	<b>Bylaw</b>
27-Apr-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
26-May-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
26-May-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
02-Jun-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
06-Jun-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
09-Jun-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
16-Aug-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
08-Aug-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
17-Aug-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
18-Aug-17	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
09-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
10-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
11-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
12-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
15-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
16-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
17-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
18-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
19-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
22-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
23-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
24-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
25-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
26-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
29-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
30-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement
31-Jan-18	Allow property to become unsightly	\$100	Bylaw Offence Notice Enforcement

Please note that some of these tickets were cancelled once the property owner agreed to resolve the issues occurring at the property. In addition, there were periods when ticketing did not take place, this was because there were indications that the property owner was taking steps to resolve the issues.

In November 2017, following the raid by the RCMP on the property, the City issued an order to comply under the Fire Services Act, directing the property owner to remedy the conditions of building.

In January 2018, the City advised the property owner that legal action would commence against the property if it was not cleaned up. Tickets were issued to the property owner for allowing the property to become unsightly. As a result, the property owner then took steps to remove the occupants and secure the building.

However, the unsightly premises issues persisted after the building was vacated and secured. Letters were sent to the property owner advising that the property continued to be unsightly and that a contracting company would be hired to undertake the clean-up at the property owner’s expense. The property clean-up took place on March 29, 2018.

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## QUESTIONS AND ANSWERS CON'T

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**Was section 263 of the Community Charter was discussed and/or applied in Bylaw Enforcement action dealing with the “Drug House” on Garden Street?**

Yes, section 263 of the *Community Charter* (Offence Act) was discussed; however, it was not applied in Bylaw Enforcement action in this case.

**Has the City of Duncan had contact with Vancouver Island Health Authority (VIHA) regarding their practice of providing free syringes to intravenous drug users and VIHA’s programs to collect those syringes for disposal after use? If so, when? Has VIHA made presentations, reports or correspondence to the City of Duncan regarding the issue of discarded used syringes? If so, when?**

Yes, representatives from VIHA, Dr. Hasselback, has presented to the Committee of the Whole on the overdose crisis, which included mention of the harm reduction practice of providing free needles, on April 4, 2016 (link to [minutes](#); link to [presentation](#) ) On May 1, 2016, Dr. Hasselback also attended a closed Committee of the Whole meeting. On June 5, 2017, Mayor Kent provided a verbal update on the Overdose Prevention Site and Sharps (link to [minutes](#)).

**Has the City of Duncan made representations, recommendations or suggests to VIHA on the issue of discarded syringes, collection of discarded/used syringes or related matters? Are any such communications between VIHA and the City of Duncan available to the public?**

Yes, on June 6 correspondence was sent to VIHA, the following is an excerpt regarding discarded syringes:

"On behalf of Council, staff, and our community, I am writing this letter to apprise you of a situation, that over the past year, has become a huge problem for the City of Duncan and surrounding area. I am speaking of the proliferation of needles being discarded throughout our area. It is felt that part of the cause is the manner in which needles are being distributed to drug users by the Vancouver Island health Authority. These needles are being handed out in large numbers by the Margaret Moss Health Unit, Duncan-Drug & Alcohol Counselling Services Clinic, Warmland Shelter, the Central Vancouver Island Harm Reduction Services (CVIHRS – NARSF), the Duncan – MHSU Office, the Duncan ACT office, and Ts’ewulhtun Health Centre, with no programs to encourage the self return of needles by users.

We understand from speaking with the various agencies that collectively approximately 10,000 needles are being distributed each month in our area alone. Many of those used needles are being discarded in the City’s parks, tossed into public washroom feminine hygiene products receptacles, eaves troughs river banks, and on property owned by businesses and residents. Council is extremely concerned for the safety of its employees, citizens, and particularly the children. "

The City received a response from VIHA on June 27, which included the following:

"Reducing the number of inappropriately discarded sharps, and collecting and safely disposing of sharps is a shared responsibility between health care services, community agencies, local government and substance users. Island Health has been working, and continues to work with, all of these stakeholders to strengthen sharps disposal processes. This includes a new contract with the Cowichan Valley Branch of the Canadian Mental Health Association for sharps collection seven days per week for an initial period of six months. This service will be in place before the end of June and is in addition to other sharps collection activities in the Cowichan Valley, including designated drop-off locations, the installation of disposal units in targeted areas, and sweeps around the Warmlands facility.

These collection activities complement ongoing programs and awareness activities that encourage users to collect and return sharps. This includes the provision of purpose-designed sharps disposal containers that are supplied with new sharps when they are distributed, and awareness information for users on how to responsibly handle and dispose of used sharps. As a result of these actions, Island Health is confident the vast majority of sharps that are handed out are collected and returned for safe disposal."



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## **QUESTIONS AND ANSWERS CON'T**

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### **How many financial awards has the City received in the last 4 years?**

The City has received the Canadian Award for Financial Reporting (CANFR) each year starting in 2011.

The Government Finance Officers Association (GFOA) established the CANFR Program in 1986 to encourage and assist Canadian local governments to go beyond the minimum requirements of generally accepted accounting principles, as set by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants, to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal.

### **Can you provide a high level summary, a couple of sentences, on each of the City's Reserve funds over \$25,000?**

The City's philosophy for many years has been to avoid incurring debt if possible. Accumulating reserves reduces the need for future borrowing and related interest.

The following is a list of reserve funds over \$25,000 as of December 31, 2017:

\$232,282	Margaret Moss Building Reserve – Portion of annual rent placed in reserve for building repairs and upgrades, and possible removal of restrictive covenant on title.
\$221,678	Sale of Property Reserve – Monies received from sales of property, used toward future property purchases or capital spending
\$307,233	Parking Improvement Reserve – used for parking improvements and purchases (e.g. purchase of Elks Parking lot property on Kenneth Street)
\$120,234	Parking in Lieu Reserve – Collected from developments which were short on parking – same use as Parking Reserve
\$2,203,374	Machinery and Equipment Reserve – funds put aside every year for future vehicle replacements, including fire vehicles. No longer borrow for vehicle purchases
\$404,214	Gas Tax Reserve – Remaining funds from annual federal government allocations – restricted to certain categories of capital spending
\$1,705,897	Police Bridging Capital Reserve – Described in earlier Q & A
\$200,041	Policing Operating Reserve – Policing expenses under budget in 2009, kept in reserve for future policing cost increases.
\$46,253	Insurance Reserve – When Insurance claims and expenses are under budget, remainder put in reserve to offset years with insurance needs. Future ability to increase deductibles and reduce annual cost.
\$27,816	Garbage Service Reserve – When Garbage service costs are under budget, remainder put in reserve to offset years with increased tipping or other charges, to soften any garbage fee increases.
\$28,909	Melba Schappert Bequest Reserve – Remainder of monies received from an estate; only to be spent on City Beautification

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## QUESTIONS AND ANSWERS CON'T

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\$145,484	Sewer Capital Cost Contributions - Amounts received from developments outside the city; only for sewer capital.
\$692,783	JUB Capital Reserve (Joint Utilities Board) - Funds accumulated for future capital needs at the JUB.
\$397,613	Well Replacement Reserve - Funds accumulated to be used for future water well replacement
\$411,683	Water Capital Cost Contributions - Amounts received from developments outside the city; only for water capital.
\$564,100	Water DCCs (Development Cost Charges) - Amounts received from developments inside the city; only for specific water capital projects
\$820,141	Sewer DCCs - From developments inside the city; only for specific sewer capital projects
\$152,547	Storm DCCs - From developments inside the city; only for specific storm capital projects
\$459,156	Roads DCCs - From developments inside the city; only for specific road capital projects.

**Do you think that with the legalization of cannabis that Duncan will benefit from the sale of marijuana? Do you think the funds made federally are going to be shared provincially and then municipally?**

According to a [press release](#) issued prior to the Union of British Columbia Municipalities (UBCM) conference this year: "(I)n advance of the October 17, 2018, legalization of non-medical cannabis, the Province of British Columbia has signed on to the Federal-Provincial-Territorial Agreement on Cannabis Taxation. The two-year agreement will see the federal government retain 25% of excise tax revenue (up to a maximum of \$100 million per year), with the remaining 75% (or more) going to provinces and territories. The federal government increased the share of cannabis excise tax revenue to be transferred to provinces and territories from 50% to 75% in recognition of legalization's impacts on local governments."

On September 13, 2018, at the UBCM conference, a resolution was passed requesting that municipalities receive a 40% share of cannabis excise tax from the provincial government. As of October 1, 2018, the province hasn't yet announced any decision on what share of the excise tax from cannabis sales will be provided to municipalities.

**A business owner can only vote if the business is in his/her name rather than a corporate name. Is this correct? If so, is this restriction a provincial one or could the City pass a by-law of some sort in the future that would allow all business owners to have the ability to vote, as long as they pay taxes to the City?**

Correct, voting rights are granted to citizens based on residency or property ownership. There is no corporate or business vote in local elections. This is stipulated by Provincial legislation and is not something a municipality can change by bylaw. However, if a business owner also owns the building in their personal name, not a company name, then they would be eligible to vote as a non-resident property elector. If a person owns a property with one or more other individuals, only one person is eligible to vote as the non-resident property elector for that property. The owner entitled to vote must be designated, in writing, by the majority of the property owners. More information about non-resident property elector eligibility and a link to the non-resident property elector [consent form](#) is on the [Election Information](#) page on the City's website.

**Are seismic upgrades going to be necessary to City Hall? What is the timeframe for having them done? What is the estimated costs of the seismic updates? When did this issue become known? Was it publicized at that time or just recently?**

City hall was constructed in 1914 originally as the post office. It is a designated heritage building and will most certainly require seismic upgrades if it is to be preserved. While this has been a reality for many years, it only recently became a City priority in 2018 to explore the costs. In 2018 the City has been working on Facility Condition Assessments (FCA) for all buildings, to form the basis of future capital planning. The City has not yet obtained cost estimates or timelines for seismic updates to City Hall. The FCA for City hall suggests a seismic assessment in 2019; this assessment should provide sufficient details for grant applications to assist in funding the seismic upgrade (e.g. Heritage Canada) if Council resolves to proceed. The only seismic upgrades for City buildings in recent years was the 2015 seismic upgrades to the Fire Hall, using PBC and other reserve funds.

**When I was out campaigning a voter told me there was/is a proposed seven (7) storey development on the vacant lot at #273 - 3rd Street, adjacent to the Centennial Park entrance. Is there a proposed high rise residential development on the vacant lot at #273-3rd Street? Is there any proposed residential development on the vacant lot at #273 3rd?**

The City has not received a development application for this property. That said, the zoning for the property has permitted a 4 storey structure for many years. Then in May, 2018, the City adopted the new Zoning Bylaw 3166. In order to encourage redevelopment of the area, the new Bylaw has zoned all properties between Jubilee and Centennial Park as High Density Residential, which permits structures up to 5 storeys. The City is looking to promote ageing in place and walk-ability in this area, which has easy access to the park, transit, and downtown services.

**What month did Councillor Bruce vote against the first women's shelter at macadam park?**

At a special Council meeting on January 8, 2018, all Councillors present voted to deny a grant in aid request for an extreme weather shelter for women, intended for the old Charles Hoey School next to McAdam Park. (Councillors present: Bruce, Duncan, Horgan, Jackson)

At a special Council meeting on January 16, 2018, all Councillors present voted to strongly oppose an extreme weather shelter for women at the old Charles Hoey School next to McAdam Park, and directed staff to ensure the zoning bylaw required neighbourhood consultation before any shelters are established at a location. (Councillors present: Bruce, Duncan, Horgan, Jackson)

**Krissy Brett, who organized the campers in Charles Hoey Park in April 2017, a situation which resulted in major costs to the City of Duncan, has recently been engaging in several well publicized "camp" activities in Saanich and Langford. These activities have resulted in major costs being incurred by Saanich and Langford.**

What plans has the City of Duncan made since April 2017 to deal with a possible repetition of Krissy Brett's activities in Duncan in April 2017?

The City's court order obtained on April 18 2017 when removing the encampment contains language stating that any persons given notice of the Court order are permanently enjoined from setting up an encampment with tents anywhere in the City except in compliance with City bylaws. Failure to adhere would be a breach of a court order.

In addition, the City's Parks and Open Spaces bylaw was updated to strengthen the language surrounding seizure of property that is in contravention of the City's bylaw, and also added the ability to ticket individuals (if deemed useful in the circumstances).

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## QUESTIONS AND ANSWERS CON'T

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### **What year did the city pay Councillor Staples to perform cultural training for city staff?**

The City has not paid Councillor Staples to perform cultural training for City staff.

- In 2012 Cowichan Green Community was awarded funding from LIRN BC (Learning Initiatives for Rural and Northern BC) to hold 3 workshops. One workshop was under the category of “Planning Together: Building Respectful and Effective Aboriginal/Non-Aboriginal Relationships”
- Cowichan Green Community, together with Social Planning Cowichan, eventually hosted the workshop on October 18, 2013, titled “Understanding the Village”. Councillor Staples was involved in the organization of this event in her capacity at the time of Special Projects Consultant for Social Planning Cowichan.
- 110 people attended this free session, participants included many senior staff and elected council and board members in the region.
- After the session, the City of Duncan CAO and Ladysmith CAO discussed how to increase cultural awareness in the community, and enquired about having all City staff and Ladysmith staff attend a similar workshop as part of our respectful workplace programs.
- In January and February of 2014, and then again in March and May 2015, Social Planning Cowichan organized additional full day sessions for staff and council members from all local area Local Governments. Social Planning Cowichan had received a provincial grant so they were able to offer the workshop at a reduced cost of \$40.50 per participant. Councillor Staples was involved in the organization of this event in her capacity at the time of Special Projects Consultant for Social Planning Cowichan.
- Most staff and Council members from the City of Duncan and other local governments have attended these workshops.

### **Who has voted against the Permissive Tax Exemptions for the last Council term? Is there a verbatim quote from those opposed to the Permissive Tax Exemptions?**

The City does not take verbatim minutes; however, Council meetings are recorded and available for viewing on the City’s website.

#### **2015 – [September 14 Council Meeting](#) and [October 20 Council Meeting](#)**

Various Properties - Bylaw No. 3145, 2015

Island Corridor Foundation – Bylaw No. 3146, 2015

#### **2016 – [September 19 Council Meeting](#) and [October 17 Council Meeting](#)**

Various Properties – Bylaw No. 3153, 2016

Island Corridor Foundation – Bylaw No. 3150, 2018

Community Options Society – Bylaw No. 3152, 2016

#### **2017 – [September 18 Council Meeting](#) and [October 16 Council Meeting](#)**

Various Properties – Bylaw No. 3161, 2017

Island Corridor Foundation – Bylaw No. 3171, 2017

Community Options Society – Bylaw No. 3170, 2017

#### **2018 – [September 4 Council Meeting](#), [September 17 Council Meeting](#) and [October 15 Council Meeting](#)**

Various Properties – Bylaw No. 3186

Island Corridor Foundation – Bylaw No. 3187, 2017

Cowichan Valley Youth Services – Bylaw No. 3190, 2017

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## QUESTIONS AND ANSWERS CON'T

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**Has the City looked into the Federal Government's National Housing Strategy?** <https://www.cmhc-schl.gc.ca/en/nhs/guidepage-strategy>

City staff are aware of the National Housing Strategy at a high level through various professional development workshops. However, Council's strategic plan does not have a housing priority. The Strategic plan does list "Work with Local Groups on Affordable Housing" as a guiding principle, recognizing that there are local groups working on housing initiatives, and the City can support those efforts when appropriate.

Council's Strategic Plan can be reviewed here: [https://duncan.ca/wp-content/uploads/dlm\\_uploads/2017/04/Strategic-Plan-FINAL-Table-March-20-2017.pdf](https://duncan.ca/wp-content/uploads/dlm_uploads/2017/04/Strategic-Plan-FINAL-Table-March-20-2017.pdf)

**A candidate has stated that the City of Duncan taxes on a commercial property owned by that candidate have increased by over 300% in the last 5-6 years.**

**That seems to be a very high rate of increase. Did City of Duncan taxes on this property increase by 300%, or any figure approaching 300%, over, say, the last 10 years?**

**If the City of Duncan property taxes on this property did, in fact, increase by a figure in the neighbourhood of 300% - or by any figure over, say, 20% - was/were this/these tax increases(s) due to City of Duncan tax increases approved by Council or for some other reason(s).**

Without getting into specifics about particular properties, if a property increases in assessed value by more than the average, the taxes will increase by more than the average. Similarly, if a property's assessed value increases by less than the average, the taxes will increase by less than the average.

For example, the average commercial property assessment increase of 41.2% over the last 10 years. If a property's assessment increased substantially more than the average, from \$500,000 in 2008 to \$1,000,000 in 2018 (a say 100% increase, or double), then the taxes for that property would have increased from \$10,569 to \$20,231, an increase of 91.4% over 10 years.

Average tax increases:

In 2008 the average business property was valued at \$373,513 and paid \$7,896 for all taxes including regional district and school taxes.

In 2011 the average business property was valued at \$408,211 and paid \$9,675 for all taxes.

In 2018 the average business property is valued at \$527,559 and paid \$10,673 for all taxes.

This equates to a 41.2% assessment increase in the 10 years from 2008 to 2018, and an overall increase of 35.2% in all taxes. Some years were tax increases, and some were decreases, with an average of a 3.07% increase per year.

This overall increase was in large part due to the requirement to start pay for policing in 2009, which was phased in from 2009 to 2011.

If we compare the changes from 2011 to 2018, the average business property assessment increased 29% over the 7 years, with an average tax total increase of 10.3% for all taxes, an average increase of 1.41% per year.

**A candidate has stated several times during the campaign that a commercial property in Duncan which is owned or co-owned by that candidate has seen a 300% increase in City of Duncan property taxes over the last 10-12 years. That seems very high to me.**

**Is it possible to see the City of Duncan Property Tax Assessments for 60 Queens Road in 2008 and in 2018?**

The 2008 assessed value for 60 Queens Road was \$485,000. The 2018 assessed value was \$1,018,000.

**When I was out campaigning, residents of St. Julien Street told me they have filters on their drinking water because of rust in the water supplied by the City of Duncan.**

**Is it true that there is rust in the drinking water supplied to residential properties on St. Julien Street?**

**If so, why is this happening and what is the City of Duncan doing about it?**

The City is aware of rust accumulations in areas of the system that have small dead end water mains, including St. Julien Street.

As with many older municipal water systems, some sections of the City's water system were constructed with cast iron. Cast iron water mains can have a life expectancy of 100 years.

Iron accumulations can be inconvenient, as they can create staining in sinks and affect clothes washing; however, ingesting iron is not unsafe.

Over time, these cast iron pipes are being replaced with PVC pipe.

The City has an annual flushing program for approximately 1 month each spring to remove sediments from the mains.

Some residents, including those at the end of St. Julien, periodically call Public Works when they note excess rust accumulations, and the City then attends to do an additional flush on that water main.

As a result of the discussions from this enquiry, staff intend to bring forward to budget discussions whether to fund a scheduled second flush per year on water mains with known regular accumulations. This is estimated to take an additional week of labour each year.

**When I was out campaigning a resident of Alderlea Street told me that the City of Duncan would not let him raise his house to allow an in-law suite to be built in the basement of the house.**

**The resident stated that the City told him that the area was zoned for 4-plex structures and, unless he was converting his house to a 4-plex, the City of Duncan would not let him raise the house to build a secondary suite in what is now the basement.**

**The resident did not want to build a 4-plex; he only wanted to raise the house to increase the height of his basement.**

**Is this true? If so, can you give me details on why the City will not allow this?**

Some areas of the City have been up-zoned as high or medium density. Single family dwellings are not a permitted use in these zones. This is to encourage redevelopment to higher density within these areas close to downtown. Existing single family homes on these properties are able to remain, but are not able to be expanded without a specific approval process. If a property owner wishes to add onto their home, or in this case raise the home (increasing the non conforming use), they would need to apply to the City's Board of Variance, a group of Citizens appointed by Council to consider the merits and any undue hardship associated with an application.

Also of note, the zoning bylaw permits reconstruction of these single family homes in the case of a fire that damages it, so long as the floor area is not increased.

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## QUESTIONS AND ANSWERS CON'T

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**What is the demographics of our business community (i.e. assessed value of assets, theoretical incomes, ages, etc.)**

The City does not have that level of demographic detail readily available for the business community.

The following resources are available:

- [https://duncan.ca/wp-content/uploads/dlm\\_uploads/2016/06/Duncan-Community-Profile.pdf](https://duncan.ca/wp-content/uploads/dlm_uploads/2016/06/Duncan-Community-Profile.pdf)
- <https://www.ecdevcowichan.com/community-snapshots/>
- <https://www.ecdevcowichan.com/best-for-business/>
- <https://www12.statcan.gc.ca/census-recensement/2011/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CSD&Code1=5919012&Geo2=PR&Code2=01&Data=Count&SearchText=duncan&SearchType=Begins&SearchPR=01&B1=All&Custom=&TABID=1>

Community Futures Cowichan staff or Cowichan Economic Development staff may be of further assistance.

**In addition to the City owned property on St. Julien and the are behind the VSO building, what other land does the City own?**

This [map](#) was created several years ago showing City owned lands. Orange designates full ownership of the land, blue designates shared ownership.

Since the map was created in 2009, the City now also owns 361 St. Julien, 75 Station Street, 85 Station Street, and 148 Kenneth Street. The City no longer owns the small parcel at the south west corner of Coronation Ave. and the Trans Canada Highway.

**Even though many of the Reserve funds were set aside for a stated purpose, like buying machinery or for parking lots or for policing, is it true that these funds can still be reallocated to whatever the Council feels there is a need for if the majority of council votes to do so? ie. the policing funds have been used for other things than policing. The only funds that are truly restricted are ones that the Provincial government says must be maintained?**

Some of the reserve funds listed in the Q&A answer above are restricted by Council policy, and could be redirected to other uses if a majority of Council voted to do so:

\$ 232,282	Margaret Moss Building Reserve
\$ 307,233	Parking Improvement Reserve
\$ 2,203,374	Machinery and Equipment Reserve
\$ 1,705,897	Police Bridging Capital Reserve
\$ 200,041	Policing Operating Reserve
\$ 46,253	Insurance Reserve
\$ 27,816	Garbage Service Reserve

As noted in a Q& A answer above, the Police Bridging Capital Reserve was not established for policing costs, it was established as a bridging to future policing costs, while using the funds for major capital projects without incurring debt. Con't next page...

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## **QUESTIONS AND ANSWERS CON'T**

Some reserves are externally restricted (e.g. by provincial legislation):

\$ 221,678	Sale of Property Reserve.
\$ 120,234	Parking In lieu Reserve
\$ 404,214	Gas Tax Reserve
\$ 28,909	Melba Schappert Bequest Reserve
\$ 838,267	Total Sewer related reserve funds must be spent on sewer
\$ 809,296	Total Water related reserve funds must be spent on water
\$ 1,995,944	Total Development Cost Charges (DCCs) have specific approved projects for which they must be used

Updated on October 19, 2018