

# Municipality of North Cowichan Council - Regular and Public Hearings MINUTES

February 19, 2020, 1:30 p.m.  
Municipal Hall - Council Chambers

Members Present            Mayor Al Siebring  
                                 Councillor Rob Douglas  
                                 Councillor Christopher Justice  
                                 Councillor Tek Manhas  
                                 Councillor Kate Marsh (absent from 6:00 p.m. to 7:14 p.m.)  
                                 Councillor Rosalie Sawrie  
                                 Councillor Debra Toporowski

Staff Present                Ted Swabey, Chief Administrative Officer (CAO)  
                                 Mark Frame, General Manager, Financial and Protective Services  
                                 Ernie Mansueti, General Manager, Community Services  
                                 Sarah Nixon, General Manager, Corporate Services  
                                 David Conway, Director of Engineering  
                                 Rob Conway, Director of Planning and Building  
                                 Michelle Martineau, Corporate Officer  
                                 Nelda Richardson, Deputy Corporate Officer  
                                 Don Stewart, Director, Parks and Recreation  
                                 Caroline von Schilling, Development Planner

## 1.     **CALL TO ORDER**

There being a quorum present, Mayor Siebring called the meeting to order at 1:30 p.m.

## 2.     **APPROVAL OF AGENDA**

IT WAS MOVED AND SECONDED:

That Council adopt the February 19, 2020 Regular Council and Public Hearing agenda, as circulated.

**CARRIED**

## 3.     **ADOPTION OF MINUTES**

IT WAS MOVED AND SECONDED:

That Council adopt the following minutes:

1. Regular Council and Public Hearings meeting held January 29, 2020;
2. Special Council meeting held February 10, 2020; and
3. Special Council meeting held February 11, 2020, as amended.

**CARRIED**

**4. MAYOR'S REPORT**

The Mayor gave a verbal report on meetings and activities he recently attended.

**5. PUBLIC INPUT**

Council received brief public input regarding agenda items 6.2, 9.1 and 9.2 from two registered speakers.

**6. BYLAWS**

**6.1 Bylaw 3767 - "Zoning Amendment Bylaw (Reduction of Setbacks in Agricultural Zones), 2019"**

IT WAS MOVED AND SECONDED:

That Council adopt "Zoning Amendment Bylaw (Reduction of Setbacks in Agricultural Zones), 2019", No. 3767.

**CARRIED**

**6.2 Bylaw 3777 - "Street Name Change Bylaw, 2020"**

IT WAS MOVED AND SECONDED:

That Council read a first time "Street Name Change Bylaw, 2020", No. 3777".

**CARRIED**

IT WAS MOVED AND SECONDED:

That Council strike out item (b) in "Street Name Change Bylaw, 2020", No.3777".

**CARRIED**

IT WAS MOVED AND SECONDED:

That Council read a second and third time, "Street Name Change Bylaw, 2020", No. 3777" as amended.

**CARRIED**

IT WAS MOVED AND SECONDED:

That Council direct the Mayor to write a letter to Chief Brown, Penelakut Nation, with respect to suggestions for the renaming of the portion of Humbird Street north of Wul'aam / Echo Heights Park.

(Opposed: Siebring; Manhas)

**CARRIED**

**6.3 Bylaw 3778 - "Fees Amendment Bylaw, 2020"**

IT WAS MOVED AND SECONDED:

That Council read a first, second and third time "Fees Amendment Bylaw, 2020", No. 3778.

**CARRIED**

**6.4 Bylaw 3779 - "Commercial Vehicle Licensing Repeal Bylaw, 2020"**

IT WAS MOVED AND SECONDED:

1. That Council read a first, second and third time "Commercial Vehicle Licensing Repeal Bylaw, 2020", No. 3779; and
2. That Council direct staff to prepare an amendment bylaw to "Municipal Ticket Information System Bylaw, 2013", No. 3464 to remove Section 5 - Commercial Vehicle Licensing Bylaw 1964 from Bylaw 3464.

**CARRIED**

**7. REPORTS**

**7.1 BC Winter and Summer Games - Invitation to Host**

IT WAS MOVED AND SECONDED:

That Council refer the invitation to host the BC Summer and Winter Games in 2024 or 2026 to the Cowichan Valley Regional District (CVRD) for consideration to be held as a regional event.

**CARRIED**

Councillor Marsh left the meeting at 2:13 p.m. and returned to the meeting at 2:16 p.m.

**7.2 Trail Maintenance Policy**

IT WAS MOVED AND SECONDED:

That Council adopt the Trail Maintenance Policy attached to the February 19, 2020 staff report.

**CARRIED**

**7.3 Senior Social and Housing Planner Position - Implications of not hiring**

Discussions took place.

**8. NOTICE OF MOTIONS**

None.

**9. NEW BUSINESS**

**9.1 Environmental Protection Bylaws**

IT WAS MOVED AND SECONDED:

That Council direct staff to prepare a high-level report that (1) provides an inventory of North Cowichan's current environmental protection policies; (2) identifies related issues and opportunities; and (3) recommends a process for strengthening environmental protection policies as part of the rewrite of the Official Community Plan (OCP); and that potential focus areas include the prevention of unauthorized land clearing; maintenance of natural hydrological functions and erosion prevention; prevention of nutrient/pollutants getting into storm drains and natural watercourses; noxious and invasive weeds; Garry oak ecosystem protection; wildlife habitat protection; urban forest enhancement; greenways protection/creation; and pesticide herbicide use.

**CARRIED**

**9.2 Natural Assets as Ecological Systems and Services - Conference Attendance**

IT WAS MOVED AND SECONDED:

That Council authorize Councillors Justice, Manhas and Sawrie to attend the April 24, 2020 session on Natural Assets as Ecological Systems and Services at the 3rd Annual Vancouver Island Symposium on Water Stewardship in a Changing Climate at the Florence Filberg Centre in Courtenay, BC.

**CARRIED**

IT WAS MOVED AND SECONDED:

That Council waive the provision under the Council Procedure Bylaw in order to move item 13 (Question Period) of the agenda ahead of item 10.

**CARRIED**

**10. ADJOURN COUNCIL MEETING TO RECONVENE AT 6:00 P.M.**

IT WAS MOVED AND SECONDED:

That the meeting be adjourned at 3:23 p.m. to reconvene at 6:00 p.m. this evening in Council Chambers.

**CARRIED**

Councillor Marsh left the meeting at 3:23 p.m. and did not return for the public hearings.

**11. PUBLIC HEARINGS AND PUBLIC MEETINGS 6:00 P.M.**

Mayor Siebring reconvened the meeting at 6:00 p.m.

**11.1 Bylaw No. 3773 - "Zoning Amendment Bylaw (4029 Normandy Road), 2020"**

Mayor Siebring called the public hearing to order at 6:00 p.m.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received. The Corporate Officer confirmed that public hearing's notice requirements were met prior to providing a summary of the written correspondence received.

9 written submissions were received prior to the 1:00 p.m. deadline:

- One submission from two residents stated they were opposed to the application and who believed that their property would be impacted by the additional water consumption, the building of the new septic field, visually, and by the change in the form and character of the neighbourhood.
- Eight submissions from a total of fourteen residents stated they were in support of the application all indicated that they had seen the elevation drawings and site location of the proposed dwelling.

The Mayor then invited staff to introduce the application for Zoning Amendment Bylaw 3773. A summary of the application was provided and staff responded to questions from Council.

The applicant, Philip MacDonald, was then invited to provide an overview of his application. Mr. MacDonald indicated that the cottage is intended to house his mother in-law and then him and his wife at some point in the future. The proposed changes to

the application, as outlined in the handout provided to Council, noted a change to the siting for the house and septic field from 10 feet from the property line, as originally proposed, to 40 feet from the property line, including confirmation from Cowichan WastewaterPlus Inc. that moving the dispersal field would not impact or change the current sand mound design. Mr. MacDonald also responded to comments from his neighbour related to sightlines and water shortages, indicating that he would do what he could to reduce the overall height and though previously they were a family of five living on the property, that there would only be three people after the cottage was constructed.

Mayor Siebring then called for submissions from the public and one member (Tom Todd) came forward. Mr. Todd stated that he and his wife were opposed to the application as they own the adjoining property and were concerned about impacts to water volume and storage capacity to their existing well and property, control of future use of the subject property and the proposed dwelling following completion of construction, siting of the septic field, visual impacts and that the development will negatively impact the neighbourhood.

Mayor Siebring called for submissions from the public for a second time. No one in attendance wished to speak to the application.

Mayor Siebring called for submissions from the public for a third and final time before declaring the public hearing closed at 6:45 p.m.

IT WAS MOVED AND SECONDED:

That Council read a third time "Zoning Amendment Bylaw (4029 Normandy Road), 2020", No. 3773.

(Opposed: Douglas; Justice; Sawrie; Toporowski)

**DEFEATED**

### **11.2 Bylaw No. 3774 - "Zoning Amendment Bylaw (2755 Crozier Road), 2020"**

Mayor Siebring called the public hearing to order at 7:03 p.m.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received. The Corporate Officer confirmed that the public hearing's notice requirements were met and that no written submissions were received in response to the notification.

The Mayor then invited staff to introduce the application for Zoning Amendment Bylaw 3774. A summary of the application was provided and staff responded to questions from Council.

The Mayor invited the proponent to provide an overview of the application.

The applicant, Art Kendall, President, Mount Brenton Golf Course, was invited to provide an overview of his application. Mr. Kendall stated that the subject property was purchased 26-years ago with R1 zoning and later rezoned to C4 to accommodate a subdivision which was abandoned 20 years ago. He indicated that they were unable to sell property with the current C4 zoning which was why they were requesting to amend its use to return it back to its original R1 zoning.

As there were no members of the public present in the gallery, other than the applicants, Mayor Siebring declared the public hearing closed at 7:13 p.m.

IT WAS MOVED AND SECONDED:

That Council read a third time "Zoning Amendment Bylaw (2755 Crozier Road), 2020", No. 3774.

**CARRIED**

**12. RESUME COUNCIL MEETING**

Council resumed the meeting at 7:14 p.m.

**13. QUESTION PERIOD**

Council received no questions from the public regarding business considered at this meeting (this item was dealt with prior to item 10).

**14. ADJOURNMENT**

The Mayor adjourned the meeting at 7:14 p.m.

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Certified by Corporate Officer  
(Minutes certified "correct" and Public  
Hearing report certified "fair and accurate")

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Signed by Mayor