

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, July 17, 2024, 4:00 p.m.

Municipal Hall - Council Chambers & Electronically

This meeting which is open to the public, will be conducted in-person in Council Chambers and by video conference using the Cisco Webex platform, and will be streamed live and archived for viewing on demand at www.northcowichan.ca. All representations to Council form part of the public record.

Members of the public may attend the Municipal Hall [7030 Trans-Canada Highway] in person, or join the meeting electronically to participate during the 'Public Input' and 'Question Period' portions of the agenda. Please visit northcowichan.ca/virtualmeeting for instructions on how to connect online or you may dial 1.844.426.4405, enter 1# for English, enter the meeting ID 2772 543 6260, and then enter the meeting password 1111.

1. CALL TO ORDER

As soon as there is a quorum present after the time specified for the Council meeting, the Mayor shall call the meeting to order. If there is no quorum of Council present within 15 minutes of the scheduled time for the meeting, the Corporate Officer records the names of the members present and those absent, and adjourns the meeting until the next scheduled meeting.

2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC [4:00 - 5:00PM]

A resolution of Council must be passed during the open portion of the meeting stating the basis under the *Community Charter* in which the public shall be excluded.

Recommendation:

THAT Council close the meeting to the public at ____ p.m. on the basis of the following section(s) of the *Community Charter*:

- 90(1)(e) - the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

2.1 Approval of in-camera meeting Agenda

2.2 Adoption of in-camera meeting Minutes

2.3 In-camera meeting Items

2.3.1 Closed under section 90(1)(e) Land Disposition

2.3.2 Closed under section 90(1)(e) Land Acquisition

2.4 Rise and report

3. APPROVAL OF CONSENT AGENDA

To adopt all recommendations appearing on the Consent Agenda in one motion, without discussion or debate. Included are items that are regular, non-controversial, or routine in nature. Any item may be moved out at the request of any Council member for discussion or debate, before the agenda is approved. Items removed from the Consent Agenda will be placed under New Business.

Recommendation:

THAT Council approve the Consent Agenda and the recommendations contained therein.

3.1 Items for Decision

All recommendations provided under each of the items listed below will be adopted once the Consent Agenda is approved, unless removed and placed under New Business.

3.1.1 Council Meeting Minutes for Adoption

Purpose: To consider if there were any errors or omissions prior to adopting the minutes of previous meetings of Council.

Recommendation:

THAT Council adopt the minutes of their regular and special meetings held June 18, 19 and July 9, 2024.

3.1.2 June 4, 2024 Accessibility Advisory Committee Recommendations

Purpose: To receive for information the draft minutes from the June 4, 2024, Accessibility Advisory Committee (Attachment 1) and consider the Committee's recommended actions.

Recommendation:

THAT Council:

1. Receives the minutes of the June 4, 2024 Accessibility Advisory Committee meeting;
2. Amends the Council Advisory Body Policy to include an Honorarium of \$40 per meeting for persons who are not compensated by their employer to participate in Committee meetings; and
3. Amends the Terms of Reference for the Accessibility Advisory Committee by:
 - a. replacing the wording under the Staff Support heading with: "The staff liaison will serve the Committee and will notify Council in writing of any membership changes.", and,
 - b. updating the Committee meetings to take place quarterly, or at the call of the Chair.

3.2 Items for Information

All items listed below will be received for information purposes only once the Consent Agenda is approved, unless removed and placed under New Business where Council may consider taking action.

3.2.1 Second Quarter of 2024 Financial Update

Purpose: To provide a financial update on the General Fund Statement of Operations and Capital for the period ending June 30, 2024.

Recommendation:

THAT Council receive the Second Quarter of 2024 Financial Update dated July 17, 2024 from the Director, Financial Services for information.

3.2.2 2nd Quarter of 2024 List of Supplier Payments

Purpose: To provide a listing of payments to suppliers totalling over \$10,000 in the second quarter of 2024.

Recommendation:

THAT Council receive the 2nd Quarter Payment Listing (April – June 2024) report dated July 17, 2024, from the Director, Financial Services for information.

3.2.3 District of Summerland re- Municipalities with Agricultural Land

Purpose: To receive for information the June 26, 2024, letter from the District of Summerland regarding Municipalities with Agricultural Land.

Recommendation:

THAT Council receive for information the June 26, 2024, letter from the District of Summerland.

3.2.4 Strata VIS 3881 re- Pickleball at the Cowichan Valley Sportsplex

Purpose: To receive for information the July 3, 2024, letter from Frank Groenewold, President of Strata VIS 3881 regarding Pickleball at the Cowichan Valley Sportsplex.

Recommendation:

THAT Council receive for information the July 3, 2024, letter from Frank Groenewold, President of Strata VIS 3881 regarding Pickleball at the Cowichan Valley Sportsplex.

3.2.5 Committee of the Whole Meeting Minutes

Purpose: To receive for information the minutes from the July 9, 2024 Committee of the Whole meeting.

Recommendation:

THAT Council receive for information the minutes from the July 9, 2024 Committee of the Whole meeting.

4. APPROVAL OF REGULAR AGENDA

To consider any items of business not included in the Agenda that are of an urgent nature they must be introduced and approved at the time the agenda is adopted. Matters must be taken up in the order that they are listed unless changed at this time.

Recommendation:

THAT the agenda be adopted as circulated [or as amended].

5. MAYOR'S REPORT

Mayor's opportunity to make announcements and update council and the community on various matters which the mayor has participated in since the last meeting.

6. DELEGATIONS

Delegations appear before Council in order to make a presentation, enter a request for action, or bring Council up to date on a project, idea, or concept, or to provide further information on an issue currently before Council for a decision. Delegations are limited to 10 minutes to make their address to Council unless extended by a unanimous vote of all Council members present. A delegation may not address Council on a bylaw for which a public hearing has been held or where a public hearing is required.

6.1 Cowichan Trails Stewardship Society - to present the 2023 Impact Report Summary

Purpose: Rick Martinson, President of Cowichan Trail Stewardship Society to present the Society's 2023 Impact Report.

7. PUBLIC INPUT ON AGENDA ITEMS

Public Input is an opportunity for the public to provide their feedback on matters included on the agenda. The maximum number of speakers to be heard during the public input period is limited to five, with a maximum of three minutes allotted to each speaker. Members of the public attending the meeting in person must register at least 10 minutes prior to the meeting by signing the sheet posted outside of Council Chambers. Members of the public attending electronically must raise their hand once the meeting has been called to order. Please visit northcowichan.ca/virtualmeeting for instructions on how to raise your hand. Speakers are asked to state their name and residential address when commencing their address to Council.

8. BYLAWS

Bylaws appearing under this section will be listed in order of readings as follows: (a) bylaws for adoption shall appear first, followed by (b) bylaws receiving third reading, then (c) bylaws receiving first and second or first three readings.

8.1 Zoning Amendment Bylaw No. 3933, 2023 [7495 Relke Road] for adoption

Purpose: To consider adoption of Zoning Amendment Bylaw No. 3933, 2023, which received third reading at the public hearing held November 15, 2023 and the 219 covenant has now been registered on title. If adopted, this bylaw will permit a detached accessory dwelling unit (ADU) at 7495 Relke Road.

Recommendation:

THAT Council adopt Zoning Amendment Bylaw No. 3933, 2023.

8.2 Zoning Amendment Bylaw No. 3934, 2024 [2999 Drinkwater Road] for adoption

Purpose: To consider adoption of Zoning Amendment Bylaw No. 3934, 2024, which received first three readings March 6, 2024 and received Ministry of Transportation and Infrastructure approval on March 14, 2024. A satisfactory Purchase and Sale Agreement for \$1,415,000 for 3,994 m² of land for the future Central Paddle Park has been secured by the Municipality of North Cowichan. If adopted, this bylaw will permit apartment residential use at 2999 Drinkwater Road. Following bylaw adoption and by the completion date of the Purchase and Sales Agreement, the section 219 development agreement will be registered.

Recommendation:

THAT Council adopt Zoning Amendment Bylaw No. 3934, 2024.

8.3 Council and Committee Procedures Bylaw No. 3945 for adoption

Purpose: To consider adopting Council and Committee Procedures Bylaw No. 3945 which received first and second readings April 17, 2024 and third reading as amended June 19, 2024. If adopted, this bylaw will establish the rules of procedure for meetings of Council, Committee of the Whole, Committees and Other Advisory Bodies.

Recommendation:

THAT Council adopt Council and Committee Procedures Bylaw No. 3945, 2024.

8.4 Business Licence Bylaw and Delegation of Authority Bylaw Amendments

Purpose: To introduce amendments to the Business Licence Bylaw and Delegation of Authority Bylaw to align with Council and Committee Procedures Bylaw No. 3945.

Recommendation:

1. THAT Council give first, second and third readings to Business Licence Amendment Bylaw No. 3962, 2024, and
2. THAT Council give first, second and third readings to Delegation of Authority Amendment Bylaw No. 3963, 2024.

8.5 Zoning Amendment Bylaw No. 3968 for first, second, third reading and adoption at 2950 Elm Street

Purpose: To consider a text amendment to the Chemainus Artisan Village Comprehensive Development Zone (CD6) of Zoning Bylaw 1997, No. 2950 to add residential density and optimize multi-family residential use at 2950 Elm Street.

Recommendation:

1. THAT Council gives first, second and third reading to Zoning Amendment Bylaw No. 3968, 2024, and
2. THAT Council adopts Zoning Amendment Bylaw No. 3968, 2024.

9. REPORTS

This section includes reports from staff requiring a decision of Council and/or staff presentations. Staff reports for information only are placed in the Consent Agenda.

9.1 Council Strategic Plan Update (April 1 - June 30, 2024)

Purpose: To provide a quarterly status update on projects identified within the Council Strategic Plan for the period from April 1, 2024 – June 30, 2024, in accordance with the Council Strategic Plan Administration Policy.

Recommendation:

THAT Council receive for information the Council Strategic Plan 2nd Quarter Update (April 1, 2024, to June 30 2024).

9.2 2024-2034 Community Works Fund Agreement

Purpose: To consider approving the 2024-2034 Community Works Fund Agreement and authorizing the Mayor and Corporate Officer to sign the Agreement.

Recommendation:

THAT Council approves entering into the 2024-2034 Canada Community-Building Fund Agreement and authorizes the Mayor and Corporate Officer to sign the agreement.

9.3 Development Permit Amendment with Variance at 3191/3253 Sherman Road (Application DP000172).

Purpose: To consider an amendment and variance to the development permit (DP000172) issued to the Community Land Trust Foundation of BC for the property located at 3191/3253 Sherman Road, to extend the permit expiry date and to vary the Zoning Bylaw to reduce the minimum rear yard setback for an institutional building from 8.0 metres to 3.08 metres.

Recommendation:

THAT Council authorize the issuance of Development Permit Amendment with Variance Application DP000172 to facilitate the construction of a 92-unit apartment and townhouse development at 3191 and 3253 Sherman Road (PID: 003-809-510 and PID: 003-806-471) and grant:

1. a two-year extension to the permit, and
2. a variance to Section 79(2)(a) of Zoning Bylaw 1997, No. 2950 by reducing the minimum permitted rear yard setback for an institutional building abutting a residential parcel from 8.0 metres to 3.08.

9.4 Early Consideration of Zoning Bylaw Amendment application ZB000236 for 2731 Vian Street

Purpose: To receive council feedback on the Early Consideration of Zoning Bylaw Amendment application ZB000236 to propose a multi-family development incorporating subsidized units and market rate units at 2731 Vian Street.

Recommendation:

THAT Council agrees to consider the full Zoning Amendment Application ZB000236 for 2731 Vian Street.

9.5 Automated Curbside Collection Cart Selection

Purpose: To award the Request for Proposal (RFP) for supply and delivery of garbage and organics carts for the automated curbside collection program.

Recommendation:

THAT Council:

1. award the contract for supply and delivery of 20,650 garbage and organics carts to IPL North America Inc. for a bid price of \$978,114.30 excluding applicable taxes.
2. direct staff to negotiate with Toter LLC for the supply of approximately 500 - 120- and 240-liter bear resistant carts.

9.6 Street Banners and Gateway Signage

Purpose: To provide an overview of North Cowichan's current street banner program and to explore whether Council wants to expand the program to include additional locations to display street banners, and to improve upon gateway and municipal hall signage.

Recommendation:

THAT Council direct staff to:

1. develop a street banner program that includes themed banner options and expanded locations, and bring back to Council as part of the 2025 business planning process, and
2. engage the services of a consultant to identify locations, scope, and potential costs associated with updating the municipal hall highway sign and the existing North Cowichan gateway signs, and to bring back to Council as part of the 2025 business planning process.

10. NOTICE OF MOTIONS

This section includes notices of motions submitted by Members of Council for introduction only, discussion and debate of the motion shall occur at a future meeting. Introductory remarks or clarifying questions are not permitted at this time as per Council's Notice of Motion Policy.

11. UNFINISHED AND POSTPONED BUSINESS

This section includes matters that have been postponed to a certain time or referred to staff, a committee or some other organization or person, and shall be placed under this section when the matter is returned to Council for consideration.

11.1 Ministry of Transportation and Infrastructure Overpass support

Purpose: To authorize the Mayor to send a letter to the Ministry of Transportation and Infrastructure regarding the proposed pedestrian overpass.

Recommendation:

THAT Council authorize the Mayor to write a letter to the Ministry of Transportation and Infrastructure in support of the installation of the North Cowichan Active Transportation Overpass that will cross Highway 1 in Duncan, between Beverly Street and James Street/York Road.

12. NEW BUSINESS

This section includes external items that require a decision of Council, items that have been removed from the Consent Agenda, and motions submitted by Council members, where previous notice has been given, for Council consideration.

13. QUESTION PERIOD

Question Period is an opportunity for the public to ask brief questions regarding the business discussed during the meeting. When invited by the Mayor, members of the public who are attending the meeting in person may step up to the podium to ask their question(s) and members of the public who are attending electronically may raise their hand at this time. Please visit northcowichan.ca/virtualmeeting for instructions on how to raise your hand.

14. ADJOURNMENT

Once all the business is done and over with, the Mayor may declare the meeting adjourned without requiring a resolution of Council.