

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, August 21, 2024, 3:00 p.m.

Municipal Hall - Council Chambers

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 #2770-857-7372, 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 [3:00 - 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 of the *Community Charter*:

- 90(1)(c) - labour relations or other employee relations.

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)(c) - Labour Relations

2.3.2 Closed under section 90(1)(c) - Labour Relations

2.4 Rise and report

3. RECESS UNTIL 5:00 P.M.

4. 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.

4.1 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.

4.1.1 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 public hearing meetings held July 17, 2024, and their special meeting held July 25, 2024.

4.1.2 Environmental Advisory Committee June 25, 2024 Meeting Minutes and Recommendations

Purpose: To provide the Environmental Advisory Committee June 25, 2024 minutes for receipt, along with associated recommendations for Council's consideration.

Recommendation:

THAT Council

1. Receive the minutes of the June 25, 2024 Environmental Advisory Committee meeting;
2. Endorse the recommended edits to the draft Climate Adaptation Strategy as outlined in the Climate Change Specialist's August 21, 2024 report:
 - a. *THAT the Climate Change Risk and Vulnerability Assessment Project articulate the urgency to act on climate, direct staff to bring forward prioritized and budgeted climate adaptation actions in the business planning process and prepare an annual evaluation report assessing implementation.*
 - b. *THAT the plan includes a broader ecosystem framework to include wind impacts, and the role of Emergency Management outside an event.*
3. Endorse the Environmental Advisory Committee's resolution on the Richards Creek Ecological Accounting Process:
 - a. *THAT the committee support the valuation of streams and substantial riparian areas, as a natural resource for the purpose of operational and maintenance budgets.; and*
 - b. *Consider natural systems in the overall asset management policy.*

4.1.3 Agricultural Advisory Committee June 27, 2024 Meeting Minutes and Recommendations

Purpose: To provide the Agricultural Advisory Committee (AgAC) minutes for receipt, along with associated recommendations for Council's consideration.

Recommendation:
THAT Council:

1. Receive the minutes of the June 27, 2024 Agricultural Advisory Committee meeting;
2. Endorse the Committee's workplan as attached to the Planning Manager's August 21, 2024 report; and,
3. Endorse the recommended edits to the draft Climate Adaptation Strategy as outlined in the Planning Manager's August 21, 2024 report.

4.1.4 Western Forest Products RE: Request for Letter of Support for the BC Manufacturing Jobs Fund

Purpose: To authorize the Mayor to provide Western Forest Products with a letter of support for their application to the BC Manufacturing Jobs Fund.

Recommendation:
THAT Council authorize the Mayor to provide a letter of support to Western Forest Products for their application to the BC Manufacturing Jobs fund.

4.2 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.

4.2.1 2023 Forestry Annual Report

Purpose: To provide a general summary of the metrics and activities conducted within the Forestry Department in 2023.

Recommendation:
THAT Council receive for information, the 2023 Annual Forestry Report provided by the Manager of Parks and Forestry.

4.2.2 RCMP Building Construction Update

Purpose: To provide an update and general overview of the construction of the recently completed new RCMP Detachment B at 6430 Ford Road and the final projected costs.

Recommendation:
THAT Council receive for information, the August 21, 2024, report prepared by Mark Frame, RCMP Project Consultant, regarding the RCMP Building Construction Update.

4.2.3 Forestry Works for BC re- their new grassroots initiative to raise awareness

Purpose: To receive the July 29, 2024 letter with enclosures from ForestryWorksforBC regarding their new grassroots initiative to raise awareness about the role forestry plays in the well-being of rural and urban communities.

Recommendation:

THAT Council receive for information, the July 29, 2024 letter with enclosures from Forestry Works for BC.

4.2.4 B.C. Ministry of Agriculture and Food re- Addressing Drought Challenges

Purpose: To receive the July 19, 2024 email from Mark Raymond, Executive Director at the B.C. Ministry of Agriculture and Food regarding addressing drought challenges.

Recommendation:

THAT Council receive for information, the July 19, 2024 email from Mark Raymond, Executive Director at the B.C. Ministry of Agriculture and Food.

4.2.5 District of Saanich re- BC Hydro Projects (UBCM Resolution)

Purpose: To receive the July 11, 2024 email from the District of Saanich Mayor's Office, regarding BC Hydro Projects (UBCM Resolution).

Recommendation:

THAT Council receive for information, the July 11, 2024 email from the District of Saanich.

4.2.6 Victoria Transit Riders Union re- Fare-Free Transit for Youth and Seniors

Purpose: To receive the August 2, 2024 email from Nathan Bird on behalf of the Victoria Transit Riders Union requesting Council's support for the UBCM resolutions regarding expanding fare-free transit programs.

Recommendation:

THAT Council receive for information, the August 2, 2024 email from Nathan Bird on behalf of the Victoria Transit Riders Union.

4.2.7 Legislative Assembly of British Columbia re- Best Wishes for the Upcoming UBCM

Purpose: To receive the July 29, 2024 letter from Kevin Falcon, Leader of the BC United Official Opposition sending best wishes for the upcoming UBCM.

Recommendation:

THAT Council receive for information, the July 29, 2024 letter from Kevin Falcon, Leader of the BC United Official Opposition.

4.2.8 Canadian Wildlife Service (Pacific Region) re- Modifications to Schedule 1 of the Species at Risk Act (Batch 18)

Purpose: To receive the July 30, 2024 email from the Indigenous Relations & Stakeholder Consultation Unit at the Canadian Wildlife Service (Pacific Region) regarding modifications to Schedule 1 of the *Species at Risk Act* (Batch 18).

Recommendation:

THAT Council receive for information, the July 30, 2024 email from the Indigenous Relations & Stakeholder Consultation Unit at the Canadian Wildlife Service (Pacific Region).

4.2.9 Laura Donovan re- Suicide Prevention Support for Indigenous Children

Purpose: To receive the July 29, 2024 email and enclosures from Laura Donovan, requesting a letter in support of their request to provide improved suicide prevention support for children, addressed to the BC Minister of Education.

Recommendation:

THAT Council receive for information, the July 29, 2024 email with enclosures from Laura Donovan.

4.2.10 Lorene Benoit re- Electric Vehicles

Purpose: To receive the August 3, 2024 email from Lorene Benoit, requesting that the figures for the purchase of electric vehicles be made public.

Recommendation:

THAT Council receive for information, the August 3, 2024 email from Lorene Benoit.

4.2.11 BC Care Providers Association re- Home Health - Intermunicipal Business Licence

Purpose: To receive the July 17, 2024 email from Tiffany Trownson, Director of Public Affairs, BC Care Providers Association requesting support for the inclusion of home health care in the eligibility of Intermunicipal mobile business licences.

Recommendation:

THAT Council receive for information, the July 17, 2024 email from Tiffany Trownson, Director of Public Affairs, BC Care Providers Association.

5. APPROVAL OF MEETING AGENDA

5.1 Introduction of Late Items

To consider a late item of business not included in the agenda it must be introduced and approved at the time the agenda is adopted, and placed under New Business.

5.2 Changes to Order of Business

Matters must be taken up in the order that they are listed on the agenda unless changed at this time.

Recommendation:

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

6. MAYOR'S REPORT

The Mayor may provide an update to Council on recent activities and important announcements.

7. PUBLIC INPUT ON AGENDA ITEMS

Members of the public shall be provided an opportunity to address Council regarding matters to be considered at the meeting during Public Input. 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. PRESENTATIONS AND PETITIONS

8.1 Presenters

A Presenter [person or organization] is invited to appear before Council and is not subject to the 10-minute speaking limit.

8.1.1 RCMP Quarterly Report (April - June 2024)

Purpose: Acting Officer in Charge Ken Beard, from North Cowichan/Duncan RCMP to present North Cowichan/Duncan RCMP's quarterly report (April – June 2024).

Recommendation:

THAT Council endorse the North Cowichan/Duncan RCMP Quarterly Report (April - June 2024).

8.1.2 North Cowichan Fire Department Quarterly Report

Purpose: Ron French, Fire Chief, to present the Quarterly Report (April - June 2024) from the North Cowichan Fire Department.

8.2 Delegations

A Delegation applies to 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 address Council unless extended by a vote passed by two-thirds of all Council members present.

8.2.1 Cowichan Climate Hub

Purpose: Jane Kilthei and Valerie Russell of the Cowichan Climate Hub will present to Council regarding the rapidly rising costs of climate change damage to our communities.

8.2.2 Sasquatch Resources Corp. (Sasquatch)

Purpose: Pete Smith, CEO of Sasquatch Resources Corp. (Sasquatch) will present the company's Skw'aakw'unu (Mount Sicker) reclamation, remediation, and economic development project.

9. 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.

9.1 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.

10. STATUTORY HEARING MATTERS

This section includes matters where a person has a statutory right to be heard under provincial legislation.

10.1 Statutory Right to be Heard

10.1.1 Explanation of the hearing process

The Mayor will provide an explanation of the Statutory Hearing process, noting that where a person has a statutory right to be heard, that person shall be provided such an opportunity during the Statutory Hearing.

10.1.2 Business Licence Amendment Bylaw No. 3962, 2024

The following process will be followed:

1. Introductory presentation provided by staff
2. Applicant provides details of their application
3. Summary by the Corporate Officer of correspondence received
4. Comments from persons affected by the bylaw
5. Response by staff and the applicant to new information or factual matters raised

Consideration of adoption of Business Licence Amendment Bylaw No. 3962, 2024

Purpose: To consider adoption of Business Licence Amendment Bylaw which received first three readings July 17, 2024. If adopted, this bylaw will align with Council and Committee Procedures Bylaw No. 3945.

Recommendation:

THAT Council adopt Business Licence Amendment Bylaw No. 3962, 2024.

10.1.3 Development Variance Permit Application for 6320 Crestwood Drive

The following process will be followed:

1. Introductory presentation provided by staff
2. Applicant provides details of their application
3. Summary by the Corporate Officer of correspondence received
4. Comments from persons affected by the permit
5. Response by staff and the applicant to new information or factual matters raised

Consideration of issuance of Development Variance Permit Application for 6320 Crestwood Drive

Purpose: To consider a development variance permit application to reduce the south side yard setback from 3 metres to 1.7 metres and to increase the maximum permitted accessory building height from 5.0 metres to 5.85 metres for the construction of a garage at 6320 Crestwood Drive.

Recommendation:

THAT Council authorizes the issuance of Development Variance Permit DVP00106 and grant variances to the following sections of Zoning Bylaw, 1997, No. 2950, to facilitate the construction of a garage at 6320 Crestwood Drive:

1. Sections 56 (6) (b) to reduce the south side yard setback from 3 metres to 1.7 metres; and,
2. Section 56 (7) (b) to increase the maximum permitted accessory building height from 5.0 metres to 5.85 metres.

11. 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.

11.1 Delegation of Authority Amendment Bylaw No. 3963, 2024 for adoption

Purpose: To consider adoption of Delegation of Authority Amendment Bylaw, which received first three readings July 17, 2024. If adopted, this bylaw will align with Council and Committee Procedures Bylaw No. 3945.

Recommendation:

THAT Council adopt Delegation of Authority Amendment Bylaw No. 3963, 2024.

12. 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.

12.1 Council Policy Updates

Purpose: To consider amendments to the following policies to align with the Council and Committee Procedures Bylaw that was adopted on July 17, 2024:

- Council Advisory Body Policy
- Consent Agenda Policy
- External Appointments Policy
- Notice of Motion Policy

Recommendation:

THAT Council approves the amendments to the following policies as outlined in, and appended to, the Manager, Legislative Services report dated August 21, 2024:

1. Council Advisory Body Policy
2. Consent Agenda Policy
3. External Appointments Policy
4. Notice of Motion Policy

12.2 2025 Regional Recreation Budgets

Purpose: To receive pre-budget approval for the Cowichan Aquatic Center and Fuller Lake Arena 2025-2029 budgets for the Regional Recreation function.

Recommendation:

THAT Council approve the 2025-2029 budget for the Cowichan Aquatic Center and Fuller Lake Arena for submission to the Cowichan Valley Regional District as included in the August 21, 2024, report from the Director of Financial Services.

12.3 Townend Road Traffic Study Findings and Options for Traffic Calming

Purpose: To provide Council with an analysis of the issues raised by residents of Townend Road related to increased traffic volumes and speeds, and to offer solutions to address those concerns.

Recommendation:

THAT Council directs staff to install signage at appropriate locations along Townend Road to advise drivers that the road narrows, that drivers should share the road, that there are blind corners ahead, and 30 km/h maximum speed limit signage.

13. 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.

14. 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.

14.1 Watershed Plan

Purpose: So that Councillor Justice can provide notice of the following motion to be considered at the September 4, 2024 Council meeting:

Recommendation:
THAT Council:

1. direct staff to provide a report detailing what we know about the recent Somenos Lake fish kill event, listing the ongoing steps that are being taken to improve the water quality of Somenos Lake, and to include suggestions for advocacy that the municipality could take to improve the water quality; and
2. authorize the Mayor to send letters to the Province of BC, the Cowichan Valley Regional District, and the Cowichan Watershed Board urging them to take the necessary actions to address the issues that cause the "fish kill" events in Somenos and Quamichan Lakes.

15. QUESTION PERIOD

Members of the public shall be provided an opportunity to ask questions of Council regarding matters discussed at the meeting and shall be allotted up to 30 seconds each to ask their question. Question Period is limited to 15 minutes.

16. ADJOURNMENT

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