

**Municipality of North Cowichan
Regular Council
MINUTES**

**November 18, 2020, 1:30 p.m.
Electronically**

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Sarah Nixon, Deputy Chief Administrative Officer (D/CAO) Mark Frame, General Manager, Financial and Protective Services David Conway, Director, Engineering Clay Reitsma, Senior Manager, Engineering Don Stewart, Director, Parks and Recreation Rob Conway, Director, Planning and Building Shawn Cator, Director, Operations George Farkas, Director, Human Resources and Corporate Planning Jason Birch, Chief Information Officer Megan Jordan, Manager, Communications and Public Engagement Michelle Martineau, Corporate Officer Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

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

2. CONSENT AGENDA

IT WAS MOVED AND SECONDED:

That the Consent Agenda be approved:

1. That the following correspondence is received for information purposes only:
 - 1.1 October 29, 2020 email from a Duncan resident requesting Council adopt a bylaw to stop the spread of COVID-19 by enforcing safety measures (masks, distancing, and hand washing)
 - 1.2 November 1, 2020 email from North Cowichan resident requesting that the discharge of fireworks be banned in the ALR
 - 1.3 November 3, 2020 email from a North Cowichan resident's son requesting a crosswalk on Maple Bay Road at Osprey Drive

- 1.4 November 8, 2020 email from a Sooke Resident sharing his comments on the measures Island Health has implemented in response to for COVID-19
- 1.5 November 9, 2020 notification of the 2021 Virtual BC Economic Summit.

ADOPTED ON CONSENT

3. APPROVAL OF AGENDA

Council added one late item [Letter regarding COVID-19] to the meeting under item 12.2.

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

4. ADOPTION OF MINUTES

4.1 Special Council meeting held November 3, 2020 for adoption

4.2 Regular Council meeting held November 4, 2020 for adoption

4.3 Special Council meeting held November 10, 2020 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt the minutes of the Special Council meetings held November 3, 2020 and November 10, 2020, and the Regular Council meeting held November 4, 2020.

CARRIED

5. MAYOR'S REPORT

Mayor Siebring provided a verbal update on meetings and activities he recently attended.

6. DELEGATIONS AND PRESENTATIONS

6.1 Somenos Marsh Wildlife Society

Heather Pritchard and Elodie Roger, from the Somenos Marsh Wildlife Society, provided a presentation regarding opportunities for riparian area restoration and protection in the Cowichan watershed that included an overview of impacts in the Somenos watershed, what science says about riparian buffer widths, and how other local governments improved riparian protection. A copy of the presentation was appended to the agenda.

IT WAS MOVED AND SECONDED:

That the Somenos Marsh Wildlife Society presentation be referred to the Official Community Plan consultant, Modus, for their consideration.

CARRIED

IT WAS MOVED AND SECONDED:

That the Somenos Marsh Wildlife Society presentation be forwarded to the Environmental Advisory Committee once its membership has been established. CARRIED

6.2 Collective Farms Pilot Project

Cody Wicks provided a presentation regarding the Regenerative Land Stewards' request to utilize public land (on a long-term basis) in support of their collective farms idea to create value in agriculture, ecology, affordable housing, mental health, community building, sustainability and regenerative growth.

6.3 3rd Quarter report for RCMP Activities

Inspector Chris Bear, North Cowichan/Duncan RCMP Detachment, reviewed the 3rd quarter report (July 2020 - Sept 2020).

7. PUBLIC INPUT

Council received no submissions via email prior to the meeting.

8. BYLAWS

8.1 Temporary Borrowing Bylaw (RCMP Facility) No. 3802 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Temporary Borrowing Bylaw (RCMP Facility) No. 3802, 2020.

CARRIED

8.2 Zoning Amendment Bylaw (Cannabis Production in the Agricultural Land Reserve), 2020, No. 3797 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Zoning Amendment Bylaw (Cannabis Production in the Agricultural Land Reserve), No. 3797, 2020.

CARRIED

Councillor Douglas declared a conflict on the next item, stating the reason being that he lives in the same neighbourhood as the applicant, and he left the meeting at 2:58 p.m.

8.3 Zoning Bylaw Amendment Application No. ZB000126 (934 Khenipsen Rd.) – Proposed Detached Second Dwelling Use - Update

IT WAS MOVED AND SECONDED:

That council give first reading to Zoning Amendment Bylaw (Second Dwelling – 934 Khenipsen Road), 2020, No. 3798;

And that before council considers second reading the applicants provide the municipality with the following information:

1. a plan for ensuring the adequate safety of the building in the event of a seismic event through a second geotechnical report.
2. a plan for adequately dealing with the wastewater problems which ensures the system meets environmental and health standards.
3. a statement about whether the applicants' intent is to i) complete all the necessary steps to obtain a building permit and undertake required alterations or ii) undergo a basic life safety review and accept a notice on title.

(Opposed: Siebring, Marsh)

CARRIED

Councillor Douglas returned to the meeting at 3:30 p.m.

8.4 Respectful Spaces Bylaw Consequential Amendments

IT WAS MOVED AND SECONDED:

That Council gives first, second and third reading to Municipal Ticket Information System Amendment Bylaw, 2020, No. 3807.

CARRIED

IT WAS MOVED AND SECONDED:

That Council gives first, second and third reading to Parks and Public Places Regulation Amendment Bylaw, 2020, No. 3806. CARRIED

Council, by unanimous consent, recessed at 3:39 p.m. and reconvened at 3:48 p.m.

9. REPORTS

9.1 Crofton Fire Hall Upgrade

IT WAS MOVED AND SECONDED:

1. That Staff be directed to include \$3.5 million in the 2021-2025 Financial Plan for upgrades to the Crofton Fire Hall based on Option 1, the Demolition of the original 1964 building and replacing it with a smaller 2,150 gross square foot addition, and associated upgrades to the 2002 truck bays.
2. That the Crofton Fire Hall redevelopment be financed by long term debt. CARRIED

9.2 Environmental Advisory Committee Terms of Reference

IT WAS MOVED AND SECONDED:

That Council approve the terms of reference to establish the Environmental Advisory Committee, as amended, so that the second bullet under the Membership heading reads:

- *Have demonstrated experience and interest, or expertise in environmental matters affecting North Cowichan* CARRIED

IT WAS MOVED AND SECONDED:

That Councillor Marsh be appointed as the Chair of the Environmental Advisory Committee. CARRIED

IT WAS MOVED AND SECONDED:

That staff be directed to advertise for volunteers and bring back a report to Council for appointments in January 2021. CARRIED

9.3 Council Conference Attendance Policy Amendment

IT WAS MOVED AND SECONDED:

That Council amend the "Council Conference Attendance Policy" to include the following new clause under Section 3:

"7. Discretionary training budget

The Mayor will be allocated \$1,000 per year, and each Councillor will be allocated \$500 per year to use, at their discretion, for personal training and/or professional development in relation to their role on Council. These funds shall be used to cover any registration fees, hotel or travel costs. Any unspent funds at the end of each year will revert back to the general revenue fund.

Members of Council must use their discretionary training budget before requesting any additional training identified under Section 3.6 above (Miscellaneous seminars, conferences, and conventions)." CARRIED

10. NOTICES OF MOTIONS

10.1 Affordable Housing

Councillor Douglas introduced the following motion which he intends to move at the December 2, 2020 regular meeting for debate and consideration by Council:

"That Council direct staff to work with the Cowichan Housing Association to develop an affordable housing policy and implementation strategy."

11. UNFINISHED AND POSTPONED BUSINESS

None.

12. NEW BUSINESS

12.1 Resolution on Biodiversity Protection from Councillor Justice

IT WAS MOVED AND SECONDED:

Whereas it is Council's intention to develop a biodiversity protection strategy in 2021;

And Whereas biodiversity protection strategies developed in some neighbouring communities have land use components such as preservation of habitat areas and ensuring connectivity between habitat areas;

Now therefore be it resolved that Council directs that our planning staff communicate to the OCP consultants (Modus) that protection of our rare ecosystems and the species that inhabit them is a priority of Council and that this should be a strong consideration in the formulation of our OCP's land use policy. (Opposed: Siebring, Manhas)

CARRIED

IT WAS MOVED AND SECONDED:

That the meeting be extended until 7:00 p.m.

CARRIED

12.2 Letter to Premier regarding COVID-19

IT WAS MOVED AND SECONDED:

That the Mayor be authorized to write a letter to Premier Horgan, if necessary, urging tighter travel restrictions.

CARRIED

13. QUESTION PERIOD

Mayor Siebring called for a recess at 5:01 p.m. to allow viewers to submit questions via email on the matters discussed during the meeting. One question had been submitted in relation to item 9.3 when the meeting reconvened at 5:10 p.m.

14. CLOSED SESSION

IT WAS MOVED AND SECONDED:

That Council close the November 18, 2020 Regular Council meeting at 5:12 p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- 90(1)(e) - the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90(1)(g) - litigation or potential litigation affecting the municipality;

- 90(1)(i) - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
 - 90(1)(m) - a matter that, under another enactment, that being section 16(1)(a)(iii) of the *Freedom of Information and Protection of Privacy Act* related to intergovernmental relations or negotiations with an aboriginal government, is such that the public may be excluded from the meeting.
- CARRIED

15. RISE AND REPORT

Council rose and reported on the following item:

2.2 Legal Opinion on the Vancouver Island Motorsport Circuit (VIMC) Decision

IT WAS MOVED AND SECONDED:

That Council authorize legal counsel to appeal the BC Supreme Court decision on the judicial review of the Vancouver Island Motorsport Circuit (VIMC) decision.

(Opposed: Manhas)

CARRIED

16. ADJOURNMENT

Council adjourned the meeting at 8:02 p.m.

Certified by Corporate Officer

Signed by Mayor