

**Municipality of North Cowichan
Council - Regular and Public Hearings
AGENDA**

Wednesday, January 20, 2021, 1:30 p.m.
Electronically

1. CALL TO ORDER

This meeting, though electronic, is open to the public and all representations to Council form part of the public record. At this time, due to the COVID-19 Pandemic, public access to Council Chambers is not permitted, however, this meeting may be viewed on the District's lived stream webcast at www.northcowichan.ca/agendas.

2. APPROVAL OF AGENDA

2.1. Approval of Consent Agenda

Purpose: To adopt all recommendations appearing on the Consent Agenda in one motion. 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 the Consent Agenda be approved.

2.2. Approval of Regular Agenda

Recommendation:

That Council adopt the agenda, as circulated [or as amended].

3. ADOPTION OF MINUTES

3.1. Regular Council meeting held December 16, 2020 for adoption

Recommendation:

That Council adopt the minutes of the Regular Council meeting held December 16, 2020.

4. MAYOR'S REPORT

5. DELEGATIONS AND PRESENTATIONS

6. PUBLIC INPUT

Public Input submissions sent to Agenda@northcowichan.ca by 5:00 p.m. on January 19, 2020 will be circulated to Council by way of an Addendum at 6:00 p.m. on January 19, 2020, and can be viewed by visiting www.northcowichan.ca/agendas.

7. BYLAWS

7.1. Animal Responsibility Amendment Bylaw No. 3808, 2020 (Trial Off-Leash Dog Parks) for adoption

Purpose: To consider adoption of Animal Responsibility Amendment Bylaw No. 3808, which received first three readings at the December 16, 2020 Regular Council meeting, and if adopted will implement a trial period for expanding off-leash beach access for dogs, including adding signage and providing public education.

Recommendation:

That Council adopt Animal Responsibility Amendment Bylaw No. 3808, 2020.

7.2. Establishment of an Information Technology Asset Management Reserve Bylaw for first 3 readings

Purpose: To establish an Information Technology Asset Management Reserve.

Recommendation:

That Council give first, second and third readings to the Reserve Funds Establishment Amendment Bylaw No. 3816, 2021.

7.3. Zoning Bylaw Amendment Application No. ZB000135 (9376 Cottonwood Road) – Detached Second Dwelling

Purpose: To introduce Zoning Amendment Bylaw No. 3815, which proposes a site specific zoning amendment to permit the construction and use of a detached second dwelling at 9376 Cottonwood Road.

Recommendation:

That Council give first and second reading to Zoning Amendment Bylaw (9376 Cottonwood Road), 2021, No. 3815 and;

That a Public Hearing be scheduled for Zoning Amendment Bylaw (9376 Cottonwood Road), 2021, No. 3815 and notification be issued in accordance with the *Local Government Act*.

8. REPORTS

8.1. Development Variance Permit Application No. DVP00061 for 3191 Sherman Road.

Purpose: To consider granting a variance to the Zoning Bylaw to reduce the minimum rear yard setback for a principal building located at 3191 Sherman Road from 8.0 metres to 3.08 metres.

Recommendation:

That Council authorize the issuance of a development variance permit for 3191 Sherman Road and grant the variance to section 79(2)(a) of Zoning Bylaw 2950 by reducing the minimum permitted rear yard setback for an institutional building abutting a residential parcel from 8.0 metres to 3.08 metres.

8.2. North Cowichan Civic Building - Tender Package 1

Purpose: To award construction tenders from Tender Package 1 of the new RCMP Building.

Recommendation:

1. That Council award the contract for the C-0001 Cast in Place Concrete to Scansa Construction Ltd. for \$1,499,400 plus GST.
2. That Council award the contract for the C-0002 Concrete Unit Masonry to Mid Island Masonry Contracting Ltd. For \$512,500 plus GST.
3. That Council award the contract for the C-0003 Structural Steel and Decking to Holdfast Metalworks Ltd. - \$2,256,832 plus GST.
4. That Council award the contract for the C-0008 Modified Bituminous Membrane Roof to G & G Roofing Ltd. for \$614,825 plus GST.

8.3. Cowichan Aquatic Centre Re-Roofing Project CVRIS ICIP Grant Application

Purpose: To consider the Cowichan Aquatic Centre roof replacement as a project to submit for grant funding under the COVID-19 Resilience Infrastructure Stream as part of the Investing in Canada Infrastructure Program.

Recommendation:

THAT Council direct staff to submit a grant application to the COVID-19 Resilience Infrastructure Stream under the Investing in Canada Infrastructure Program for the Cowichan Aquatic Centre Re-Roofing Project in the amount of \$1,653,744 + GST; and

THAT Council support the project and commit to financing any associated ineligible costs and cost overruns.

8.4. Request for Reimbursement of Mural Maintenance and Restoration

Purpose: To consider reimbursement of the Chemainus Festival of Murals Society's expenditures for 2015 and 2016 for mural maintenance.

Recommendation:

That Council authorize payment to the Chemainus Festival of Murals Society in the amount of \$29,637 from the Mural Reserve Fund as reimbursement for their expenditures incurred in 2015 and 2016 for mural maintenance and restoration.

8.5. Firearms Discharge Bylaw No. 3077, 2000 Review

Purpose: To consider whether to engage the public on amendments to Firearm Discharge Bylaw No. 3077 or to further extend Council's December 18, 2019 pause until completion of the Forestry Review.

Recommendation:

That Council directs staff to postpone the public input in relation to the amendments proposed on November 21, 2018 to Firearm Discharge Bylaw No. 3077, 2000 until after the Forestry Review is complete; and that staff be directed, at that time, to prepare a report to the Forestry Advisory Committee requesting they provide their recommendation to Council on the proposed amendments based upon the outcome of the Forestry Review.

8.6. Dike Trail renaming to S'Amunu Trail (request from Somenos Marsh Wildlife Society)

Purpose: To consider naming a portion of the dike trail running from the Somenos Conservation Area to Tzouhalem Road to S'amunu.

Recommendation:

THAT the dike trail from the Somenos Conservation Area to Tzouhalem Road be officially named as the S'amunu Trail; and that Council direct staff to work with Cowichan Tribes and the Somenos Marsh Wildlife Society on the installation of signage along this new trail.

8.7. Environmental Advisory Committee Appointments

Purpose: To consider the recommendation from the January 12, 2021 Committee of the Whole meeting regarding membership size and appointments to the Environmental Advisory Committee.

Recommendation:

1. That Council amend the terms of reference to increase the membership of the Environmental Advisory Committee by three additional members of the public.
2. That Council appoint Sandy McPherson, David Coulson, Dr. Zoe Dalton, Neil Anderson, Dr. Shannon Waters, Ashley Muckle, Cameron Campbell, Bruce Coates, Per Dahlstrom, Dr. Jana Kotaska, Dr. Jesse Patterson, and Dr. Geoffrey Strong to the Environmental Advisory Committee for the term ending November 2, 2022.

8.8. 2021 Grant in Aid Funding Requests

Purpose: To consider the recommendation made by the Committee of the Whole on January 12, 2021, regarding grant-in-aid requests.

Recommendation:

That Council approve the grant-in-aid amounts as follows:

- \$25,000 to B.C. Forest Discovery Centre - BC Forest Museum
- \$27,500 to Chemainus & District Chamber of Commerce
- \$34,000 to Duncan Cowichan Chamber of Commerce
- \$30,000 to Cowichan Neighbourhood House Association
- \$19,000 to Chemainus BC B.I.A. - Flower Baskets
- \$20,000 to Chemainus Theatre Festival Society
- \$ 250 to St. Michael Church Cemetery (garbage collection)
- \$ 650 to St. Michael Church Cemetery (water)
- \$12,350 to Chemainus Communities in Bloom
- \$ 8,000 to Crofton in Bloom
- \$ 2,500 to Chemainus Harvest House Food Bank
- \$ 300 to Chemainus Meals on Wheels
- \$ 3,000 to Clement Centre Society
- \$ 3,000 to Oak Park Heritage Preservation Society
- \$ 2,000 to Somenos Marsh Society
- \$ 1,000 to Volunteer Cowichan
- \$ 500 to Chemainus Rotary Club (Summerfest Parade and Festivities)
- \$ 7,500 to Chemainus Valley Historical Society
- \$ 500 to Christmas in Chemainus - The Little Town Christmas Society
- \$ 4,000 to Cowichan Historical Society
- \$ 200 to Cowichan Music Festival
- \$ 1,000 to Maple Bay Community Association - Canada Day
- \$ 7,000 to Somenos Community Association
- \$ 3,000 to Vimy Community Club (Hall)
- \$ 5,000 to Westholme School Society
- \$ 2,000 to Cowichan Rugby Club - offset water bill
- \$ 3,000 to Cowichan Rugby Club – offset water bill for 2021

9. NOTICES OF MOTIONS

10. UNFINISHED AND POSTPONED BUSINESS

10.1. Bill C-250 seeks to remedy problematic anchorages

Purpose: To consider providing a letter of support to Alistair MacGregor, MP for Bill C-250 which seeks to amend the *Canada Shipping Act* to prescribe a specific area in and among the southern Gulf Islands where the proposed National Marine Conservation Area is to be established and prohibit the anchoring of freighter vessels, (deferred from the December 16, 2020 Regular Council meeting).

Recommendation:

That the Mayor be authorized to provide a letter in support to Alistair MacGregor, MP for Bill C-250 which seeks to amend the Canada Shipping Act to prescribe a specific area in and among the southern Gulf Islands where the proposed National Marine Conservation Area is to be established and prohibit the anchoring of freighter vessels.

10.2. A Voice For Our Children

Purpose: To consider the motion submitted by A Voice For Our Children during their presentation to Council at the December 16, 2020 Regular Council meeting.

Recommendation:

That North Cowichan Mayor and Council communicate to Island Health and Premier Horgan that it does not support the 5878 location for the Wellness and Recovery Centre, as the impacts and effects of the environment around these services put our Cowichan Valley children's physical safety in danger and jeopardizes their emotional and psychological well-being.

11. NEW BUSINESS

11.1. Request for a letter of Support from the Chemainus Festival of Murals Society

Purpose: To consider the request from the Chemainus Festival of Murals Society for a letter of support to include within their grant application to provide the Society with additional funding sources to update existing murals and sculptures and create new attractions.

Recommendation:

That Council authorize the Mayor to draft a letter of support for the Chemainus Festival of Murals Society to include with their 2021 Community Gaming Grant application.

12. QUESTION PERIOD

A 10-minute recess to be provided to give the public an opportunity to submit their questions by email to QP@northcowichan.ca regarding the business discussed at this meeting. Questions will be read out in the order they are received.

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

Purpose: To recess the Council meeting until the start time of the public hearing/meeting.

Recommendation:

That the meeting be adjourned at ____ p.m. to reconvene at 6:00 p.m. this evening.

14. PUBLIC HEARINGS 6:00 P.M.

Mayor Siebring to provide an explanation of the public hearing process and to advise members of the public that no further verbal or written presentations can be received by any member of Council following the closure of the public hearings. Written submissions received between 1:00 p.m. on Friday, January 15, 2021 and the holding of the public hearing will be provided to Council when they are received and are available for review by the public on the municipal website. Following the close of the public hearings, Council may give the bylaws further consideration.

14.1. Public Hearing for Zoning Amendment Bylaw (Cannabis Sales - 2763 Beverly Street), 2020, No. 3794

Purpose: The purpose of the Public Hearing is to allow the applicant and the public to make representations to Council respecting matters contained in Zoning Amendment Bylaw, 2020, No. 3794 to permit cannabis retail sales at 2763 Beverly Street.

The order of the Public Hearing, following the Call to Order and explanation of the Public Hearing process, shall be as follows:

- Acceptance of petitions and late correspondence
- Introduction of the proposal
- Summary of correspondence received and published in the Digital Information Package available on the Public Hearings webpage
- Presentation by proponent
- Comments from the public

(Note: The Public Hearing webpage where the Digital Information Packages are published is www.northcowichan.ca/PublicHearings which is updated as submissions are received. Members of Council and the public are encouraged to check the webpage frequently to view all public input.)

14.2. Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809

Purpose: To provide all persons who believe that their interest in property is affected by Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809, which proposes a site-specific zoning amendment application to permit a second detached dwelling unit in addition to a principal single family dwelling in the Rural Residential (R1) zone.

The order of the Public Hearing, following the Call to Order and explanation of the Public Hearing process, shall be as follows:

- Acceptance of petitions and late correspondence
- Introduction of the proposal
- Summary of correspondence received and published in the Digital Information Package available on the Public Hearings webpage
- Presentation by proponent
- Comments from the public

(Note: The Public Hearing webpage where the Digital Information Packages are published is www.northcowichan.ca/PublicHearings which is updated as submissions are received. Members of Council and the public are encouraged to check the webpage frequently to view all public input.)

14.3. Zoning Amendment Bylaw (3325 Henry Road), 2020, No. 3811

Purpose: To provide all persons who believe that their interest in property is affected by Zoning Amendment Bylaw, 2020, No. 3811, which proposes a site-specific zoning amendment application to permit the construction and use of a detached second dwelling at 3325 Henry Road.

The order of the Public Hearing, following the Call to Order and explanation of the Public Hearing process, shall be as follows:

- Acceptance of petitions and late correspondence
- Introduction of the proposal
- Summary of correspondence received and published in the Digital Information Package available on the Public Hearings webpage
- Presentation by proponent
- Comments from the public

(Note: The Public Hearing webpage where the Digital Information Packages are published is www.northcowichan.ca/PublicHearings which is updated as submissions are received. Members of Council and the public are encouraged to check the webpage frequently to view all public input.)

15. PUBLIC HEARING BYLAW FOR CONSIDERATION

15.1. Zoning Amendment Bylaw (Cannabis Sales - 2763 Beverly Street), 2020, No. 3794

Purpose: To consider third reading of Zoning Amendment Bylaw (Cannabis Sales - 2763 Beverly Street), 2020, No. 3794, following the close of the public hearing. Prior to consideration of adoption of Bylaw No. 3794, the Bylaw will be forwarded to the Ministry of Transportation and Infrastructure for approval.

Recommendation:

That Council give third reading to Zoning Amendment Bylaw (Cannabis Sales - 2763 Beverly Street), 2020, No. 3794.

15.2. Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809

Purpose: To consider third reading of Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809, following the close of the public hearing. Prior to consideration of adoption of Bylaw No. 3809, the Section 219 Covenant must be registered on title.

Recommendation:

That Council give third reading to Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809.

15.3. Zoning Amendment Bylaw (Second Dwelling - 3325 Henry Road), 2020, No. 3811

Purpose: To consider third reading of Zoning Amendment Bylaw (Second Dwelling - 3325 Henry Road), 2020, No. 3811, following the close of the public hearing. Prior to consideration of adoption, the Bylaw will be forwarded to the Ministry of Transportation and Infrastructure for approval and the section 219 Covenant must be registered on title.

Recommendation:

That Council give third reading to Zoning Amendment Bylaw (3325 Henry Road), 2020, No. 3811.

16. RESUME COUNCIL MEETING

17. CLOSED SESSION

Recommendation:

That Council close the January 20, 2021 Regular Council meeting at ____ p.m. to the public on the basis of the following section(s) of the *Community Charter*:

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

17.1. Minutes from the December 16, 2020 Council Closed meeting for adoption

17.2. Closed under section 90(1)(e) Land, and 90(1)(m) FOIPPA s. 16 - Relations with an Aboriginal Government

17.3. Closed under section 90(1)(c) Other Employee Relations

18. RISE AND REPORT

19. ADJOURNMENT

Recommendation:

That Council adjourn the meeting at ____ p.m.