

Municipality of North Cowichan

Regular Council

AGENDA

Tuesday, February 2, 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. Minutes of the Special Council meeting held January 20, 2021

3.2. Minutes of the Regular Council and Public Hearings meeting held January 20, 2021

Recommendation:

That Council adopt the minutes of the Special Council meeting held January 20, 2021 and the Regular Council and Public Hearings meeting held January 20, 2021.

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 Monday, February 1, 2021 will be circulated to Council by way of an Addendum at 6:00 p.m. on Monday, February 1, 2021, and can be viewed by visiting www.northcowichan.ca/agendas.

7. BYLAWS

7.1. Reserve Funds Establishment Amendment Bylaw No. 3816 for adoption

Purpose: To consider adoption of Reserve Funds Establishment Amendment Bylaw, which received first three readings at the January 20, 2021 Regular Council and Public Hearings meeting.

Recommendation:

That Council adopt Reserve Funds Establishment Amendment Bylaw No. 3816, 2021.

8. REPORTS

8.1. North Cowichan Housing Needs Assessment Report and Presentation

Purpose: George Parker from G.P. Rollo & Associates (sub-consultant for MODUS) and John Horn from the Cowichan Housing Association will be presenting the results of the North Cowichan Housing Needs Assessment. Following their presentation, Council is asked to consider the staff report and recommendation in relation to the North Cowichan Housing Needs Assessment Report.

Recommendation:

That Council accepts the North Cowichan Housing Needs Assessment Report.

8.2. Finalizing the Climate Action and Energy Plan (CAEP) Model Update Report and Presentation

Purpose: Jeremy Murphy, Sustainability Solutions Group (SSG) will be presenting SSG's economic and financial analysis on the CAEP Model Update project. Following the presentation, Council is asked to consider the staff report and recommendation on the CAEP Model Update project, including the proposed timeline and public engagement process.

Recommendation:

That Council direct staff to proceed with public engagement and the timeline described in the Senior Environmental Specialist's report dated February 2 2021 for presenting the Climate Action and Energy Plan (CAEP) modelling of costs and benefits of carbon emissions reduction policies to the climate change engagement group, the public at large, and the Environmental Advisory Committee; and that staff be directed to report back to Council before finalization of the CAEP model update by March 31, 2021.

8.3. Rogers Communications Inc. Cell Tower Proposal Report and Presentation

Purpose: Brian Gregg, SitePath Consulting Ltd. and Garth Jones, Rogers Communications Inc., will be presenting Rogers' Proposed Communication Sites on Municipality of North Cowichan Lands. Following their presentation, Council is asked to consider the staff report and recommendation on the proposed cell tower placements at Mount Tzouhalem and at Evans Park, following a presentation from Roger's Communications Inc.

Recommendation:

That Council direct staff to negotiate the Licence of Occupation terms with Rogers Communications Inc. for tower installations at Evans Ball Park and Mount Tzouhalem and, subject to completion of the public consultation by Rogers Communication Inc., as outlined in the staff report on February 2, 2021, that Council direct staff to prepare a report outlining the findings and provide recommendations for Council's consideration, including bringing forward the Licences of Occupation for Council's review and approval.

8.4. Development Variance Permit Application No. DVP00057 for 2903 Cypress Street

Purpose: To consider granting a variance to Zoning Bylaw 2950 for 2903 Cypress Street to (1) increase the permitted maximum small car parking stalls from 25% to 85%, (2) to reduce the required number of additional parking stalls from 5 to 4, and (3) relax the requirement for individual external building access for four proposed new dwelling units. A presentation by staff will be provided at the meeting.

Recommendation:

1. That Council authorize the issuance of Development Variance Permit DVP00057/20.05 3080-20.
2. That Council vary Section 20.1 of Zoning Bylaw No. 2950, 1997 to increase the percentage of permitted small car parking spaces from 25% to 85% at 2903 Cypress Street.
3. That Council vary Section 80.10 (12) of Zoning Bylaw No. 2950, 1997 to eliminate the requirement for ground floor residential units to have individual exterior entrances at 2903 Cypress Street.
4. That Council deny the request to vary Section 80.10 (8) of Zoning Bylaw No. 2950, 1997 to reduce the required number of parking spaces for four new dwelling units at 2903 Cypress Street from 5 to 4.

8.5. Development Variance Permit Application No. DVP00064 for Lot 1 Drinkwater Road

Purpose: To consider granting a variance to Zoning Bylaw No. 2950 to increase the permitted lot coverage for Lot 1, Plan VIP24981 – Drinkwater Road from 10% to 20% to accommodate a single family dwelling and accessory structures. A presentation by staff will be provided at the meeting.

Recommendation:

That Council authorize the issuance of Development Variance Permit DVP00064/20.12 and vary Section 52(5) of Zoning Bylaw 1997, No. 2950 to increase permitted lot coverage from 10% to 20%, in order to accommodate siting of a single family dwelling, shop and garage for Lot 1, Plan VIP24981, Drinkwater Road.

8.6. Development Variance Application No. DVP00062/20.10 for 9802 Napier Place

Purpose: To consider granting a variance to Zoning Bylaw No. 2950 to reduce the southern rear yard setback at 9802 Napier Place from 4.0 metres to 2.0 metres to help facilitate the siting of a dwelling unit on the property. A presentation by staff will be provided at the meeting.

Recommendation:

That Council authorize the issuance of Development Variance Permit DVP00062/20.10 and grant the variance to Section 80.6 (6)(a) of Zoning Bylaw No. 2950, 1997 to reduce the required rear yard setback for a single family dwelling from 4.0 metres to 2.0 metres at 9802 Napier Place.

8.7. Kaspas Parking Lot Congestion: Planned or Considered Short and Long Term Solutions

Purpose: To consider solutions to address the Kaspas Road parking lot congestion issues.

Recommendation:

That Council accepts the Director of Parks and Recreation's February 2, 2021 report for information.

8.8. North Cowichan Civic Building - C-0007 Rock Foundation Anchors - Design Tender

Purpose: To consider the lowest construction bid received for the rock foundation anchors which was part of Tender Package 1 of the new RCMP Building.

Recommendation:

That Council award the contract for the C-007 Rock Foundation Anchors to Western Grater Contracting Ltd for \$749,000 plus GST.

8.9. Temporary Relaxation of No Heavy Truck Route on Drinkwater Road

Purpose: To consider relaxing the "no heavy trucks" restriction on Drinkwater Road during the construction of the new RCMP facility.

Recommendation:

Notwithstanding Council's resolution of May 5, 2010 to designate a portion of Drinkwater Road, between Ford Road and Highway 18, as a no heavy truck route, that Council authorizes the use of Drinkwater Road between Ford Road and Highway 18 by heavy trucks for the purpose of hauling materials to and from the municipal pit located on Drinkwater Road to the location of the RCMP facility between February 3, 2021 and project completion or as determined by the Director of Engineering.

8.10. Public Participation During Electronic Council Meetings

Purpose: To consider changing virtual meeting platforms (from Webex Meetings to Webex Events) to simulate an in-person meeting and provide the public with the opportunity to attend meetings of Council electronically.

Recommendation:

THAT Council direct staff to use the Webex Events platform for Public Hearings and Council and Committee of the Whole meetings to provide members of the public with the opportunity to attend these meetings electronically and engage with Council on matters included in the agenda;

AND THAT Council reinstate the maximum of five speakers to be heard during the Public Input Period;

AND THAT Council rescind their prior decisions to allow members of the public to submit their comments by email to Agenda@northcowichan.ca and questions to QP@northcowichan.ca and instead provide members of the public the opportunity to speak to Council during the Public Input Period and Question Period through electronic participation;

AND THAT Council rescind their decision to take a 10-minute recess prior to Question Period;

AND FURTHER THAT Council committees and advisory bodies may continue to use Webex Meetings for their virtual meetings based upon the same rationale provided on July 15, 2020.

8.11. 2021 Council Training Plan

Purpose: To consider training opportunities to undertake during 2021 to improve Council meeting effectiveness.

Recommendation:

THAT Council authorize \$15,000 to be added to the operational budget for Council training beginning in 2021;

AND THAT Council direct staff to coordinate the training opportunities as included in the 2021 Council Training Plan as presented in the Manager of Legislative Services' report dated February 2, 2021.

8.12. Inter-Municipal Relationship Protocol Agreement (for endorsement)

Purpose: To endorse the Joint Committee of the Whole's recommendation on January 21, 2021, regarding amendments to the Inter-Municipal Relationship Protocol Agreement, including the addition of provision #4 under Conflict Resolution added at that meeting. (For clarity, provision #4 has been included in the attached agreement)

Recommendation:

That Council approve the revised City of Duncan and Municipality of North Cowichan Inter-Municipal Relationship Protocol Agreement as amended on January 21, 2021.

8.13. UBCM Community Emergency Preparedness Fund - Emergency Support Services Grant Application by the CVRD

Purpose: To endorse Council's recommendation from the January 26, 2021 Committee of the Whole meeting in relation to the CVRD's application for Emergency Support Services funding under the UBCM Community Emergency Preparedness Fund.

Recommendation:

THAT Council resolves for the Cowichan Valley Regional District to apply for, receive, and manage the UBCM Community Emergency Preparedness Fund Emergency Support Services grant funding on behalf of the Municipality of North Cowichan.

8.14. Utility Budget and Rates Review

Purpose: To endorse Council's recommendations from the January 26, 2021 Committee of the Whole meeting in relation to water and sewer utility rate increases.

Recommendation:

That it be recommended to Council to increase:

- Chemainus water metered minimum and parcel tax by 5%
- Crofton water metered minimum and parcel tax by 5%
- South End water metered minimum and parcel tax by 3%
- Metered water rates by 3%

Recommendation:

That it be recommended to Council to increase:

- Chemainus sewer parcel tax and user fees by 2%
- Crofton sewer parcel tax and user fee by 3%
- South End sewer parcel tax and user fee by 3%
- Maple Bay sewer treatment plant user fee by 3%

9. NOTICES OF MOTIONS

10. UNFINISHED AND POSTPONED BUSINESS

11. NEW BUSINESS

11.1. Request for Letter of Support from the BC Hockey League

Purpose: To consider a request from the BC Hockey League for a letter of support to include in their grant application under British Columbia's COVID-19 Recovery Fund.

Recommendation:

That Council authorizes the Mayor to provide a letter of support for the BC Hockey League which seeks to apply for funding under British Columbia's COVID-19 Recovery Fund, describing the importance of amateur hockey in our communities;

And That a copy of the letter be forwarded to Sonia Furstenau, the Member of Legislative Assembly for the Cowichan Valley, to advocate for their request for funding and encourage Premier John Horgan, Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation and Melanie Mark, Minister of Tourism, Arts, Culture and Sport to advocate for the BC Hockey League's request.

11.2. Request for Support by the Island Bus Service Provider to the Province

Purpose: To consider a request from John Wilson, president of The Wilson's Group of Companies, to support their request to the Province for a short-term emergency COVID recovery contract until ridership of the Island Bus Service is restored.

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. CLOSED SESSION

Recommendation:

That Council close the February 2, 2021 Regular Council meeting at ___ p.m. to the public on the basis of the following sections 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;
- *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.

13.1. Minutes from the January 20, 2021 Special Council and Council Closed meetings for adoption

13.2. Closed under section 90(1)(e) land, 90(1)(i) legal advice and 90(1)(m) FOIPPA s. 16 - relations with an aboriginal government

14. RISE AND REPORT

15. ADJOURNMENT