

Municipality of North Cowichan Council - Regular and Public Hearings AGENDA

Wednesday, February 17, 2021, 1:30 p.m.
Electronically

1. CALL TO ORDER

This meeting, though electronic, is open to the public. All representations to Council will form part of the public record. Proceedings will be streamed live and archived at www.northcowichan.ca. Members of the public may join this online meeting and participate virtually during the Public Input and Question Period portions of the agenda.

- To join by computer, smartphone, or tablet, visit northcowichan.ca/virtualmeeting for instructions.
- To join by telephone, dial 1.844.426.4405, enter the meeting ID 177 494 4065, and then press # to join the meeting.

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

Purpose: To consider any late items prior to adopting the agenda.

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

3. ADOPTION OF MINUTES

3.1. Regular Council meeting held February 2, 2021 for adoption

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

Recommendation:
That Council adopt the minutes of the Regular Council meeting held February 2, 2021.

4. MAYOR'S REPORT

5. DELEGATIONS AND PRESENTATIONS

5.1. 4th Quarter Report for RCMP Activities

Purpose: Inspector Chris Bear to present the North Cowichan/Duncan RCMP quarterly report [October - December 2020].

5.2. Update on Quamichan Lake Water Quality Monitoring and Management

Purpose: To provide Council with a presentation about the activities conducted by environment staff in the monitoring and management of water quality in Quamichan Lake.

6. PUBLIC INPUT

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. To be added to the speakers list, please:

- click on the 'raise your hand' button, if participating by computer, smartphone, or tablet, or
- dial *3 on your phone

7. BYLAWS

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

Purpose: To consider adoption of Zoning Amendment Bylaw (Cannabis Sales - 2763 Beverly Street), 2020 Bylaw No. 3794 which received Ministry of Transportation and Infrastructure approval on January 28, 2021.

Recommendation:

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

7.2. Establishment of a Reserve Fund for the COVID-19 Safe Restart Grant

Purpose: To establish a COVID-19 Safe Restart Grant Reserve.

Recommendation:

That Council give first, second and third readings to the Reserve Funds Establishment Amendment Bylaw No. 3817, 2021.

8. REPORTS

8.1. REPORTS FOR DECISION

8.1.1. COVID-19 Safe Restart Grant Budget Amounts for 2020 to 2023

Purpose: To consider the recommendations from the February 9, 2021 Committee of the Whole meeting regarding the 2020 to 2023 budget amounts to be claimed under the COVID-19 Safe Restart Grant.

Recommendation:
That Council allocate:

1. the following amounts for 2020 under the COVID-19 Safe Restart Grant:
 - the actual revenue shortfalls at the Cowichan Aquatic Centre and Fuller Lake Arena of approximately \$610,00
 - the additional operating expenses incurred in 2020 as a result of the pandemic of approximately \$681,000.
2. the following 2021 budget amounts to be claimed under the COVID-19 Safe Restart Grant:
 - \$1,128,000 be used to off set decreases in Recreation Revenue in 2021
 - Up to \$1,308,600 of 2021 expenditures which includes:
 - Additional COVID expenses \$143,300
 - Parks And Recreation \$416,000
 - Two term Bylaw positions \$192,300
 - Information Management/IT \$498,000
 - Vehicle costs – social distancing \$29,000
 - Working from home – Ergo support \$30,000
3. the following 2022 budget amounts to be claimed under the COVID-19 Safe Restart Grant, up to \$463,700:
 - Two term Bylaw positions \$196,100
 - Information Management/IT \$228,000
 - Vehicle costs – social distancing \$29,600
 - Working from home – Ergo support \$10,000
4. any unspent COVID-19 grant funds as of December 31, 2020 be transferred into the COVID-19 Safe Restart Grant reserve fund; and that COVID-19 grant funds be recognized to offset actual expenditures to a maximum of budget in 2021 and 2022; and further that the remaining funds in the COVID-19 Restart Reserve as of December 31, 2022 be reallocated for 2023 and future years' budgets.

8.1.2. Temporary Mobile Home Permit Application for 9023 Crofton Road

Purpose: To consider authorizing issuance of a Temporary Mobile Home Permit (TMHP) for 9023 Crofton Road in order to provide accommodation for the owner's child and her family, and to relax of the mobile home width requirement from 4.3 metres to 8.2 metres.

Recommendation:

That Temporary Mobile Home Permit Application No. TTP00080 be approved and a permit be issued to James and Karen Lust for a temporary mobile home at 9023 Crofton Road with a maximum width of 8.2 metres, to be sited as per the site plan prepared by Turner & Associates, September 9, 2020.

8.1.3. Smiley Road Water Main Replacement Project - Contract Reference No. 2020-30

Purpose: To request pre-budget approval to proceed with the Smiley Road Water Main Replacement Project.

Recommendation:

That Council:

1. provide pre-budget approval for the Smiley Road Water Main Replacement Project in the amount of \$890,000 for 2021; and
2. award the contract for the Smiley Road Water Main Replacement Project to IWC Excavation Ltd., for \$589,940 (excluding GST).

8.1.4. Automated Trucks for Residential Curbside Collection of Solid Waste

Purpose: To consider the recommendation from the February 9, 2021 Committee of the Whole meeting regarding the public communications and engagement plan for the automation of residential curbside collection of garbage, organics and recyclable materials.

Recommendation:

That Council direct staff to prepare a public engagement plan and more detailed cost scenarios to assess public interest in pursuing a solid waste collection automation program for Council approval prior to proceeding with any public engagement.

8.1.5. 2021 Garbage Rate Increase

Purpose: To consider including the 2021 garbage rate increase in the 2021-2025 financial plan.

Recommendation:

That Council direct staff to prepare an amendment to Fees and Charges Bylaw No. 3784 to increase the rate for the annual waste collection service from \$102 to \$111.

8.1.6. 2021 Association of Vancouver Island and Coastal Communities (AVICC) Call for Resolutions

Purpose: To consider the recommendations from the February 9, 2021 Committee of the Whole meeting regarding Association of Vancouver Island Coastal Communities (AVICC) Executive for consideration at the 2021 virtual convention.

Recommendation:

That Council refer the following resolution to the Association of Vancouver Island Coastal Communities for consideration at the 2021 Virtual AGM and Convention:

WHEREAS the forest sector in British Columbia has been on a steady decline in recent decades, with dozens of mill closures, thousands of middle class jobs lost, and once-thriving rural communities experiencing severe economic decline, due in large part to corporate mismanagement, misguided forestry policies, and lack of public oversight;

AND WHEREAS many communities across British Columbia and globally have demonstrated that when local people are empowered to manage public forests and other resources through community forest licenses, regional trusts and other community-based governance models, they can enhance environmental sustainability and climate change resilience, provide stable and fulfilling employment, improve equity and fairness, and advance meaningful reconciliation with Indigenous peoples;

AND WHEREAS the region of Vancouver Island, Sunshine Coast, Powell River, the North Coast and the Central Coast (“Vancouver Island and the Coast”) would be well-suited for a pilot for a de-centralized forestry management model because of its strong record of success in community-based forestry management, exceptional local interest in forest practices, and history in land use planning at a macro-regional level;

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities (AVICC) call on the Province of British Columbia move to establish a de-centralized forest management model for Vancouver Island and the Coast that will empower local people in decision-making, and, as a first step, appoint a Forester General for the region who will undertake the following actions:

- Consult with First Nations, local communities, labour unions, industry, small business, and the broader public on current challenges with the Vancouver Island and Coast forest sector;
- Carry out region-specific analyses of the opportunities to increase employment and value-added manufacturing, restrict raw log exports, improve environmental sustainability, enhance climate change resilience, expand recreation and tourism, and advance meaningful reconciliation with First Nations;
- Develop a regional land use plan for Vancouver Island and the Coast based on broad consultations; and
- Recommend next steps for empowering Vancouver Island and the Coast in the management of forestry and related resources.

8.2. REPORTS FOR INFORMATION

No items.

9. NOTICES OF MOTIONS

9.1. Advice from Key Stakeholders in relation to the Official Community Plan

Purpose: So that Councillor Justice may introduce the following motion which he intends to move at the March 3, 2021 regular Council meeting:

"That Council seek the advice and recommendations from the following key stakeholders in relation to the land use policy development to be included in the revised Official Community Plan for North Cowichan, and ask that they provide their opinions on what they believe is necessary to achieve Council's goals of restoration and regeneration of the municipality's lakes streams and rivers:

- *Cowichan Land Trust*
- *Somenos Marsh Wildlife Society*
- *Cowichan Watershed Board*
- *Quamichan Watershed Stewardship Society"*

9.2. Help Cities Lead Campaign

Purpose: So that Councillor Marsh may introduce the following motion which she intends to move at the March 3, 2021 regular Council meeting:

"WHEREAS emissions by buildings account for 40-60% of a community's green-house gas (GHG) emissions;

WHEREAS climate policy modelling completed for Help Cities Lead shows current actions to reduce greenhouse gas (GHG) emissions from buildings are insufficient to achieve the province's GHG targets for 2030 and 2050;

WHEREAS the November 2020 mandate letters to ministers include direction to provincial ministries to move forward with three of the five policy measures included in the Help Cities Lead climate policy modelling: GHG requirements for new buildings, Property Assessed Clean Energy (PACE) financing, and home energy labelling.

THEREFORE, BE IT RESOLVED THAT Council for the District of North Cowichan write a letter to the Minister of Environment and Climate Change Strategy, the Minister of Energy, Mines and Low Carbon Innovation, the Minister of Municipal Affairs, the Attorney-General and Minister responsible for Housing, and the Minister of Finance, expressing its endorsement of the Help Cities Lead campaign; support for the directions set out in the November 2020 ministerial mandate letters regarding GHG requirements for new buildings, PACE financing, and home energy labelling; and also requesting that the province empower local governments to opt to take action, if they so choose, on the two remaining items of the Help Cities Lead's campaign, namely GHG requirements for existing buildings and building energy benchmarking."

9.3. Property Assessed Clean Energy (PACE)

Purpose: So that Councillor Marsh may introduce the following motion which she intends to move at the March 3, 2021 regular Council meeting:

"WHEREAS the District of North Cowichan has shown itself to be a climate leader by [Council to identify the steps that have been taken or are being taken];

WHEREAS retrofitting buildings across B.C. is crucial to reducing green-house gas (GHG) emissions and meeting our provincial climate targets;

WHEREAS upfront costs of retrofitting homes and businesses for climate resilience are cost prohibitive to many of our property owners, and Property Tax Assisted Clean Energy (PACE) lowers barriers to implementing GHG reductions, adding value to buildings and making them more desirable places to live or work;

WHEREAS PACE BC is working with interested municipalities across B.C. to assist in the establishment of a successful province-wide PACE program that meets the needs of residents and that local governments of all sizes can participate in with minimal start up costs or staff time;

WHEREAS PACE and the resulting ecosystem of retrofitting programs would create well-paying green jobs during a just recovery from the COVID-19 pandemic and a just transition away from fossil fuel infrastructure-related jobs;

THEREFORE, BE IT RESOLVED THAT Council for the District of North Cowichan write a letter to the Ministry of Environment, the Minister of Energy, Mines and Low Carbon Innovation, the Minister of Municipal Affairs, Minister of Housing and PACE BC expressing support for B.C. Legislation enabling PACE by third-party administration and confirming North Cowichan's interest in having a PACE program when it becomes available in B.C."

10. UNFINISHED AND POSTPONED BUSINESS

11. NEW BUSINESS

12. QUESTION PERIOD

Question Period is an opportunity for the public to ask brief questions regarding the business discussed during the meeting. To be added to the speakers list, please:

- click on the 'raise your hand' button, if participating by computer, smartphone, or tablet, or
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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 HEARING 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, February 12, 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, 2021, No. 3815

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 No. 3815, which proposes a site specific zoning amendment to permit the construction and use of a detached second dwelling at 9376 Cottonwood 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. RESUME COUNCIL MEETING TO CONSIDER THE BYLAW

15.1. Zoning Amendment Bylaw, 2021, No. 3815 for third reading

Purpose: To consider third reading of Zoning Amendment Bylaw (9376 Cottonwood Road), 2021, No. 3815, following the close of the public hearing. Prior to consideration of adoption of Bylaw No. 3815, the Bylaw will be forwarded to the Ministry of Transportation and Infrastructure for approval and registration of a Section 219 Covenant.

Recommendation:

That Council give third reading to Zoning Amendment Bylaw (9376 Cottonwood Road), 2021, No. 3815.

16. CLOSED SESSION

Recommendation:

That Council close the February 17, 2021 Regular Council and Public Hearings 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; and
- 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.

16.1. Minutes from the February 2, 2021 Council Closed meeting for adoption

16.2. Closed under section 90(1)(i) legal advice

16.3. Closed under section 90(1)(e) land

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

17. RISE AND REPORT

18. ADJOURNMENT

Recommendation:

That Council adjourn the meeting at ____ p.m.