

Municipality of North Cowichan

Regular Council

MINUTES

February 2, 2021, 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
Martin Drakeley, Manager, Fire and Bylaw Services
Michele Gill, Manager, Development
Megan Jordan, Manager, Communications and Public Engagement
Dave Preikshot, Senior Environmental Specialist
Shaun Chadburn, Environmental Programs Coordinator
Shaun Mason, Municipal Forester
Chris Hutton, Community Planning Coordinator
Glenn Morris, Development Planning Coordinator
Anthony Price, Planning Technician
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 1:31 p.m.

2. APPROVAL OF AGENDA

2.1 Approval of Consent Agenda

The following items were pulled from the Consent Agenda and added to New Business:

- 1.9 [January 19, 2021 email from resident requesting that Council waive the non-North Cowichan resident plot fees at Mountain View Cemetery]

February 2, 2021 - Regular Council Minutes

- 1.11 [January 19, 2021 letter to UBCM from the City of Vernon regarding BC Hydro and Power Authority (BC Hydro) 2020 Street Lighting Rate Application]
- 1.12 [January 22, 2021 email from resident regarding lack of face masks being worn in Chemainus]
- 1.13 [January 25, 2021 email from resident regarding the OCP Growth Scenarios being discussed at the January 26, 2021 Committee of the Whole meeting]
- 1.15 [January 25, 2021 email from Victoria & Vancouver Island Greek Community Society regarding the 200th Anniversary of Greek Independence Initiative, and request to raise the Greek flag and illuminate the exterior of Municipal Hall]
- 1.17 [January 26, 2021 email from Island Coastal Economic Trust regarding a regional marketing initiative to help attract tech companies to Vancouver Island]

IT WAS MOVED AND SECONDED:

That the remaining items in the Consent Agenda be approved.

CARRIED

That the following correspondence is received for information purposes only:

- 1.1 January 13, 2021 email regarding concerns with Fentanyl use in BC and the RCMP
- 1.2 January 14, 2021 email from resident thanking Council for the live video meetings
- 1.3 January 14, 2021 email from business owner regarding the status of Development Permit (DP000207) - 9744 Willow Street
- 1.4 January 14, 2021 email from resident regarding Municipal Forest Reserve public consultation
- 1.5 January 14, 2021 email from Vancouver Island Economic Alliance regarding An Island Good Introduction
- 1.6 January 18, 2021 email from BC Honours and Awards regarding Order of BC - 2021 Call for Nominations
- 1.7 January 18, 2021 email from resident regarding mass timber construction in public buildings
- 1.8 January 18, 2021 email from resident regarding COVID and vitamin D3
- 1.10 January 19, 2021 email from resident requesting adding/converting tennis courts to pickleball courts
- 1.14 January 25, 2021 email from resident regarding Holland's eco-sustainable village
- 1.16 January 26, 2021 email from resident regarding trash collection by hardworking North Cowichan Public Works employees
- 1.18 Kaspas Road Parking
7 emails were received from residents in relation to the Kaspas Road parking lot issue.
- 1.19 BC Economic Development Association (BCEDA)
 - 1.19.1 January 20, 2021 email from BCEDA regarding the 2021 Virtual BC Economic Summit - March 8 to 10, 2021
 - 1.19.2 January 25, 2021 email from BCEDA regarding supporting your own - Business Retention and Expansion Training

1.19.3 January 26, 2021 email from BCEDA regarding Economic Restart and Resiliency Bulletin
ADOPTED ON CONSENT

2.2 Approval of Regular Agenda

The following items were added as late items to the agenda:

- (1) A Committee appointment related matter added under the Closed Session
- (2) A land related matter added under the Closed Session

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

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

IT WAS MOVED AND SECONDED:

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.

CARRIED

4. MAYOR'S REPORT

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

5. DELEGATIONS AND PRESENTATIONS

None.

6. PUBLIC INPUT

Council received 12 submissions via email prior to the meeting regarding agenda items 8.2 [Finalizing the Climate Action and Energy Plan Model Update Report and Presentation], 8.3 [Rogers Communications Inc. Cell Tower Proposal Report and Presentation], 8.9 [Temporary Relaxation of No Heavy Truck Route on Drinkwater Road], 8.10 [Public Participation During Electronic Council Meetings, and consent agenda item 1.18 [Kaspa Road Parking].

7. BYLAWS

7.1 Reserve Funds Establishment Amendment Bylaw No. 3816 for adoption

IT WAS MOVED AND SECONDED:

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

CARRIED

8. REPORTS

8.1 North Cowichan Housing Needs Assessment Report and Presentation

John Horn, Cowichan Housing Society, and George Parker, G.P. Rollo & Associates provided a presentation on the results of the North Cowichan Housing Needs

Assessment which included qualitative findings of community engagement, data, methodology and projections, and answered questions of Council. A copy of the presentation was appended to the agenda.

IT WAS MOVED AND SECONDED:

That Council accepts the North Cowichan Housing Needs Assessment Report. CARRIED

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

Jeremy Murphy, Sustainability Solutions Group provided a presentation on the Climate Action and Energy Plan Update that included a project status update, economic modelling, a recap of emissions forecasts, actions, opportunities and measures, and answered questions of Council. A copy of the presentation was appended to the agenda.

IT WAS MOVED AND SECONDED:

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.

CARRIED

Council, by unanimous consent, recessed the meeting at 4:02 p.m. and reconvened at 4:15 p.m.

IT WAS MOVED AND SECONDED:

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

CARRIED

8.3 Rogers Communications Inc. Cell Tower Proposal Report and Presentation

Brian Gregg, SitePath Consulting Ltd. provided a presentation on Rogers Communications Inc.'s Proposed Communication Sites on municipal lands [Evans Park and Mount Tzouhalem], that included their objective, their two proposed sites, rationale and design, and the next steps, and answered questions of Council. A copy of the presentation was appended to the agenda.

IT WAS MOVED AND SECONDED:

That Council defer consideration of the 'Rogers Communications Inc. Cell Tower Proposal Report and Presentation' to the next Council meeting.

(Opposed: Douglas, Justice, Manhas, Sawrie, Siebring, Toporowski)

DEFEATED

IT WAS MOVED AND SECONDED:

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.

(Opposed: Marsh)

CARRIED

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

IT WAS MOVED AND SECONDED:

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.

CARRIED

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

IT WAS MOVED AND SECONDED:

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.

CARRIED

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

IT WAS MOVED AND SECONDED:

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.

CARRIED

Council, by unanimous consent, recessed the meeting at 5:27 p.m. and reconvened at 5:45 p.m.

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

IT WAS MOVED AND SECONDED:

That signage be installed at the problem areas of Kaspas Road reminding people of parking rules and that those rules be periodically enforced.

(Opposed: Marsh)

CARRIED

IT WAS MOVED AND SECONDED:

That page 4 of the staff report be amended to insert "POTENTIAL" before the heading: FUTURE SOLUTIONS (2022-23).

(Opposed: Douglas, Justice Manhas, Sawrie, Siebring, Toporowski)
DEFEATED

IT WAS MOVED AND SECONDED:

That Council accepts the Director of Parks and Recreation's February 2, 2021 report for information, and note that the recommendations in the report are subject to the ongoing review of the Municipal Forest operations.

CARRIED

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

IT WAS MOVED AND SECONDED:

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

CARRIED

8.9 Temporary Relaxation of No Heavy Truck Route on Drinkwater Road

IT WAS MOVED AND SECONDED:

That Council direct staff to maintain the status quo with the restriction on Drinkwater Road during the construction of the new RCMP facility.

(Opposed: Marsh)

CARRIED

IT WAS MOVED AND SECONDED:

That the meeting be extended to 10:00 p.m.

CARRIED

8.10 Public Participation During Electronic Council Meetings

IT WAS MOVED AND SECONDED:

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.

(Opposed: Douglas, Siebring)

CARRIED

8.11 2021 Council Training Plan

IT WAS MOVED AND SECONDED:

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. CARRIED

8.12 Inter-Municipal Relationship Protocol Agreement (for endorsement)

IT WAS MOVED AND SECONDED:

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

CARRIED

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

IT WAS MOVED AND SECONDED:

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. CARRIED

8.14 Utility Budget and Rates Review

IT WAS MOVED AND SECONDED:

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%

CARRIED

IT WAS MOVED AND SECONDED:

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%

CARRIED

9. NOTICES OF MOTIONS

None.

10. UNFINISHED AND POSTPONED BUSINESS

11. NEW BUSINESS

11.1 Request for Letter of Support from the BC Hockey League

IT WAS MOVED AND SECONDED:

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, and Doug Routley, the Member of Legislative Assembly for Nanaimo-North Cowichan 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. CARRIED

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

IT WAS MOVED AND SECONDED:

That the Mayor be authorized to write a letter of support for a short-term emergency COVID recovery contract between Tofino Bus and the Province of BC and its Ministry of Transportation to continue essential service until ridership is restored;

And that the letter be forwarded to Premier Horgan, Minister Fleming, Cowichan Valley MLA Sonia Furstenau and Nanaimo-North Cowichan MLA Doug Routley. CARRIED

11.3 Consent Agenda Item 1.9 [January 19, 2021 email from resident requesting that Council waive the non-North Cowichan resident plot fees at Mountain View Cemetery]

This item was discussed.

11.4 Consent Agenda Item 1.11 [January 19, 2021 letter to UBCM from the City of Vernon regarding BC Hydro and Power Authority (BC Hydro) 2020 Street Lighting Rate Application]

IT WAS MOVED AND SECONDED:

That Council authorize the Mayor to write a letter to BC Hydro and the BC Utilities Commission with respect to street lighting rate application. CARRIED

11.5 Consent Agenda Item 1.12 [January 22, 2021 email from resident regarding lack of face masks being worn in Chemainus]

This item was discussed.

11.6 Consent Agenda Item 1.13 [January 25, 2021 email from resident regarding the OCP Growth Scenarios being discussed at the January 26, 2021 Committee of the Whole meeting]

IT WAS MOVED AND SECONDED:

That Consent Agenda Item 1.13 be referred to Planning staff and the OCP consultant [MODUS] for their consideration. (Opposed: Siebring, Marsh and Manhas) CARRIED

11.7 Consent Agenda Item 1.15 [January 25, 2021 email from Victoria & Vancouver Island Greek Community Society regarding the 200th Anniversary of Greek Independence Initiative, and request to raise the Greek flag and illuminate the exterior of Municipal Hall]

This item was discussed.

11.8 Consent Agenda Item 1.17 [January 26, 2021 email from Island Coastal Economic Trust regarding a regional marketing initiative to help attract tech companies to Vancouver Island]

This item was not discussed.

12. QUESTION PERIOD

Mayor Siebring called for a recess at 7:56 p.m. to allow viewers to submit questions via email on the matters discussed during the meeting. Four questions had been submitted when the meeting reconvened at 8:15 p.m.

13. CLOSED SESSION

IT WAS MOVED AND SECONDED:

That Council close the February 2, 2021 Regular Council meeting at 8:20 p.m. to the public on the basis of the following sections of the *Community Charter*:

- 90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- 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.

CARRIED

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

13.3 Closed under section 90(1)(e) land

13.4 Closed under section 90(1)(a) appointment

14. RISE AND REPORT

15. ADJOURNMENT

Council adjourned the meeting at 9:50 p.m.

Certified by Corporate Officer

Signed by Mayor