

Municipality of North Cowichan Council - Regular and Public Hearings AGENDA

Wednesday, March 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 133 396 0408, 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 items of business not included in the Agenda, that are of an urgent nature, must be introduced and approved at the time the agenda is adopted. Matters must be taken up in the order that they are listed.

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

3. ADOPTION OF MINUTES

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

3.1. Regular Council meeting held March 3, 2021 for adoption

3.2. Special Council meeting held March 9, 2021 for adoption

Recommendation:

That Council adopt the minutes of the Regular Council meeting held March 3, 2021 and the Special Council meeting held March 9, 2021.

4. MAYOR'S REPORT

5. DELEGATIONS AND PRESENTATIONS

5.1. Human Sex Trafficking, Sexual Exploitation, Child Sex Trafficking in BC

Purpose: To receive a presentation from Cathy Peters in raising awareness about the rapidly growing crime of human sex trafficking, sexual exploitation, and child sex trafficking in BC and how to stop it.

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. Municipal Ticket Information System Amendment Bylaw No. 3812, 2020 for adoption

Purpose: To consider adoption of Municipal Ticket Information System Amendment Bylaw No. 3812, 2020, which had third reading rescinded, and then received third reading, as amended at the March 3, 2021 Regular Council meeting.

Recommendation:

That Council adopt Municipal Ticket Information System Amendment Bylaw No. 3812, 2020.

7.2. Zoning Amendment Application No. ZB000147 (2772 Herd Road)

Purpose: To introduce Bylaw No. 3819, which proposes a site-specific zoning amendment at 2772 Herd Road, to permit a second detached dwelling unit in addition to a principal single family dwelling in the Rural (A2) zone.

Recommendation:

That Council give first and second reading to Zoning Amendment Bylaw No. 3819, 2021 to permit a second detached residential dwelling at 2772 Herd Road and a public hearing be scheduled for Bylaw No. 3819 in accordance with the *Local Government Act*.

8. REPORTS

8.1. REPORTS FOR DECISION

8.1.1. Agricultural Land Commission Exclusion Application (ALR00034) & Joint OCP-Zoning Amendment Application (OCP00015) for 3137 Henry Road

Purpose: To consider the application to exclude a portion of land located at 3137 Henry Road from the Agricultural Land Reserve and amend the property's OCP and Zoning Bylaw designations. The applicant will be provided an opportunity to address Council following the presentation by staff.

Recommendation:

1. That Council deny application ALR00034 for exclusion of a 2.1 hectare portion at 3137 Henry Road from the Agricultural Land Reserve.
2. That Council deny OCP/zoning bylaw amendment application OCP0015 to re-designate and rezone a 2.1 hectare portion of 3137 Henry Road from Rural to Chemainus Industrial and from Rural Restricted (A3) to Light Industrial (I1).

8.1.2. Parks Capital Budget – Pre-Budget Approval

Purpose: To consider pre-budget approval for select 2021 Parks and Recreation capital projects.

Recommendation:

THAT Council grant pre-budget approval to the following projects:

- a. Cowichan Aquatic Centre re-roofing project, if grant funding received, in the amount of \$1,700,000;
- b. Kinsmen Beach Park Washroom Replacement project in the amount of \$428,500;
- c. Kaspas Parking Lot Washroom Upgrade project in the amount of \$100,000;
- d. Nevilane Parking Upgrades (washroom) and Connecting Trail project in the amount of \$40,000;
- e. Maple Bay Park and Fuller Lake Park Septic System Replacements project in the amount of \$130,000; and,
- f. Evans Ball Park Barn Upgrades project in the amount of \$30,000.

8.1.3. Chemainus Festival of Murals Society – Mural Request at Chemainus Bunker

Purpose: To consider a request from the Chemainus Rotary Club to install a new mural on the north end of the Chemainus Bunker.

Recommendation:

That Council:

- a. authorize the installation of the Chemainus Rotary Club mural and associated signage on the north end of the Chemainus Bunker and directs staff to work with the Chemainus Festival of Murals Society on this installation.
- b. direct staff to prepare an amendment to the Murals Management Agreement between North Cowichan and the Chemainus Festival of Murals Society, dated March 31, 2017, to include the new Chemainus Rotary Club mural in section 1 of the Agreement.

8.1.4. Capital Project – Fuller Lake Arena Roof

Purpose: To provide Council with a status and funding update on the Fuller Lake Re-Roofing Capital Project.

Recommendation:

That Council:

- a. Grants pre-budget approval for the Fuller Lake Arena Re-Roofing Capital Project in the amount of \$870,000;
- b. Directs staff to amend the 2021 Capital Expenditure Plan so that the project is funded \$150,000 from general revenues and \$720,000 from the Infrastructure Replacement Reserve Fund.

8.1.5. WildSafe BC Late Submission for Grant in Aid

Purpose: To provide Council with WildSafe BC's late submission for a grant in aid for 2021.

Recommendation:

That Council approve a grant-in-aid to the WildSafe BC Cowichan Valley Program in the amount of \$3,000 for 2021.

8.2. REPORTS FOR INFORMATION

9. NOTICES OF MOTIONS

9.1. Notice of Motion re Rennie Report and the Pace of Growth

Purpose: So that Councillor Justice may introduce the following motion which he intends to move at the April 7, 2021 Regular Council meeting:

“Whereas North Cowichan is currently engaged in an OCP process that will define how growth is managed in our community for at least the next decade

And whereas an accurate analysis and prediction of likely future growth pressures and rates is central to a realistic approach to growth management

And whereas municipal staff recently acknowledged that the forecasts of the Rennie Report (2019) do not consider either i) the influence of plans such as the Bell McKinnon Neighbourhood Plan on accelerated rates of growth or, ii) possible effects of the Covid-19 pandemic on the choices people are making about where they choose to live in a post-pandemic world

And whereas indications are that the traditional growth rate of about 1% per year – a rate which the Rennie Report assumes will continue into the future – appears to be currently being exceeded

Therefore be it resolved that staff provide Council with:

1. An opinion on whether the Rennie Report predictions remain an accurate and realistic basis for informing our growth management planning,
2. A summary of the options / actions available for ensuring that growth management discussions are grounded in accurate, up to date information about local trends, and
3. Options for managing the pace of growth in the community such that important social, environmental, ecological and economic considerations are not compromised by unanticipated accelerated growth”

10. UNFINISHED AND POSTPONED BUSINESS

11. NEW BUSINESS

11.1. Reinstating Public Engagement for the Forest Reserve

Purpose: So that Councillor Douglas may move the motion he gave notice on at the March 3, 2021 regular meeting. Please note that a summary report has not been provided for this motion.

Recommendation:

WHEREAS Council for the District of North Cowichan supported a collaboration with the University of British Columbia, 3GreenTree Consulting, and the Coastal Douglas Fir Conservation Partnership to perform a technical review of North Cowichan's forest management practices and to provide a recommendation for future forest management with input from the public;

AND WHEREAS Council has engaged Lees & Associates to conduct that public engagement on behalf of Council with an increased emphasis on digital engagement;

AND WHEREAS Council resolved to extend their pause on the public engagement until an agreed upon way moving forward is reached during the First Nations consultation process;

AND WHEREAS Council and the Cowichan Nation have come to an understanding through the development of a memorandum of understanding;

NOW THEREFORE BE IT RESOLVED that Council direct staff to contact Lees & Associates to resume the public engagement at their earliest convenience and report back to Council on any changes to the timelines and/or actions identified in the engagement plan that was adopted by Council on May 6, 2020.

11.2. Online Petition: RCMP presence in Chemainus/Crofton must be returned to the levels promised in 1998

Purpose: To discuss the online (informal) petition regarding the RCMP service levels in Chemainus and Crofton (i.e. this is considered informational to bring forward a matter of interest to Council's attention, expression of a group of people's opinion, it is not considered a formal petition as described under the *Community Charter*).

11.3. UBCM's Local Government Contract Management Committee

Purpose: To request Council endorsement for my application for another term on the UBCM's Local Government Contract Management Committee.

Recommendation:

That Council endorse Mayor Siebring's application for another term on UBCM's Local Government Contract Management Committee.

11.4. Consideration of Recommendations from the Environmental Advisory Committee

Purpose: To consider the recommendation from the March 2, 2021 Environmental Advisory Committee meeting regarding the continuation of review of Climate Action and Energy Plan (CAEP) actions and priorities. The draft minutes from this meeting were included in the Consent Agenda as item 1.2.

Recommendation:

That Council approves the following actions to be taken prior to finalizing the Climate Action and Energy Plan update:

1. Provide a timeline for recommendations from the Environmental Advisory Committee regarding actions and priorities
2. Staff conduct a background and information workshop
3. Staff conduct an appropriately scheduled prioritization workshop led by SSG using a multi-criteria analysis process
4. That the Environmental Advisory Committee review the draft final report and make recommendations to Council.

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
- dial *3 on your phone

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, March 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 (Cannabis Sales - 2763 Beverly Street), 2020, No. 3794

Purpose: The purpose of the second 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.)

15. RESUME COUNCIL MEETING TO CONSIDER THE BYLAWS

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

Purpose: To consider third reading and then adoption of Zoning Amendment Bylaw (Cannabis Sales - 2763 Beverly Street), 2020, No. 3794, following the close of the second public hearing.

Recommendation:

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

16. CLOSED SESSION

Recommendation:

That Council close the March 17, 2021 Regular Council meeting at ____ p.m. to the public on the basis of the following section 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

16.1. Minutes from the March 3, 2021 regular closed Council meeting for adoption

16.2. Closed under section 90(1)(e) land matter

17. RISE AND REPORT

18. ADJOURNMENT

Recommendation:

That Council adjourn the meeting at _____ p.m.