

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, May 5, 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 133 080 2476, and then press # to join the meeting.

2. 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.

2.1. Draft Committee Minutes

Recommendation:
That the following draft minutes be received for information purposes only:

2.1.1. April 16, 2021 Sub-Group of OCP Advisory Group

2.1.2. April 20, 2021 Environmental Advisory Committee

2.2. Correspondence

Recommendation:
That the following correspondence is received for information purposes only:

2.2.1. Letter from Town of View Royal to Premier Horgan requesting that hospital security staff be given authority and necessary training

2.2.2. Letter from District of Clearwater requesting support for the designation of invasive Asian clams as Prohibitive Aquatic Invasive Species

- 2.2.3. Letter from District of Clearwater advising Council of their endorsement of the 9-8-8 Crisis Line Initiative
- 2.2.4. Email request to pursue Federal funding for trash collection in Cowichan's waterways and elsewhere
- 2.2.5. Email requesting the beautification of North Cowichan's landscaping
- 2.2.6. Email requesting response to questions related to (potentially) polluted water being dumped in local gravel pits
- 2.2.7. Letter from Minister Heyman in response to Mayor Siebring's March 15, 2021 letter supporting PACE
- 2.2.8. Email requesting Council investigate the forest carbon offset initiative and keep the pause on logging in place until the forest review is completed
- 2.2.9. Resignation of Christopher Crowther from the Official Community Plan Advisory Group
- 2.2.10. Email suggesting use group purchasing for solar panel purchases
- 2.2.11. Email requesting an increase to fine amounts on timber poaching and patrols of Six Mountains

3. APPROVAL OF 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 unless changed at this time.

Recommendation:

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

4. ADOPTION OF MINUTES

4.1. Regular Council meeting held April 21, 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 April 21, 2021.

5. MAYOR'S REPORT

6. DELEGATIONS AND PRESENTATIONS

6.1. Island Health - Wellness and Recovery Centre

Purpose: To provide Council with an update on the renovations that are underway for the Wellness and Recovery Centre at 5878 York Road and present their approach to mental health and substance use for the community.

6.2. Canadian Union of Postal Workers

Purpose: The Canadian Union of Postal Workers' to present their 'Delivering Community Power' initiative, as requested by Council at their April 7, 2021 regular meeting.

7. 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

8. BYLAWS

8.1. Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809 for adoption

Purpose: To consider adoption of Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809, which received third reading following the public hearing on January 20, 2021, now that the section 219 covenant has been registered on title. If adopted, this bylaw will permit a second detached dwelling unit in addition to a principal single family dwelling in the Rural Residential (R1) zone.

Recommendation:

That Council adopt Zoning Amendment Bylaw (Lot 7, Wellburn Place), 2020, No. 3809.

8.2. Controlled Substance Bylaw No. 3803, 2020 for adoption

Purpose: To consider adoption of Controlled Substance Bylaw No. 3803, 2020, which received third reading at the April 21, 2021 Regular Council meeting, now that the bylaw has been deposited with the Minister of Health. If adopted, this bylaw will replace Nuisance (Controlled Substance) Bylaw No. 3246, 2006 by modernizing the language and updating the regulations to ensure that they are relevant and enforceable.

Recommendation:

That Council adopt Controlled Substance Bylaw No. 3803, 2020.

8.3. Municipal Ticket Information Systems and Fees and Charges Bylaw Amendments for adoption

Purpose: To consider adoption of Fees and Charges Amendment Bylaw No. 3829, 2021 and Municipal Ticket Information System Amendment Bylaw No. 3830, 2021, which received first three readings at the April 21, 2021 Regular Council meeting (subject to adoption of Bylaw No. 3803). If adopted, these bylaws will enable Controlled Substance Bylaw No. 3803, 2020, to be enforced by municipal ticket and for fees to be established for remedial work completed by the District or its agents.

Recommendation:

That Council adopt:

1. Fees and Charges Amendment Bylaw No. 3829, 2021; and
2. Municipal Ticket Information System Amendment Bylaw No. 3830, 2021.

8.4. Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021 for first three readings

Purpose: To introduce Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021 ("BON Bylaw No. 3677"), which proposes to establish a bylaw adjudication system for the Municipality of North Cowichan ("MNC").

Recommendation:

That Council give first, second and third readings to Bylaw Offence Notice Enforcement Bylaw No. 3677, 2021.

8.5. Delegation of Authority Bylaw No. 3814, 2021 for first three readings

Purpose: To introduce proposed amendments to the Delegation of Authority Bylaw to reflect current positions, update limits, and introduce potential new delegated authorities in relation to notices, and appointing officers for bylaw enforcement and controlling noxious weeds.

Recommendation:

That Council give first, second, and third readings to Delegation of Authority Bylaw, No. 3814, 2021.

8.6. Revenue Anticipation Borrowing Bylaw for first three readings

Purpose: To introduce Revenue Anticipation Borrowing Bylaw No. 3828, 2021, to enable the Municipality to borrow money for a short term, if needed, to continue municipal operations while waiting for anticipated revenue (e.g. property taxes) to be received.

Recommendation:

That Council give first three readings to Revenue Anticipation Borrowing Bylaw No. 3828, 2021.

8.7. Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3804, 2021 for first three readings

Purpose: To consider an amendment to the Nuisance Abatement and Cost Recovery Bylaw to include the control of noxious weeds and make the Manager of Bylaw and Business Licensing Services responsible for enforcement oversight.

Recommendation:

That Council gives first, second and third readings to Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021.

9. REPORTS

9.1. REPORTS FOR DECISION

9.1.1. North Cowichan Civic Building – Electrical Contract

Purpose: To approve entering into a CCDC 17 Trade Contract between the District of North Cowichan and Houle Electric Ltd. for the electrical portion of the North Cowichan Civic Building project in the amount of \$4,370,808.

Recommendation:

That Council approve entering into a CCDC 17 Trade Contract between the District of North Cowichan and Houle Electrical Ltd. for the electrical portion of the North Cowichan Civic Building project in the amount of \$4,370,808.

9.1.2. Fuller Lake Arena Roofing Capital Project – Tender Award

Purpose: To award the Fuller Lake Arena Roofing Capital Project contract and consider options to address the budget shortfall.

Recommendation:

That Council award the Fuller Lake Arena Roofing contract to Flynn Canada Ltd. for \$1,295,335 plus GST;

And, That Council directs staff to amend the 2021 Financial Plan funding of the Fuller Lake Arena Roofing Project as follows;

- i. \$150,000 from General Revenue
- ii. \$720,000 from the Municipal Reserve Fund
- iii. \$507,637 from Appropriated Surplus.

9.2. REPORTS FOR INFORMATION

9.2.1. Revised Official Community Plan (OCP) Work Plan and Project Schedule

Purpose: To provide Council with a revised work plan and project schedule for the OCP Update project.

10. NOTICES OF MOTIONS

10.1. Raising the Pride Flag for the month of June

Purpose: So that Councillor Sawrie may introduce the following motion which she intends to move at the May 19, 2021 regular Council meeting:

"That Council direct Staff to fly the Pride Flag on the Cowichan Aquatic Centre flag pole for the month of June, as part of an annual ongoing protocol."

NOTE: the wording of the notice of motion was updated on May 3, 2021.

11. UNFINISHED AND POSTPONED BUSINESS

12. NEW BUSINESS

12.1. Policy Advice regarding Sustainable Economic Development

Purpose: So that Councillor Justice may move the motion he gave notice on at the April 21, 2021 Regular Council meeting.

Recommendation:

WHEREAS a sustainable and resilient future for our community requires an approach to fostering business, industry and employment opportunities which BOTH contribute to the prosperity all community members reducing social and economic inequality AND lead to the achieving of environmental and climate protection and regeneration goals

AND WHEREAS within our community there is likely a wealth of collective knowledge and ideas for how local government can better create conditions which support and foster local businesses, industries and employment that support climate mitigation, the stewarding of our local environment, and prosperity for all citizens

AND WHEREAS local knowledge and ideas are particularly important at this time when we are developing a new Official Community Plan to guide policy for the next couple of decades AND as we are dealing with and planning an emergence from the Covid 19 pandemic

AND WHEREAS there are a number of possibilities for processing written submissions received from stakeholders which may be minimally onerous on Staff, including: a Staff produced "What we heard" summary; an analysis done by members of the Committee of the Whole and/or members of the EAC and OCP Advisory committees: or through the hiring of a Consultant

NOW THEREFORE BE IT RESOLVED that Council seek the advice and recommendations from key stakeholders representing existing business, agricultural, industrial, labour and other relevant 'think tanks' on aspects of economic development (examples of which include: Cowichan Works, the Cowichan Agricultural Society, the Chemainus BIA, the relevant Chambers of Commerce, our local labour unions – to be determined by Council) on the following questions:

1. What can local government do to develop and retain the necessary talent to foster local socially and environmentally sustainable jobs and businesses?
2. How can conditions be created to help existing businesses and industries prosper while increasingly contributing to the community's resiliency and sustainability goals?

What types of sustainable businesses and green industries might be particularly suited to North Cowichan (eg given our location, resources, supporting businesses, and likely social licence)?

12.2. Communications Tower / Antenna Systems Approval Policy

Purpose: So that Councillor Marsh may move the motion she gave notice on at the April 21, 2021 regular Council meeting.

Recommendation:

That the District Municipality of North Cowichan adopt a Council policy for Communication Towers and Antenna Systems Approval;

That the Municipality of North Cowichan develop a Wireless Telecommunication Tower Permit

And further that the policy establishes and the permit upholds the preferences of Council for enhanced public consultation and location & design guidelines in the Towers and Antenna System approval process, taking into account the Government of Canada's guidelines on antenna sitings via the Innovations, Science and Economic Development Ministry. (ISED)

12.3. Cowichan Estuary Restoration and Conservation Association's advice and recommendations regarding Official Community Plan Update Project

Purpose: To consider the reply received from the Cowichan Estuary Restoration and Conservation Association in response to Council's March 3, 2021 request for their advice and recommendation on what is necessary to achieve Council's goals of restoration and regeneration of North Cowichan's lakes, streams, rivers and estuaries and protecting biodiversity, in relation to the land use policy development within the revised Official Community Plan.

13. 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

14. CLOSED SESSION

Recommendation:

That Council close the May 5, 2021 Regular Council meeting at ___ p.m. to the public on the basis of the following section(s) 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;*
- *90(1)(m) - a matter that, under another enactment, that being section 16 of the Freedom of Information and Protection of Privacy Act, is such that the public may be excluded from the meeting; and*
- *90(2)(b) - the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

14.1. Minutes from the April 21, 2021 regular closed Council for adoption

14.2. Closed under section 90(1)(i) Legal Advice

14.3. Closed under section 90(1)(e) Land, 90(1)(m) FOIPPA s. 16 - relations with an aboriginal government, and 90(2)(b) negotiations

15. RISE AND REPORT

16. ADJOURNMENT