

Municipality of North Cowichan

Regular Council

MINUTES

June 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) Michelle Martineau, Corporate Officer Jason Birch, Chief Information Officer Shawn Cator, Director, Operations David Conway, Director, Engineering Projects Rob Conway, Director, Planning and Building Martin Drakeley, Manager, Fire and Bylaw Services George Farkas, Director, Human Resources and Corporate Planning Tammy Isaachsen, Acting Manager, Communications and Public Engagement Clay Reitsma, Director, Engineering Don Stewart, Director, Parks and Recreation Lane Killick, Chief Building Inspector Tricia Mayea, Deputy Corporate Officer Alyssa Meiner, Information Management Officer Shaun Mason, Municipal Forester Glenn Morris, Development Planning Coordinator Chris Osborne, Manager, Planning Dave Preikshot, Senior Environmental Specialist Walter Wiebe, Senior Manager, Financial Services Mark Frame, Project Manager

1. CALL TO ORDER

Council observed 215 seconds of silence to honour the memory of the 215 indigenous children whose remains were found at the site of the former Kamloops Indian Residential School on the Tk'emlúps te Secwépemc First Nation.

There being a quorum present, Mayor Siebring called the meeting to order at 1:40 p.m.

2. APPROVAL OF CONSENT AGENDA

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

- 2.2.1 Letter from the City of Langford

- 2.2.2 Email re noise created by vehicles travelling between Maple Mountain and the Crofton School
- 2.2.5 Request for a new high school
- 2.2.8 Email regarding automated garbage and recycling pick-up service
- 2.2.9 Email regarding the Kingsview Development
- 2.2.12 Email to Chair of the Environmental Advisory Committee

IT WAS MOVED AND SECONDED:

That the remaining items in the Consent Agenda be approved.

CARRIED

2.1 That the following minutes be received for information purposes only:

2.1.1 May 12, 2021 Official Community Plan Community Ambassador Teams

2.1.2 May 13, 2021 Official Community Plan Community Ambassador Teams

ADOPTED ON CONSENT

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

2.2.3 Email re use of Crime Stoppers

2.2.4 Letter from the Village of Gold River

2.2.6 Trails Strategy Review Report

2.2.7 Letter from the District of Sooke

2.2.10 Letter regarding mining claim on Mount Sicker

2.2.11 Letter regarding the Twin Gables Motel property

2.2.13 Emails received in relation to a Ted Talk video from Suzanne Simard on "How Trees Talk to Each Other"

2.2.14 Emails received in relation to stop logging in the Municipal Forest Reserve

2.2.15 Emails received in relation to the proposed cell towers at Mount Tzouhalem and Evans Field

ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

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

(1) An item in relation to the former Residential School on the Tk'emlúps te Secwépemc First Nation, under section 12. New Business.

(2) An item closed under Section 90(1)(c) of the *Community Charter*, under section 14. Closed Session

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

4. ADOPTION OF MINUTES

4.1 Regular Council meeting held May 19, 2021 for adoption

An error was noted in the minutes and were corrected by changing the word 'watershed' to 'aquifer' under item 12.5.

IT WAS MOVED AND SECONDED:

That Council adopt the minutes of their regular meeting held May 19, 2021, as amended.

CARRIED

5. MAYOR'S REPORT

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

6. DELEGATIONS AND PRESENTATIONS

6.1 Cowichan Valley Intentional Recovery Centre

Bernie Willock of the Cowichan Valley International Recovery Centre provided a presentation regarding the Therapeutic Recovery Community proposed for women at the St. Joseph School property (9745 Elm Street, Chemainus), and answered questions of Council.

7. PUBLIC INPUT

Council received public input from 4 members of the public regarding agenda item 12.2.

Council, by unanimous consent, recessed at 2:42 p.m. and reconvened at 2:52 p.m.

8. BYLAWS

Due to technical difficulties Councillor Justice left the meeting at 2:51 p.m. and returned at 2:52 p.m.

8.1 Delegation of Authority Bylaw No. 3814, 2021 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Delegation of Authority Bylaw, No. 3814, 2021.

(Opposed: Justice and Marsh)

CARRIED

8.2 Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021 for adoption

IT WAS MOVED AND SECONDED:

That Council adopt Nuisance Abatement and Cost Recovery Amendment Bylaw No. 3832, 2021.

CARRIED

Due to technical difficulties Councillor Justice left the meeting at 3:34 p.m. and returned at 3:38 p.m.

8.3 Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 for first and second readings

IT WAS MOVED AND SECONDED:

That Council give first and second readings to Zoning Amendment Bylaw (Apartment – Lot A, Skinner Road), 2021, No. 3824 and;

That a Public Hearing be scheduled for Zoning Amendment Bylaw (Apartment Building – Lot A, Skinner Road), 2021, No. 3824 and notification be issued following the *Local Government Act* requirements.

CARRIED

9. REPORTS

9.1 REPORTS FOR DECISION

9.1.1 North Cowichan Civic Building – Tender Package 2

Councillor Toporowski left the meeting at 3:45 p.m. and returned to the meeting at 3:46 p.m., after the vote was taken on the following resolution.

IT WAS MOVED AND SECONDED:

That Council award the contract for the:

1. C-011 Building Envelope and Cladding Finishes to Flynn Canada Ltd. for \$2,477,000 plus GST;
2. C-013 Glazed Aluminum Curtain Wall and Sunshade Systems to Visionary Glass Inc. for \$823,750 plus GST; and,
3. C-014 Civil Work (Excluding Paving) to Milestone Equipment Contracting Inc. for \$555,668 plus GST. CARRIED

9.1.2 Building Clerk – Two Year Temporary Position

IT WAS MOVED AND SECONDED:

That Council approve a temporary Building Clerk position, to be funded by increased building permit revenue, for a term of two years. CARRIED

9.2 REPORTS FOR INFORMATION

None.

10. NOTICES OF MOTIONS

10.1 Inviting Dr. Suzanne Simard to Speak at North Cowichan

Councillor Sawrie provided notice of the following motion which will be considered under New Business at the June 16, 2021 Regular Council meeting:

“That Council direct the Mayor and Staff to:

1. *Invite Suzanne Simard to give a public virtual presentation about her work with local context on our forests as part of the education for the Municipal Forest Reserve review followed by a question and answer period.*
2. *Send a letter to Bond Group Entertainment, inviting them to film Suzanne Simard’s memoir Finding the Mother Tree in North Cowichan.”*

11. UNFINISHED AND POSTPONED BUSINESS

11.1 Proposed Cell Tower on Mount Tzouhalem

Councillor Marsh was given permission by Council to withdraw her original April 7, 2021 motion to *“instruct staff to offer Rogers an alternate location for their proposed cell tower on Mount Tzouhalem that is at least 500 metres from homes or existing or possible future zoning for homes”* along with the subsidiary motion to postpone consideration of the motion, by unanimous consent.

Council, by unanimous consent, recessed the meeting at 3:51 p.m. and reconvened at 4:01 p.m.

12. NEW BUSINESS

12.1 Management of Municipal Forest

IT WAS MOVED AND SECONDED:

That the following motion:

"Whereas subjective/misinformation regarding possibilities for the future management of the Municipal Forests is being published in local media and on social media, including from former Council members and others whose opinions could more readily be accepted by the public as correct, potentially resulting in greater weight and/or biased, entrenched beliefs, before the consultation itself has taken place;

And further given that the public needs access to the same open information Council is privy to, in order to make an informed decision, and considering The Municipality reported to the community that consultation will be on hold while Council completes consultations with the Cowichan Nations quite shortly after the 3Green Tree presentation, this has further opened the door for the public to get attached to the incorrect/subjective and incomplete information that is being spread in the community as has been alluded to above;

Therefore be it resolved that Council direct staff to post the COW Meeting of July 7, 2020 video link (attached) by 3GreenTree's and UBC's faculty, Dr. Brad Seely, Dr. Clive Walham and Dr. Peter Arcese on our MNC social media including the FB page, explaining that misleading information has been circulating in the community and these are some initial actual potential scenarios, including cost/benefit analysis and further explaining that Council is interested in considering any other potential scenarios that may come forward once consultation resumes. Also a link to the written report (also attached from UBC to COW July 7, 2020 on pages 6-88 of that agenda). These are available on the website already so it is public information, as is the other attached information Council has received including the report UBC tabled to COW on July 7, 2020 on pages 6 – 88. The other attachments to this report are public information on the website as well.

Additionally, that Council direct staff via social media, as part of the same link and message suggested above, to invite citizens to subscribe to the new notifications process where they can select subjects of their interest and receive updates on them in their inbox going forward. This way MNC leads the narrative on our plans and initiatives and what each department listed is up to at any given time. Anyone who has already signed up should get these links in their inbox as soon as possible"

be amended by replacing the motion with "That Council direct staff to:

- 1. Make the 3GreenTree/UBC video and other forestry education for the MFR review more clearly accessible on the MNC website.*
- 2. Post the 3GreenTree/UBC video on MNC's social media channels along with the link to the forestry review webpage and an invitation to subscribe for future update emails on the subject".*

CARRIED

IT WAS MOVED AND SECONDED:

That Council direct staff to:

1. Make the 3GreenTree/UBC video and other forestry education for the MFR review more clearly accessible on the MNC website.
2. Post the 3GreenTree/UBC video on MNC's social media channels along with the link to the forestry review webpage and an invitation to subscribe for future update emails on the subject. CARRIED

IT WAS MOVED AND SECONDED:

That the meeting be extended to 9:00 p.m. CARRIED

Council, by unanimous consent, recessed the meeting at 4:49 p.m. and reconvened at 5:30 p.m.

12.2 Potential Downzoning of 9090 Trans-Canada Highway

IT WAS MOVED AND SECONDED:

That staff be directed to bring forward a zoning amendment bylaw to rezone 9090 Trans-Canada Highway (PID 009-885-200) from Residential Mobile Home Park Zone (R5) to Rural Zone (A2) to achieve consistency with the Official Community Plan.

(Opposed: Manhas, Sawrie, Siebring, Toporowski)

DEFEATED

12.3 Union of BC Municipalities (UBCM) Convention

Council was asked to forward the names of Minister's they'd like to meet with at the 2021 UBCM Convention to Terri Brennan for consideration at the June 16, 2021 regular meeting.

The deadline to submit meeting requests to UBCM is June 30, 2021.

12.4 Cowichan Land Trust's advice and recommendation regarding Official Community Plan Update Project

IT WAS MOVED AND SECONDED:

That the advice and recommendations from the Cowichan Land Trust regarding Official Community Plan Update Project be referred to Modus, the OCP Advisory Committee and the Environmental Advisory Committee. CARRIED

12.5 Consent Agenda Item 2.2.1 [Letter from the City of Langford]

IT WAS MOVED AND SECONDED:

That the Mayor be authorized to write a letter to Premier Horgan in support of the City of Langford's letter in support of Hospital Security Staff be given the authority and necessary training to take custody of patients. CARRIED

12.6 Consent Agenda Item 2.2.2 [Email re noise created by vehicles travelling between Maple Mountain and the Crofton School]

This item was discussed.

12.7 Consent Agenda Item 2.2.5 [Request for a new high school]

This item was discussed.

12.8 Consent Agenda Item 2.2.8 [Email regarding automated garbage and recycling pick-up service]

This item was discussed.

12.9 Consent Agenda Item 2.2.9 [Email regarding the Kingsview Development]

This item was discussed.

12.10 Consent Agenda Item 2.2.12 [Email to Chair of the Environmental Advisory Committee]

Staff will respond to the email.

12.11 Residential School on the Tk'emlúps te Secwépemc First Nation

IT WAS MOVED AND SECONDED:

That the following motion:

"Whereas the recent discovery of the remains of more than 200 aboriginal children at the site of a former Residential School on the Tk'emlúps te Secwépemc First Nation territory has once again brought to light the dark past of the Residential School system, and

Whereas there may be other sites in this country where similar conditions exist, and

Whereas some First Nations, Métis groups, or Inuit Councils may be interested in pursuing further investigation of these sites,

Therefore be it resolved:

That Council authorize the Mayor to write to the Prime Minister and other federal and provincial officials, as appropriate, to request that:

- the Federal Government commit to providing adequate resourcing to any First Nation, Métis governance organization, or Inuit Council in Canada which requests - by way of a Band Council Resolution or other appropriate communication from a legitimately representative body of the organization - a desire to investigate, with ground penetrating radar or other means, the possibility that remains of Residential School residents may be interred on the grounds of those former schools or elsewhere within their traditional territories,*
- and that this resourcing also include funds to scientifically ascertain the identities of any found remains,*
- and that this resourcing also include funds to repatriate any found remains to their families, clans, or nations of origin.*

And be it further resolved that a copy of this Resolution be forwarded to all member municipalities of the Union of BC Municipalities, with a request for their support of this initiative."

be amended by striking out 'more than 200' in the first sentence and replacing it with '215'

CARRIED

IT WAS MOVED AND SECONDED

That the following motion:

Whereas the recent discovery of the remains of 215 aboriginal children at the site of a former Residential School on the Tk'emlúps te Secwépemc First Nation territory has once again brought to light the dark past of the Residential School system, and

Whereas there may be other sites in this country where similar conditions exist, and

Whereas some First Nations, Métis groups, or Inuit Councils may be interested in pursuing further investigation of these sites,

Therefore be it resolved:

That Council authorize the Mayor to write to the Prime Minister and other federal and provincial officials, as appropriate, to request that:

- *the Federal Government commit to providing adequate resourcing to any First Nation, Métis governance organization, or Inuit Council in Canada which requests - by way of a Band Council Resolution or other appropriate communication from a legitimately representative body of the organization - a desire to investigate, with ground penetrating radar or other means, the possibility that remains of Residential School residents may be interred on the grounds of those former schools or elsewhere within their traditional territories,*
- *and that this resourcing also include funds to scientifically ascertain the identities of any found remains,*
- *and that this resourcing also include funds to repatriate any found remains to their families, clans, or nations of origin,*

And be it further resolved that a copy of this Resolution be forwarded to all member municipalities of the Union of BC Municipalities, with a request for their support of this initiative.

be amended by adding the clause "*And be it further resolved that the letter include a request that the government implement the 94 Calls to Action of the Truth and Reconciliation Commission of Canada*" before the final clause.

CARRIED

IT WAS MOVED AND SECONDED:

Whereas the recent discovery of the remains of 215 aboriginal children at the site of a former Residential School on the Tk'emlúps te Secwépemc First Nation territory has once again brought to light the dark past of the Residential School system, and

Whereas there may be other sites in this country where similar conditions exist, and

Whereas some First Nations, Métis groups, or Inuit Councils may be interested in pursuing further investigation of these sites,

Therefore be it resolved:

That Council authorize the Mayor to write to the Prime Minister and other federal and provincial officials, as appropriate, to request that:

- the Federal Government commit to providing adequate resourcing to any First Nation, Métis governance organization, or Inuit Council in Canada which requests -

by way of a Band Council Resolution or other appropriate communication from a legitimately representative body of the organization - a desire to investigate, with ground penetrating radar or other means, the possibility that remains of Residential School residents may be interred on the grounds of those former schools or elsewhere within their traditional territories,

- and that this resourcing also include funds to scientifically ascertain the identities of any found remains,
- and that this resourcing also include funds to repatriate any found remains to their families, clans, or nations of origin,

And be it further resolved that the letter include a request that the government implement the 94 Calls to Action of the Truth and Reconciliation Commission of Canada,

And be it further resolved that a copy of this Resolution be forwarded to all member municipalities of the Union of BC Municipalities, with a request for their support of this initiative. CARRIED

13. QUESTION PERIOD

Council received no questions from the public regarding agenda items.

14. CLOSED SESSION

IT WAS MOVED AND SECONDED:

That Council close the June 2, 2021 Regular Council meeting at 7:30 p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- 90(1)(c) - *labour relations or other employee relations;*
 - 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.*
- CARRIED

14.1 Minutes from the May 5, 2021 regular closed Council for adoption

14.2 Closed under section 90(1)(e) Land disposition

14.3 Closed under section 90(1)(c) Labour relations or other employee relations

15. RISE AND REPORT

Council rose and reported on this item:

Notice of proposed lease to Cowichan Green Community Society

IT WAS MOVED AND SECONDED:

That Council authorize staff to publish the notice of intention to lease 2431 Beverly Street to the Cowichan Green Community Society for less than market rent. CARRIED

16. ADJOURNMENT

Council adjourned the meeting at 7:45 p.m.

Certified by Corporate Officer

Signed by Mayor