

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, August 18, 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 177 742 8056, 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 draft minutes from the following meetings be received for information purposes only:

2.1.1. June 22, 2021 Environmental Advisory Committee

2.1.2. July 20, 2021 Environmental Advisory Committee

2.1.3. August 11, 2021 OCP Advisory Group meeting

2.2. Correspondence

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

- 2.2.1. Emails in relation to the proposed development of 9090 Trans-Canada Highway**
- 10 emails were received from residents who have concerns (e.g. flooding, wetlands, water supply, wildlife habitat, fencing, construction noise, traffic and road safety) regarding the proposed development and potential downzoning of 9090 Trans-Canada Highway.
- 2.2.2. Emails received in relation to the Bell McKinnon Local Area Plan and OCP growth scenario**
- 5 emails were received over the lack of innovative approaches to industrial lands in the OCP growth recommendation and the potential quashing of the Bell McKinnon Local Area Plan, including feedback from local residents to maintain existing plan and another who feels Council should apply holistic planning principles (rewilding and regenerative development).
- 2.2.3. Emails received in relation to the removal of the cross on Mt. Tzouhalem**
- 3 emails were received regarding the removal of the cross on Mt. Tzouhalem with suggestions for replacement.
- 2.2.4. Email regarding the benefits from forest carbon credits**
- Request that Council stop logging, consider applying for all available carbon credits, and restart public engagement.
- 2.2.5. Email regarding the Platinum Cannabis Store's application**
- Request that Council send a letter to the General Manager of Licensing at the LCRB in support of Platinum Cannabis Store application.
- 2.2.6. Email regarding noise from the Vancouver Island Motorsport Circuit**
- Concerned about the distance the noise from the Vancouver Island Motorsport Circuit travels.
- 2.2.7. Email regarding speed tables approved for Indian Road**
- Resident is not in support of the speed tables approved for Indian Road.
- 2.2.8. Letter regarding the forestry sector**
- Letter from The Truck Loggers Association thanking Council for the opportunity to present and collaborate on the current issues facing the forestry sector.
- 2.2.9. Email regarding Parrot's Feather invasion of Somenos Creek**
- Request that Council take action to remove Parrot's Feather from Somenos Creek.
- 2.2.10. Email regarding Rowing Canada's use of Quamichan Lake**
- Request that Council work with Victoria and Ottawa to declare Quamichan Lake an eco-zone.
- 2.2.11. Letter from City of Langley regarding resolution**
- Letter from City of Langley to Premier Horgan and Minister Dix regarding a resolution on improvements to pre-hospital care system.

- 2.2.12. Email regarding banning single-use plastics**
Request that Council legally ban all single-use plastic materials in North Cowichan.
- 2.2.13. Email regarding housing supply and affordability**
Concerned with housing supply and affordability in the Cowichan Valley.
- 2.2.14. Letter from Help Cities Lead Steering Committee**
Update from the Steering Committee for Council's supporting of their Help Cities Lead initiative.
- 2.2.15. Email regarding speeding on Cairnsmore Street**
Request Council consider installing speed bumps on Cairnsmore Street.
- 2.2.16. Email regarding Wildfires**
Requests Council consider preventive measures to protect the Cowichan Valley from wildfires.
- 2.2.17. Email regarding flavoured vaping products**
Email from Executive Director, Action on Smoking & Health requesting Council urge Health Canada to ban all flavoured vaping products and express support by participating in survey which closes on September 2.

3. 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 unless changed at this time.

Recommendation:
THAT the agenda be adopted as circulated [or as amended].

4. ADOPTION OF MINUTES

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

4.1. Minutes from the July 21, 2021 regular meeting for adoption

Recommendation:
THAT Council adopt the minutes of their regular meeting held July 21, 2021.

5. MAYOR'S REPORT

6. DELEGATIONS AND PRESENTATIONS

6.1. Forestry Awareness

Purpose: Stewart Muir, Executive Director, Resource Works to present to Council "Forestry in BC: Setting the record straight" as a method of building awareness about the present status of forest practices and forest management in British Columbia.

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. South End Water Local Area Service Enlargement (7900 Mays Road) Bylaw No. 3840, 2021 for adoption

Purpose: To consider adoption of South End Water Local Area Service Enlargement (7900 Mays Road) Bylaw No. 3840, which received first three readings at the July 21, 2021 regular Council meeting. If adopted, this bylaw will permit 7900 Mays Road to be included in the South End Water Local Area Service.

Recommendation:

THAT Council adopt South End Water Local Area Service Enlargement (7900 Mays Road) Bylaw No. 3840, 2021.

8.2. Forest Use, Bylaw Offence Notice Enforcement, and Municipal Ticket Information Systems Bylaw Amendments for adoption

Purpose: To consider adoption of Forest Use Amendment Bylaw No. 3833, 2021, Municipal Ticket Information Systems Amendment Bylaw No. 3834, 2021 and Bylaw Offence Notice Enforcement Amendment Bylaw No. 3835, 2021, which received first three readings at the July 21, 2021 regular Council meeting. If adopted, these bylaws will permit increasing penalties for offences related to the Municipal Forest Reserve.

Recommendation:

THAT Council adopt:

1. Forest Use Amendment Bylaw No. 3833, 2021;
2. Municipal Ticket Information System Amendment Bylaw No. 3834, 2021; and,
3. Bylaw Offence Notice Enforcement Amendment Bylaw No. 3835, 2021.

8.3. Fireworks Regulation Bylaw No. 3810, 2021 for adoption

Purpose: To consider adoption of Fireworks Regulation Bylaw No. 3810, 2021, which received first three readings at the July 21, 2021 regular Council meeting. If adopted this bylaw will regulate the use of fireworks.

Recommendation:

THAT Council adopt Fireworks Regulation Bylaw No. 3810, 2021.

8.4. Fees and Charges Amendment Bylaw (Telecommunications Statement of Concurrence Applications) No. 3839, 2021 for adoption

Purpose: To consider adoption of Fees and Charges Amendment Bylaw (Telecommunications Statement of Concurrence Applications) No. 3839, 2021, which received first three readings at the July 21, 2021 regular Council meeting. If adopted, a fee of \$1,000 will be collected to resource the staff time involved in processing applications.

Recommendation:

THAT Council adopt Fees and Charges Amendment Bylaw (Telecommunications Statement of Concurrence Applications) No. 3839, 2021.

8.5. Zoning Amendment Bylaw (6353 Genoa Bay Road) No. 3847, 2021 for first and second readings

Purpose: To introduce Bylaw No. 3847, which proposes a site-specific zoning amendment for 6353 Genoa Bay Road, to permit a second detached dwelling unit in addition to a principal single family dwelling in the Rural Residential (R1) Zone.

Recommendation:

THAT Council give first and second reading to Zoning Amendment Bylaw No. 3847, 2021 to permit a second detached residential dwelling at 6353 Genoa Bay Road and a public hearing be scheduled for Bylaw No. 3847 in accordance with the *Local Government Act*.

9. REPORTS

9.1. REPORTS FOR DECISION

9.1.1. Temporary Mobile Home Permit Application for 5840 Menzies Road

Purpose: To consider a request for a Temporary Mobile Home Permit (TMHP) to authorize the placement of a separate (mobile home) accommodation for the owner's child and her family at 5840 Menzies Road.

Recommendation:

THAT Council authorize Temporary Mobile Home Permit No. TTP00081/3070-20 20.03 to be issued to Marianne Kinzel for the placement of a temporary mobile home at 5840 Menzies Road, as shown on the Site Plan attached as Schedule 1 to the Permit, for a term of one year, expiring on August 18, 2022.

9.1.2. Illegal Suites Enforcement

Purpose: To update Council on impacts related to the enforcement of illegal suites.

Recommendation:

THAT Council direct staff to draft a policy regarding the enforcement of illegal suites and formalizing the approach thereof, substantially as set out in the Planning Manager's report dated August 18, 2021.

9.1.3. Resuming Public Engagement on the Future of the Municipal Forest Reserve

Purpose: To provide an update on the Memorandum of Understanding (MOU) with Cowichan Nation and seek direction from Council about the process of considering resuming public engagement on the future of the management of the Municipal Forest Reserve (MFR).

Recommendation:

THAT Council direct staff to invite Lees & Associates to present an updated engagement plan and options for the future of the management Municipal Forest Reserve (MFR), which include amended timelines and associated costs for each option, prior to Council resuming the public engagement on the MFR.

9.1.4. Forestry Review - Educational Resources

Purpose: To provide Council with information regarding potential educational opportunities that could be hosted or shared online as part of the forestry review prior to resumption of the public engagement process.

Recommendation:

THAT Council direct Staff to:

1. Create a section on the Municipality's Forestry Review and Engagement webpage that includes links to the recommended educational opportunities/resources for the public to access; and,
2. Organize a tour led by the Municipal Forester and promote it to members of the public utilizing all appropriate methods so that interested parties may attend prior to the restart of public engagement.

9.1.5. 2021 Environmental Advisory Committee Workplan

Purpose: To consider the projects and initiatives proposed by the Environmental Advisory Committee for implementation in their 2021 Environmental Advisory Committee Workplan (the "Workplan").

Recommendation:

THAT Council:

1. Approve the Environmental Advisory Committee (EAC) 2021 Workplan, subject to the following items being removed from the Workplan:
 - a. [Council to identify the item number and description of any item that is to be removed]; and
2. Direct staff to work with the EAC Chair to prioritize the items listed in Section A of the EAC Workplan for implementation in 2021

9.1.6. Clean BC Better Homes – 2021 Program Update

Purpose: To provide Council with the additional analysis and background information requested on July 21, 2021, regarding the Clean BC Better Homes and Home Renovation Rebate Program (the "Program") so that they can make a decision on whether to continue funding the Program.

Recommendation:

THAT Council allocate an additional \$25,600 from the Climate Action and Energy Plan Reserve Fund towards the Clean BC Better Homes Renovation Program in 2021 and establish an annual allocation of up to \$40,000 for 2022 and 2023.

9.1.7. Use of Municipal Coat of Arms

Purpose: To discuss with Council the current use of North Cowichan's Municipal Coat of Arms and determine Council's direction about its continued use.

Recommendation:

THAT Council direct staff to retire the use of the Municipality of North Cowichan coat of arms and remove, when timely and where feasible, all instances where the coat of arms is currently in use.

9.2. REPORTS FOR INFORMATION

9.2.1. Quarterly Community Safety Plan Update

Purpose: To update Council on the actions undertaken by Municipal staff and members of the Joint Local Government Safer Working Group to date, including the Corridor Safety Office and enforcement.

9.2.2. Official Community Plan Project Update

Purpose: To provide Council with an OCP Project status update on progress made to date, work that is underway, upcoming tasks, and an updated project timeline.

10. NOTICES OF MOTIONS

11. UNFINISHED AND POSTPONED BUSINESS

12. NEW BUSINESS

12.1. Regular Pumping Out of Septic Tanks to Support the Health of Water Bodies

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

Recommendation:

WHEREAS Council has prioritized the importance of environmental policies and practices to support the future health of North Cowichan;

AND WHEREAS the regular pumping out of septic tanks may be an effective method for preventing nutrients and bacteria from entering nearby water systems;

AND WHEREAS the cost of regular pumping out of septic tanks and effluent disposal may be cost prohibitive for some residents;

THEREFORE BE IT RESOLVED THAT Council direct staff to prepare an analysis of options to reduce the environmental and other impacts caused by private septic tanks or ineffective septic fields.

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 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.

14.1. Closed minutes from the July 21, 2021 meeting for adoption

14.2. Closed under section 90(1)(e) land - potential lease

15. RISE AND REPORT

16. ADJOURNMENT