

Municipality of North Cowichan Regular Council MINUTES

January 18, 2023, 5:00 p.m.

Municipal Hall - Council Chambers & Electronically

Members Present	Mayor Rob Douglas Councillor Mike Caljouw Councillor Bruce Findlay Councillor Chris Istace Councillor Christopher Justice Councillor Tek Manhas Councillor Debra Toporowski
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) George Farkas, General Manager, Planning, Development and Community Services Talitha Soldera, General Manager, Corporate Services Alyssa Meiner, Information Management Officer Barb Floden, Manager, Communications and Public Engagement Chris Osborne, Manager, Planning Clay Reitsma, Director, Engineering Dave Preikshot, Senior Environmental Specialist David Conway, Director, Engineering Projects Heather Power, Legislative Coordinator Kim Ferris, Manager of Bylaw and Licensing Jennifer Aldcroft, Climate Change Specialist Manuela Herzig, Director, Information Technology and Business Solutions Marla Laycock, Director, Human Resources and Health & Safety Martin Drakeley, Fire Chief, Senior Manager of Bylaw Services Michelle Martineau, Corporate Officer Neil Pukesh, Director, Parks and Recreation Patricia Taylor, Planner Rob Conway, Director, Planning and Building Shawn Cator, Director, Operations

1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 5:03 p.m.

2. APPROVAL OF CONSENT AGENDA

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

- (1) Item 2.1.2 [Committee of the Whole Recommendation for Endorsement]
- (2) Item 2.2.3 [North Cowichan Resident Re: Amendment to Consent Agenda Policy]
- (3) Item 2.2.4 [North Cowichan Resident Re: Henry Road Safety Assessment]

IT WAS MOVED AND SECONDED:

THAT Council approve the Consent Agenda, as amended, and the recommendations contained therein. CARRIED

2.1 Items for decision

2.1.1 Council Meeting Minutes for Adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt the minutes of their regular meeting held December 21, 2022. ADOPTED ON CONSENT

2.2 Items for information

2.2.1 Quarterly List of Supplier Payments

IT WAS MOVED AND SECONDED:

THAT Council receive for information the 4th Quarter Payment Listing (October – December 2022) report. ADOPTED ON CONSENT

2.2.2 Provincial Legislation related to the use of groundwater in British Columbia

IT WAS MOVED AND SECONDED:

THAT Council receive the Senior Environmental Specialist's report dated January 18, 2023, for information. ADOPTED ON CONSENT

2.2.5 Office of the Lieutenant Governor of British Columbia Re: Year End Report for 2022

IT WAS MOVED AND SECONDED:

THAT Council receive the December 19, 2022 year-end report for 2022 from the Office of the Lieutenant Governor of British Columbia. ADOPTED ON CONSENT

2.2.6 Agricultural Land Commission (ALC) Re: Congratulations on Election

IT WAS MOVED AND SECONDED:

THAT Council receive the December 23, 2022 email from the Agricultural Land Commission. ADOPTED ON CONSENT

2.2.7 Honours and Awards Secretariat: Order of British Columbia

IT WAS MOVED AND SECONDED:

THAT Council receive the January 9, 2023 email from Lucy Lobmeier, Honours and Awards Secretariat. ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

The agenda was amended as follows:

- (1) The following Consent Agenda items were added to Section 11 [New Business]:
 - (a) Item 2.1.2 Committee of the Whole Recommendation for Endorsement as item 11.1;
 - (b) Item 2.2.3 North Cowichan Resident Re: Amendment to Consent Agenda Policy as item 11.2; and
 - (c) Item 2.2.4 North Cowichan Resident Re: Henry Road Safety Assessment as item 11.3

(2) Added a late item [Parks and Trail Capital Plan for Mount Richards] as item 11.4

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended.

CARRIED

4. **MAYOR'S REPORT**

Mayor Douglas and Acting Mayor Toporowski provided a verbal update on meetings and activities they recently attended.

5. **DELEGATIONS**

5.1 **Somenos Marsh Wildlife Society**

Paul Fletcher, on behalf of Somenos Marsh Wildlife Society provided a presentation to Council on the Society's 2022 North Cowichan Service Agreement achievements and outlined what is ahead for this work in 2023.

6. **PUBLIC INPUT ON AGENDA ITEMS**

IT WAS MOVED AND SECONDED:

THAT Council suspend the rules to wave the limit on the number of speakers permitted to allow the 6 individuals to be heard during public input. CARRIED

IT WAS MOVED AND SECONDED:

THAT the motion previously adopted be amended to strike out "the 6 individuals". CARRIED

Council received public input from 6 members of the public regarding agenda items 2.1.2, 9.1 and 10.2.

IT WAS MOVED AND SECONDED:

THAT Council suspend the rules and amend the agenda to move Item#10.2 directly after #6 Public Input and prior to #7 Bylaws. CARRIED

7. **BYLAWS**

7.1 **Zoning Amendment Bylaw (6478, 6494, 6493, 6489 from R1 & 6495 Paddle Road from CD10 to CD22), No. 3867 for adoption**

IT WAS MOVED AND SECONDED:

THAT Council adopt "Zoning Bylaw Amendment Bylaw No. 3867 (6478, 6494, 6493, 6489 from R1 & 6495 Paddle Road from CD10 to CD22), 2022". CARRIED

8. **REPORTS**

8.1 **Audit Planning Report**

IT WAS MOVED AND SECONDED:

THAT Council approve the Audit Plan presented by KPMG for the consolidated financial statements of the District of North Cowichan and the Joint Utilities Board for the year ended December 31, 2022. CARRIED

8.2 Electrifying the Municipal Light-duty Fleet

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Endorse the electrification of 12 light-duty vehicles between 2023-2025;
- (2) Allocate \$219,390 to cover the electric premium of 12 vehicles, with \$144,114 from the Climate Action and Energy Plan Corporate Reserve Fund as a corporate loan and \$75,276 from the Local Government Climate Action Program grant; and,
- (3) Allocate \$125,000 for fleet electric vehicle charging station installation, from the Local Government Climate Action Program grant. (Opposed: Caljouw, Findlay, Manhas)

CARRIED

8.3 Implementation Plan for Automation of Curbside Collection

IT WAS MOVED AND SECONDED:

THAT Council refer the "Implementation Plan for Automation of Curbside Collection" to the next meeting and for staff to report back to Council on cost savings for an 80 litre cart size for garbage and organics.

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council adjourn the meeting at 7:24 p.m. to reconvene at the close of the Public Hearing Meeting.

CARRIED

The meeting was reconvened at 8:10 p.m.

IT WAS MOVED AND SECONDED:

THAT Council extend the meeting to 10 p.m.

CARRIED

9. NOTICES OF MOTIONS

9.1 Urban Containment Boundary – 24 month Amnesty

Councillor Findlay introduced the following motion which Council will consider at the February 1, 2023 regular Council meeting:

"That Council provide a 24-month "amnesty" period for all owners whose properties were excluded from the revised Urban Containment Boundary (UCB) included in the Official Community Plan, in order for those property owners to provide notice to North Cowichan staff of their intention to proceed with their property development options, which had been available to them prior to the UCB change."

10. UNFINISHED AND POSTPONED BUSINESS

10.1 FortisBC Statutory Right of Way

IT WAS MOVED AND SECONDED:

THAT Council authorize the disposition of a portion of the rear parking area near the ice arena at the Cowichan Community Centre, legally described as Lot 1, Plan VIP82333 (PID 026-922-142), in the form of a Statutory Right of Way, substantially located in the area identified by the black dashed line in Attachment 1 to the January 18, 2023 report from the Director, Engineering Projects, to FortisBC, in exchange for FortisBC paying all costs

associated with completing the survey and registration of the Statutory Right of Way with the LTSA Land Title Office, and subject to the Council for the City of Duncan approving the terms of this disposition. CARRIED

10.2 Licence of Occupation – A Place to Be

IT WAS MOVED AND SECONDED:

THAT Council refer the issue of the location of a temporary daytime warming and cooling shelter for people experiencing homelessness back to the Cowichan Housing Association and ask that they work with staff from North Cowichan and the City of Duncan to look for an alternate site location. (Opposed: Manhas, Findlay)

CARRIED

11. NEW BUSINESS

**11.1 Committee of the Whole Recommendations for Endorsement
[Consent Agenda Item 2.1.2]**

IT WAS MOVED AND SECONDED:

THAT Council reconsidered the amount for the Take a Hike Foundation and award them \$1500. (Toporowski, Justice Opposed)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to add the Chemainus Valley Historical Society and the Cowichan Historical Society as a yearly line item in the grant in aid budget. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council approve grant in aid amounts for 2023 for a total of \$223,900 allocated as follows:

- (1) BC Forest Discovery Centre – BC Forest Museum \$25,000
- (2) Chemainus and District Chamber of Commerce \$27,500
- (3) Duncan Cowichan Chamber of Commerce \$34,000
- (4) Cowichan Neighbourhood House Association \$38,600
- (5) Chemainus BC BIA – Flower Baskets \$24,000
- (6) Chemainus Theatre Festival Society \$20,000
- (7) Chemainus Cemetery (St Michael's and All Angels Church) \$1,000 to offset water and garbage fees
- (8) Chemainus Communities in Bloom \$7,600
- (9) Cowichan Valley Basket Society \$3,000
- (10) Cowichan – Bring Back Bluebirds \$2,000
- (11) WildsafeBC \$3,000
- (12) Chemainus Rotary Club \$500
- (13) Chemainus Valley Historical Society \$8,500
- (14) Cowichan Historical Society \$5,500
- (15) Cowichan Music Festival \$200
- (16) Maple Bay Community Association – Canada Day \$3,500
- (17) Somenos Community Association \$7,000
- (18) Vimy Community Club \$3,000
- (19) Westholme School Society \$5,000
- (20) Cowichan Rugby Club \$5,000

AND THAT the unallocated portion not be brought forward in the 2023 budget. CARRIED

**11.2 North Cowichan Resident Re: Amendment to Consent Agenda Policy
[Consent Agenda Item 2.2.3]**

IT WAS MOVED AND SECONDED:

THAT Council directs staff to amend the Consent Agenda Policy in such a way that names are no longer automatically redacted from correspondence. CARRIED

**11.3 North Cowichan Resident Re: Henry Road Safety Assessment
[Consent Agenda Item 2.2.4]**

IT WAS MOVED AND SECONDED:

THAT Council authorize the Mayor to send a letter to Ministry of Transportation and Infrastructure (MOTI) requesting reconsideration of the decision as set out in the letter from Mike Pierson reference EDAS2021-03762 received on 18 march 2022, in which indicates that sole access to 9090 Trans Canada Highway from the shared commercial access at Country Maple RV lot will not be supported, AND THAT subject to MOTI's reconsideration of that decision in agreement to single site access from the Trans Canada Highway that staff be directed to work with the DP000256 Permit holder request a revision to the development permit.

CARRIED

11.4 Parks and Trail Capital Plan [Signage] for Mount Richards [Late Item]

IT WAS MOVED AND SECONDED:

THAT Council defer the signage Capital Works Plan for Mount Richards to 2024 or until such time we get the recommendation coming back from our Parks and Recreation Department.

CARRIED

12. QUESTION PERIOD

Council received no questions from the public.

13. ADJOURNMENT

The meeting adjourned at 8:50 p.m.

Certified by Corporate Officer

Signed by Mayor