

Municipality of North Cowichan

Regular Council

MINUTES

May 3, 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 Anthony Price, Development Planner Barb Floden, Manager, Communications and Public Engagement Clay Reitsma, Director, Engineering David Conway, Director, Subdivision and Environmental Services Glenn Morris, Development Planning Coordinator Heather Power, Legislative Coordinator Kim Ferris, Manager, Bylaw and Business Licensing Services Marla Laycock, Director, Human Resources and Health & Safety Martin Drakeley, Fire Chief and Senior Manager, Bylaw Services Michelle Martineau, Corporate Officer Neil Pukesh, Director, Parks and Recreation 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 5:05 p.m.

2. APPROVAL OF CONSENT AGENDA

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

- (1) Item 2.2.1 [Edgar Dearden Re: Fossil Gas]
- (2) Item 2.2.2 [Martin and Judy MacDonald Re: Noise from Roster]

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

An error was noted under item 8.3 [Council Standards of Conduct Policy Review] after the agenda was originally published but prior to the meeting and was corrected and split into two separate resolutions.

IT WAS MOVED AND SECONDED:

THAT Council adopt the minutes of their special and regular meetings held April 19, 2023 as amended. ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

The agenda was amended as follows:

- Items 8.1 [1st Quarter Report for RCMP Activities] and 8.2 [2022 Audited Financial Statements] were brought forward so that Council could hear from Inspector Bear and the Auditors immediately following the Mayor's report, and
- Consent agenda items 2.2.1 [Edgar Dearden Re: Fossil Gas] and 2.2.2 [Martin and Judy MacDonald Re: Noise from Roster] were added to New Business.

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended. CARRIED

4. MAYOR'S REPORT

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

5. DELEGATIONS

None.

6. PUBLIC INPUT ON AGENDA ITEMS

Council received public input from 4 members of the public participating from Council Chambers and 1 person participating virtually regarding agenda items 2.2.1, 7.4 and 8.3.

7. BYLAWS

7.1 Public Notice Bylaw No. 3906 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Public Notice Bylaw No. 3906, 2023. CARRIED

7.2 2023 Tax Rates Bylaw No 3907 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Tax Rates Bylaw No. 3907, 2023. CARRIED

7.3 Zoning Amendment Bylaw No. 3908, 2023, for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

(1) Give first and second readings to Zoning Amendment Bylaw No. 3908, 2023; and,

- (2) Authorize a Public Hearing for Zoning Amendment Bylaw No. 3908, 2023 and notification in accordance with the *Local Government Act*. CARRIED

7.4 Zoning Amendment Bylaw No. 3909, 2023, for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) 1) Give first and second readings to "Zoning Amendment (Section 53 exemption) Bylaw No. 3909, 2023;"
- (2) (2) Authorize a Public Hearing for "Zoning Amendment (Section 53 exemption) Bylaw No. 3909, 2023" and notification in accordance with the *Local Government Act*; and,
- (3) (3) Amend subsection 3(a) of Second Dwelling Rural Lands Policy by striking out "92 m2 (990.28 ft2) or less" and inserting "90 m2 (968.75 ft2) or less of gross floor area" in its place. CARRIED

8. REPORTS

8.1 1st Quarter Report for RCMP Activities

Inspector Chris Bear presented the North Cowichan/Duncan RCMP Detachment's quarterly report for January to March 2023, and the Downtown Corridor and Area January to March 2023, and responded to questions from Council.

8.2 2022 Audited Financial Statements

The municipal auditors, Daniel Healey and Cameron Rice-Gural of KPMG presented their audit findings and responded to questions from Council.

IT WAS MOVED AND SECONDED:

THAT Council accept the 2022 Audited Financial Statements of the Municipality of North Cowichan and the Duncan-North Cowichan Joint Utilities Board. CARRIED

8.3 The Tee Box Liquor Primary Licence Application

IT WAS MOVED AND SECONDED:

THAT Council opt-out of the local government comment process for a liquor primary licence for the Tee Box located at 5869 York Road. CARRIED

8.4 Development Variance Permit Application No. DVP00073 for 6159 Lakes Road

IT WAS MOVED AND SECONDED:

THAT Council authorize the issuance of Development Variance Permit DVP00073 and grant a variance to section 53(6)(b) of Zoning Bylaw No. 2950, 1997, by reducing the front yard setback from 25 metres to 8.7 metres and the side yard setback from 15 metres to 14.3 metres for an existing building and proposed addition at 6159 Lakes Road, as outlined in bold in Attachment 4 appended to the May 3, 2023 report from the Development Planner. CARRIED

8.5 Temporary Mobile Home Permit Application for 5421 Winchester Road

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Authorize issuance of a Temporary Mobile Home Permit to Doug and Lindsey Scott for a temporary mobile home at 5421 Winchester Road for a term of one year, expiring May 3, 2024; and,
- (2) Relax the mobile home siting requirement under *section 10 (f)* of Temporary Mobile Home Permit Bylaw No. 1685 to permit the mobile home to be sited as shown in Attachment 5 of the Development Planning Coordinator's May 3, 2023 report. CARRIED

8.6 Purchase of 4 Automated Garbage Trucks

IT WAS MOVED AND SECONDED:

THAT Council authorize the purchase of three Freightliner M2-106 automated garbage trucks for \$1,577,204 and one Mack LR electric automated garbage truck for \$1,043,731 from Rollins Manufacturing Ltd. (Opposed: Findlay, Manhas)
CARRIED

9. NOTICES OF MOTIONS

9.1 Ecological Impact of Mountain Biking

Councillor Justice introduced the following motion which Council will consider at the May 17, 2023 regular Council meeting:

*"WHEREAS Council recognizes the Parks and Trails Master Plan goal of enhancing outdoor recreation and tourism in balance with conservation, as well as the growing reality of increasing use of the trail system, especially for mountain biking;
AND WHEREAS Council further recognizes the recent forestry public engagement which demonstrated widespread community interest in conservation, biodiversity and ecological services;
THEREFORE, Council directs staff, as an add-on to the biodiversity policy work, to:*

- (1) Assess, through literature review, the risks and impact of various types of trails and trail use, including but not limited to hiking, cross-country and downhill biking, equestrian, off leash dog walking, on wildlife, soils, ecology, vegetation and water;*
- (2) Suggest ways to mitigate real or potential risks to existing trails, where necessary; and,*
- (3) Identify areas where sanctioned trails should be avoided, either for certain trail uses or altogether."*

10. UNFINISHED AND POSTPONED BUSINESS

None

11. NEW BUSINESS

**11.1 Edgar Dearden Re: Fossil Gas
[Consent Agenda Item 2.2.1]**

Council discussed this item.

**11.2 Martin and Judy MacDonald Re: Noise from Rooster
[Consent Agenda Item 2.2.2]**

Council discussed this item.

12. QUESTION PERIOD

Council received no questions from the public regarding agenda items.

13. ADJOURNMENT

The meeting adjourned at 6:58 p.m.

Certified by Corporate Officer

Signed by Mayor