

# Municipality of North Cowichan

## Regular Council

### MINUTES

May 17, 2023, 4:00 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
Members Absent	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 Barb Floden, Manager, Communications and Public Engagement Clay Reitsma, Director, Engineering Dave Preikshot, Senior Environmental Specialist David Conway, Director, Subdivision and Environmental Services Heather Power, Legislative Coordinator Manuela Herzig, Director, Information Technology and Business Solutions Marla Laycock, Director, Human Resources and Health & Safety Michelle Martineau, Corporate Officer Neil Pukesh, Director, Parks and Recreation Rob Conway, Director, Planning and Building

#### 1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 4:00 p.m.

#### 2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

IT WAS MOVED AND SECONDED:

THAT Council close the meeting at 4:00 p.m. to the public on the basis of the following sections of the *Community Charter*.

- 90(1)(a) - personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.
- 90(1)(c) - labour relations or other employee relations.
- 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.

CARRIED

**3. CLOSED SESSION [4:00 - 5:00PM]**

The meeting resumed in-camera in the Large Committee Room at 4:02 p.m.

**3.1 Approval of in-camera meeting agenda**

**3.2 Adoption of in-camera meeting minutes**

**3.3 In-camera meeting items**

- 3.3.1 Closed under section 90(1)(a) – committee appointments
- 3.3.2 Closed under section 90(1)(a) – committee appointments
- 3.3.3 Closed under section 90(2)(b) – confidential information received from the Province
- 3.3.4 Closed under section 90(1)(c) – labour matter

**3.4 Rise and Report**

Council rose with report on items 3.3.1 [SWOFNC Appointments] and 3.3.2 [AAC Appointments] as follows:

**Sports Wall of Fame Nomination Committee Appointments**

IT WAS MOVED AND SECONDED:

THAT Council amend the terms of reference for the Sports Wall of Fame Nominating Committee to increase the number of members from 7 to 9. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council appoint the following individuals to the Sports Wall of Fame Nomination Committee for the term ending October 31, 2026:

- (1) Bob Court,
- (2) Don Bodger,
- (3) Jason Adair,
- (4) Jim Nugent,
- (5) John Elzinga,
- (6) Martin Cameron,
- (7) Deb Melnyk, and
- (8) Joanna Lord

CARRIED

**Appointment of members to the Accessibility Advisory Committee**

IT WAS MOVED AND SECONDED:

THAT Council appoint the following individuals to the Accessibility Advisory Committee for the term ending October 31, 2026:

- (1) Adam Bishop,
- (2) Amber Woodworth,
- (3) Barbara Allen,
- (4) Heather Touhey,
- (5) Ray Hedstrom,
- (6) Rhianna Hajzer, and
- (7) Vern White

CARRIED

Council, by unanimous consent, recessed the meeting at 4:39 p.m. to resume at 5:00 p.m. The meeting was resumed in Council Chambers and electronically at 5:00 p.m.

**4. APPROVAL OF CONSENT AGENDA**

IT WAS MOVED AND SECONDED:

THAT Council approve the Consent Agenda and the recommendations contained therein.

CARRIED

**4.1 Items for decision**

**4.1.1 Council Meeting Minutes for Adoption**

IT WAS MOVED AND SECONDED:

THAT Council adopt the minutes of their special and regular meetings held May 3, 2023 and their special meeting held May 9, 2023. ADOPTED ON CONSENT

**4.2 Items for information**

**4.2.1 Committee of the Whole meeting minutes**

IT WAS MOVED AND SECONDED:

THAT Council receive for information the minutes from the May 9, 2023 Committee of the Whole meeting. ADOPTED ON CONSENT

**4.2.2 Western Forest Products application for Waste Discharge Permit**

IT WAS MOVED AND SECONDED:

THAT Council receive for information the April 28, 2023 letter from Western Forest Products. ADOPTED ON CONSENT

**5. APPROVAL OF REGULAR AGENDA**

The agenda was amended by removing Item 10.3 [Maple Bay Rowing Club Grant Funding Support] from Reports.

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended.

CARRIED

**6. MAYOR'S REPORT**

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

**7. DELEGATIONS**

**7.1 Quamichan Lake Neighbourhood Association - Tree Bylaw**

Cynthia Montgomery, on behalf of the Quamichan Lake Neighbourhood Association provided Council with an update on the benefits of enacting a tree bylaw in North Cowichan.

**8. PUBLIC INPUT ON AGENDA ITEMS**

Council received public input from 5 members of the public participating from Council Chambers regarding agenda items 7.1, 10.1, 10.4 and 13.1.

**9. BYLAWS**

None.

**10. REPORTS**

**10.1 Temporary Use Application for 1444 Maple Bay Road**

IT WAS MOVED AND SECONDED:

THAT Council issue Temporary Use Permit No. TUP00027 to Emily Yaeger of Kale Media Inc. to allow motion picture and television filming at 1444 Maple Bay Road on August 15, 16, 18, 21, 23, 24, 28, 29, 31 and September 1, 2023. CARRIED

**10.2 Request for Special Public Hearing on June 7, 2023**

IT WAS MOVED AND SECONDED:

THAT Council schedule a public hearing on June 7, 2023, at 7:00 p.m. for Zoning Amendment Bylaw No. 3908, 2023, and Zoning Amendment (Section 53 exemption) Bylaw No. 3909, 2023. CARRIED

**10.3 Maple Bay Rowing Club Grant Funding Support**

Item was removed from the agenda.

**10.4 Use of Gender-Neutral Language and Pronouns Policy**

IT WAS MOVED AND SECONDED:

THAT Council:

(1) Approve the Use of Gender-Neutral Language and Pronouns Policy as presented, and, subject to section 3.3(2) being amended by replacing 'he' with 'she', 'his' with 'her', 'himself' with 'herself' and 'men' with 'women'.

(2) Amend the Council Advisory Body Policy by:

(a) Striking out "other than Indigenous peoples" from the definition of "Visible Minority,"

(b) Striking out "Visible Minority" for the term defined in section 3 and replacing it with "Racialized Group" and,

(c) Striking out "Visible Minority" in section 5.12 and replacing it with "Racialized Group." (Opposed: Findlay, Manhas)

CARRIED

**11. NOTICES OF MOTIONS**

None.

**12. UNFINISHED AND POSTPONED BUSINESS**

None.

**13. NEW BUSINESS**

**13.1 Ecological Impacts of Trails**

IT WAS MOVED AND SECONDED:

THAT the following motion:

*"THAT Council directs staff to supplement the biodiversity protection policy project to:*

- (1) Assess, through literature review and consultation with experts in other jurisdictions, the potential risks and impact of various types of trails and trail use including but not limited to hiking, downhill and cross-country mountain biking, equestrian, and off-leash dog walking - on wildlife, soils, ecology, vegetation and water;*
- (2) Develop general criteria and guidance for recreation and trail planning and management in our forest areas;*
- (3) Identify where trails and specific recreational uses either are or are not appropriate given ecological sensitivities; and,*
- (4) Identify needed mitigations to existing trails, if and where necessary;"*

be amended by directing staff to work with the consultant to ensure that the biodiversity contract, currently engaged with, is not delayed in order to complete the addendum to the work we are engaging with them, and that staff report back to Council on the results of those discussions. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council directs staff to supplement the biodiversity protection policy project to:

- (1) Assess, through literature review and consultation with experts in other jurisdictions, the potential risks and impact of various types of trails and trail use including but not limited to hiking, downhill and cross-country mountain biking, equestrian, and off-leash dog walking - on wildlife, soils, ecology, vegetation and water;
- (2) Develop general criteria and guidance for recreation and trail planning and management in our forest areas;
- (3) Identify where trails and specific recreational uses either are or are not appropriate given ecological sensitivities; and,
- (4) Identify needed mitigations to existing trails, if and where necessary;"

AND THAT Council direct staff to work with the consultant to ensure that the biodiversity contract, currently engaged with, is not delayed in order to complete the addendum to the work we are engaging with them, and that staff report back to Council on the results of those discussions. CARRIED

#### **14. QUESTION PERIOD**

Council received 2 questions from members of the public participating from Council Chambers regarding agenda item 10.4.

#### **15. ADJOURNMENT**

The meeting adjourned at 6:48 p.m.

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Certified by Corporate Officer

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Signed by Mayor