

Municipality of North Cowichan

Regular Council

MINUTES

August 16, 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
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
Caroline von Schilling, Development Planner
Chris Osborne, Manager, Planning
Clay Reitsma, Director, Engineering
Dave Preikshot, Senior Environmental Specialist
David Conway, Director, Subdivision and Environmental Services
Kim Ferris, Manager, Bylaw and Business Licensing Services
Heather Power, Legislative Coordinator
Jennifer Aldcroft, Climate Change Specialist
Michelle Martineau, Corporate Officer
Neil Pukesh, Director, Parks and Recreation
Rob Conway, Director, Planning and Building
Sarah Foulkes, Development Planner
Shaun Mason, Municipal Forester
Shawn Cator, Director, Operations

1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 4:01 p.m.

2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

Mayor Douglas stated that there was a late item, related to labour, to be added to the closed agenda.

IT WAS MOVED AND SECONDED:

THAT Council close the meeting at 4:01 p.m. to the public on the basis of sections 90(1)(b) and (c) of the *Community Charter* as the matters pertain to personal information about identifiable individuals who are being considered for a municipal award or honour and labour relations or other employee matters.

CARRIED

3. CLOSED SESSION

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)(b) – Awards [Sports Wall of Fame Inductees]

3.3.2 Closed under section 90(1)(b) – Awards [Medal of Good Citizenship - Call for Nominations]

3.3.3 Closed under section 90(1)(c) – Labour Matter [late item]

3.4 Rise and Report

Council rose without report and recessed the meeting at 4:17 pm.

The meeting resumed in open at 5:01 p.m.

Mayor Douglas and Councillor Manhas announced that they had to leave the meeting due to their November 26, 2019 conflict of interest declaration (that their spouses were employed by the Clements Centre Society) in relation to Consent Item 4.1.3 (Clements Centre for Families), and left the meeting at 5:02 p.m. Mayor Douglas handed over the Chair to Acting Mayor Councillor Toporowski.

4. APPROVAL OF CONSENT AGENDA

Item 4.1.3 [Clements Centre for Families re: Clements Centre for Families Visit] was pulled from the Consent Agenda and added to New Business.

IT WAS MOVED AND SECONDED:

THAT Council approve the Consent Agenda, as amended 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 meetings held June 21, 2023, July 11, 2023, and July 19, 2023 and their regular and public hearings meetings held July 19, 2023. ADOPTED ON CONSENT

4.1.2 2024 Budget Timeline

IT WAS MOVED AND SECONDED:

THAT Council approve the budget timeline included in the August 16, 2023, report from the Director, Financial Services. ADOPTED ON CONSENT

4.2 Items for information

4.2.1 Environmental Advisory Draft Minutes

IT WAS MOVED AND SECONDED:

THAT Council receive for information the June 27, 2023 Environmental Advisory Committee minutes. ADOPTED ON CONSENT

4.2.2 Economic Development Committee Draft Minutes

IT WAS MOVED AND SECONDED:

THAT Council receive for information the June 22, 2023 Economic Development Committee minutes. ADOPTED ON CONSENT

4.2.3 Black Press re: Support for Local News Media

IT WAS MOVED AND SECONDED:

THAT Council receive the July 19, 2023 letter from the Black Press Media for information. ADOPTED ON CONSENT

4.2.4 Our Cowichan Communities Health Network re: Our Health, Our Community Survey

IT WAS MOVED AND SECONDED:

THAT Council receive the July 31, 2023 email from Vanessa Daether from Our Cowichan Communities Health Network for information. ADOPTED ON CONSENT

4.2.5 Association of Vancouver Island Coastal Communities (AVICC) re UBCM Convention 2023 - Student Registration

IT WAS MOVED AND SECONDED:

THAT Council receive the August 1, 2023 email from AVICC for information. ADOPTED ON CONSENT

4.2.6 Cowichan Early Childhood Educators re Union of BC Municipalities (UBCM) Resolution on Child Care

IT WAS MOVED AND SECONDED:

THAT Council receive the August 4, 2023 letter from the Cowichan Early Childhood Educators for information. ADOPTED ON CONSENT

Mayor Douglas and Councillor Manhas returned to the meeting at 5:04 p.m.
Mayor Douglas resumed as Chair.

5. APPROVAL OF REGULAR AGENDA

The agenda was amended by:

- (1) Adding Consent Agenda Item 4.1.3 Clements Centre for Families re: Clements Centre for Families Visit to New Business;
- (2) Removing Item 7.3 Providence Farm Request for Connection to Water from the agenda; and,
- (3) Reordering the agenda to bring 10.1, the RCMP report forward, before the Delegation section, and Item 12.1 OCP/Zoning Amendment Bylaw (1711 Roberts Street) forward, before the Bylaw section.

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 and recognized Declan Forcier, who won 6 medals competing as a member of Team Canada at the World Dwarf Games held in Cologne Germany on July 28th through August 5th.

7. DELEGATIONS

7.1 Presentation on Bail Reform

Alistair MacGregor, MP Cowichan-Malahat-Langford, presented Council with a verbal overview of Bill C-48 (Bail Reform) and answered questions from Council.

7.2 Overview of the Forest Stewardship Council (FSC) Canada and Community Forest Standard

Orrin Quinn & Arnold Bercov presented Council an overview of the Forest Stewardship Council (FSC) Canada and Community Forest Standard and answered questions from Council.

IT WAS MOVED AND SECONDED:

THAT Council waive the 10-minute time limit for the delegation.

CARRIED

7.3 Providence Farm Request for Connection to Water

Item was removed from the agenda.

8. PUBLIC INPUT ON AGENDA ITEMS

Council received public input from 3 members of the public from Council Chambers regarding agenda items 4.2.1, 4.2.3, 7.2. and 12.1.

Council recessed at 7:04 p.m. and reconvened at 7:14 p.m.

IT WAS MOVED AND SECONDED:

THAT Council adjourned the Regular Council meeting at 7:14 to reconvene at the close of the public hearing.

CARRIED

The meeting resumed at 7:36 p.m.

9. BYLAWS

9.1 Miscellaneous Offences and Fines Amendment Bylaw No. 3922 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Miscellaneous Offences and Fines Amendment Bylaw No. 3922, 2023.

CARRIED

9.2 Zoning Amendment Bylaw No. 3912 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Bylaw Amendment Bylaw No. 3912, 2023.

CARRIED

9.3 Zoning Amendment Bylaw No. 3919, 2023, for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give first and second readings to Zoning Amendment Bylaw No. 3919, 2023; and,
- (2) Authorize a Public Hearing for Zoning Amendment Bylaw No. 3919, 2023. CARRIED

9.4 Zoning Amendment Bylaw No. 3920 for first and second reading

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Gives first and second readings to Zoning Amendment Bylaw No. 3920, 2023; and,
- (2) Authorize a Public Hearing for Zoning Amendment Bylaw No. 3920, 2023. CARRIED

9.5 Zoning Amendment Bylaw No. 3925, 2023, for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give first and second readings to Zoning Amendment Bylaw No. 3925, 2023; and,
- (2) Authorize a Public Hearing for Zoning Amendment Bylaw No. 3925, 2023. CARRIED

9.6 Towing and Vehicle Impound Bylaw No. 3923 and Fees and Charges Amendment Bylaw No. 3921 for first three readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give first, second and third readings to Towing and Vehicle Impound Bylaw No. 3923, 2023, and,
- (2) Give first, second and third readings to Fees and Charges Amendment Bylaw No. 3921, 2023. CARRIED

10. REPORTS

10.1 2nd Quarter Report for RCMP Activities

Ken Beard presented the North Cowichan/Duncan RCMP Detachment's quarterly report for April to June 2023, the Downtown Corridor and Area April to June 2023, the 2022-2024 Annual Performance Plan, and responded to questions from Council.

IT WAS MOVED AND SECONDED:

THAT Council endorse the North Cowichan/Duncan RCMP Detachment 2023-2024 Annual Performance Plan Initiatives as presented. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council extend the meeting to 9:00 p.m. CARRIED

10.2 CWAV Licence of Occupation – 6002 Canada Ave property green-space

IT WAS MOVED AND SECONDED:

THAT Council approve the five-year licence of occupation with the Cowichan Women Against Violence Society for green space over a portion of 6002 Canada Avenue. CARRIED

10.3 Asset Management Update

IT WAS MOVED AND SECONDED:

THAT Council support an application to the Asset Management Planning Program for a grant of up to \$25,000 for the creation of Asset Management Plans for park infrastructure and support overall grant management for the project. CARRIED

10.4 Environmental Advisory Committee Comments on Draft Biodiversity Assessment Report

IT WAS MOVED AND SECONDED:

THAT Council direct staff to work with Diamond Head Consulting to incorporate the following comments and suggestions from the June 27, 2023 EAC meeting into the draft policy report:

- (1) Enhance and emphasize relationships and connectivity to other and adjacent jurisdictions managing biodiversity in North Cowichan and identification of actions underway by other jurisdictional partners (for example, the Ministry of Agriculture for agricultural lands);
- (2) Clarify agricultural types and areas (i.e., grassland, cropland) and definition of biodiversity types within different agricultural jurisdictions and activities;
- (3) Consider the importance of protection and clarity of restoration terminology when considering areas of lower biodiversity ranking for policy development consideration in areas with potentially higher historical biodiversity rankings;
- (4) Include missing biodiversity threats of forest conversion to agricultural land, loss of forested land for groundwater retention, water pollution, industrial and infrastructure uses;
- (5) Provide an indication of what kind of ecosystem is predicted in 2040 with climate changes or large disturbances (section 8.2);
- (6) Develop plain language summaries at each phase of the report development to capture what was learned for public communication;
- (7) Use alternate language for "green infrastructure network," such as (habitat network);
- (8) Provide habitat networks between Somenos to Mount Prevost, Somenos to Maple Mountain, and south of Highway 18;
- (9) Use First Nations individual names when referring to indigenous population;
- (10) Change language in section 8.3 to clarify that indigenous practices were stopped; and,
- (11) Add area of Coastal Douglas Fir with and without forest cover.

(Opposed: Findlay, Manhas)

CARRIED

10.5 June Economic Development Committee Report

IT WAS MOVED AND SECONDED:

THAT Council adopt the Economic Development Committee's 2023 Work plan, appended to the August 16, 2023 report from the Climate Change Specialist as Attachment 2. CARRIED

11. NOTICES OF MOTIONS

None.

12. UNFINISHED AND POSTPONED BUSINESS

12.1 OCP Amendment Bylaw (1711 Roberts Street) No. 3914 and Zoning Amendment Bylaw No. 3915 for first and second readings

IT WAS MOVED AND SECONDED:

THAT the following motion:

"THAT Council:

(1) give first and second reading to Official Community Plan Amendment Bylaw No. 3914, 2023;

(2) give first and second reading to Zoning Amendment Bylaw No. 3915, 2023; and

(3) direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023, and Zoning Amendment Bylaw No. 3915, 2023."

Be amended by striking out "and second" for bullets (1) and (2) and delete bullet (3).

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council:

(1) give first reading to Official Community Plan Amendment Bylaw No. 3914, 2023; and,

(2) give first reading to Zoning Amendment Bylaw No. 3915, 2023

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

IT WAS MOVED AND SECONDED:

THAT the following motion:

"THAT Council direct staff to continue discussions with the proponent regarding affordable housing community amenity contributions, to seek an increase in the amount offered prior to Council's potential consideration of second reading of Zoning Amendment Bylaw No. 3915, 2023, to a target amount of \$245,000 for affordable housing."

Be amended adding "including the value of the trail land" at the end of the motion.

(Opposed: Douglas, Istace, Toporowski)

CARRIED

Mayor Douglas required the motion to amend be reconsidered, as per section 131 of the *Community Charter*, and a second vote was taken.

IT WAS MOVED AND SECONDED:

THAT the following motion:

"THAT Council direct staff to continue discussions with the proponent regarding affordable housing community amenity contributions, to seek an increase in the amount offered prior to Council's potential consideration of second reading of Zoning Amendment Bylaw No. 3915, 2023, to a target amount of \$245,000 for affordable housing."

Be amended adding "including the value of the trail land" at the end of the motion.

(Opposed: Douglas, Istace, Justice, Toporowski)

DEFEATED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to continue to work with the proponent regarding affordable housing community amenity contributions, to see the amount offered prior to Council's potential consideration of second reading of zoning amendment bylaw No 3915, 2023 to a target amount of \$245,000 for affordable housing.

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

13. NEW BUSINESS

13.1 Cowichan Valley Regional District (CVRD) re Appointments to new Recreation Commissions

IT WAS MOVED AND SECONDED:

THAT Council recommends that the Cowichan Valley Regional District Board appoint:

- (1) Mayor Douglas to the Cowichan South Recreation Commission with Councillor Caljouw as the Alternate Member;
- (2) Councillor Istace to the Cowichan North Recreation Commission with Councillor Findlay as the Alternate Member;
- (3) Councillor Toporowski to the Cowichan North Recreation Commission with Councillor Justice as the Alternate Member;
- (4) Councillor Findlay to the Cowichan Core Recreation Commission with Councillor Istace as the Alternate Member;
- (5) Councillor Justice to the Cowichan Core Recreation Commission with Councillor Toporowski as the Alternate Member;
- (6) Councillor Manhas to the Cowichan Lake Recreation Commission with Councillor Istace as the Alternate Member; and,
- (7) Councillor Caljouw to the Cowichan Lake Recreation Commission with Councillor Istace as the Alternate Member.

CARRIED

Mayor Douglas and Councillor Manhas left the meeting at 8:29 p.m., due to their existing conflict of interest declaration in relation to Clements Centre for Families). Mayor Douglas turned over the Chair to Acting Mayor Councillor Toporowski.

13.2 Clements Centre for Families re: Clements Centre for Families Visit

IT WAS MOVED AND SECONDED:

THAT Council authorize Acting Mayor Toporowski to advocate on behalf of the Clements Centre for Families to the Province on following through on their commitments under Pathway to Hope initiative.

CARRIED

Mayor Douglas returned to the meeting at 8:32 p.m. and resumed as Chair.

14. QUESTION PERIOD

Council received 1 question from the public participating from Council Chambers regarding agenda item 9.6.

15. ADJOURNMENT

The meeting adjourned at 8:34 p.m.

Certified by Corporate Officer

Signed by Mayor