

# **Municipality of North Cowichan**

## **Regular Council**

### **MINUTES**

**September 26, 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  
Barb Floden, Manager, Communications and Public Engagement  
Clay Reitsma, Director, Engineering  
Dave Preikshot, Senior Environmental Specialist  
Heather Power, Legislative Coordinator  
Jennifer Aldcroft, Climate Change Specialist  
Manuela Herzig, Director, Information Technology and Business Solutions  
Michelle Martineau, Corporate Officer  
Neil Pukesh, Director, Parks and Recreation  
Rob Conway, Director, Planning and Building  
Shawn Cator, Director, Operations  
Teri Vetter, Director, Financial Services

**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 so that they could be added to the Regular Agenda:

- (1) Item 2.2.3 [Kevin Mills: re Pedaling Possibilities Across Canada]
- (2) Item 2.2.5 [Westcoast Prefab re BC Manufacturing Job Fund Grant & Invitation]
- (3) Item 2.2.6 [Peter re Creating Affordable Housing]

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 September 6, 2023 and the special meetings held September 6 and 12, 2023. ADOPTED ON CONSENT

### **2.1.2 Committee of the Whole Recommendations**

IT WAS MOVED AND SECONDED:

THAT Council endorses in broad terms the proposed program, sequencing and timing of zoning amendment modules for staff to bring forward for consideration, as set out in Attachment 1 to the Planning Manager's September 12, 2023 report.

ADOPTED ON CONSENT

IT WAS MOVED AND SECONDED:

THAT Council authorize the Mayor to provide a letter of support to The Royal Canadian Legion Chemainus Branch #191 in support of their application for a New Horizons for Seniors Program Grant from the Federal Government in order to upgrade their lounge kitchen. ADOPTED ON CONSENT

## **2.2 Items for information**

### **2.2.1 Environment Advisory Minutes**

IT WAS MOVED AND SECONDED:

THAT Council receive for information the minutes from the August 22, 2023 Environmental Advisory Committee. ADOPTED ON CONSENT

### **2.2.2 Sports Wall of Fame Minutes**

IT WAS MOVED AND SECONDED:

THAT Council receive for information the minutes from the September 12, 2023 Sports Wall of Fame Committee. ADOPTED ON CONSENT

### **2.2.4 Gail Mitchell re The Cemetery, Interment and Funeral Services Act of British Columbia**

IT WAS MOVED AND SECONDED:

THAT Council receive for information the September 15, 2023 email from Gail Mitchell. ADOPTED ON CONSENT

## **3. APPROVAL OF REGULAR AGENDA**

The agenda was amended by adding the following to New Business:

- (1) Consent Agenda Item 2.2.3 [[Kevin Mills: re Pedaling Possibilities Across Canada]
- (2) Consent Agenda Item 2.2.5 [Westcoast Prefab re BC Manufacturing Job Fund Grant & Invitation]
- (3) Consent Agenda Item 2.2.6 [Peter re Creating Affordable Housing]

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as circulated as amended.

CARRIED

**4. MAYOR'S REPORT**

Mayor Douglas provided a verbal update on meetings and activities he recently attended and invited Councillors to share their experiences and provide overviews of the meetings that they attended during the Union of British of Columbia Municipalities Convention.

Councillor Toporowski joined the meeting at 5:12 p.m.

**5. DELEGATIONS**

**5.1 Somenos Marsh Wildlife Society - Firehouse Creek and S'amunu Wetland Proposal**

Paul Fletcher, on behalf of the Somenos Marsh Wildlife Society, presented Council with their Firehouse Creek and S'amunu Wetland proposal and requested information in relation to 6060 Canada Avenue and a letter of support for funding their project.

**5.2 House of Grace Pregnancy Centre - Permissive Tax Exemption**

Corina Finlay, on behalf of House of Grace Pregnancy Centre, provided Council with an overview of the services they provide and requested that Council reconsider their decision to deny their request for a permissive tax exemption.

**5.3 Camp Qwanoes - Permissive Tax Exemption**

Scott Bayley, on behalf of Camp Qwanoes, provided Council with an overview of the various services and programs that they provide and requested that Council reconsider their decision to deny their request for a permissive tax exemption.

**6. PUBLIC INPUT ON AGENDA ITEMS**

IT WAS MOVED AND SECONDED:

THAT Council waive the maximum requirement to allow more than 5 members of the public to participate in Public Input. CARRIED

Council received public input from 9, members of the public participating from Council Chambers and 1 member participating virtually, regarding agenda items 5.2, 5.3, 7.2 and 7.4.

**7. BYLAWS**

IT WAS MOVED AND SECONDED:

THAT Council suspend the rules to bring item 7.3, Permissive Tax Exemption Bylaw No. 3928, 2023, forward, to the beginning of the Bylaw section. CARRIED

**7.1 Sewer Services User Fee Amendment Bylaw No. 3926 for adoption**

IT WAS MOVED AND SECONDED:

THAT Council adopt Sewer User Fee Amendment Bylaw No. 3926, 2023. CARRIED

**7.2 OCP Amendment Bylaw No. 3929 and Zoning Amendment Bylaw No. 3930 for first reading**

IT WAS MOVED AND SECONDED:

THAT Council deny file OCP00027 to amend Official Community Plan No. 3900, 2022, to redesignate 6409 Wicks Road from Rural Residential to Special Exemptions, and deny application ZB000161 to amend Zoning Bylaw No. 2950, 1997, to reclassify 6409 Wicks Road from the A2 to A5 zone. (Opposed: Caljouw, Findlay, Manhas)

CARRIED

**7.3 Permissive Tax Exemption Bylaw No. 3928, 2023, for first three readings**

Council considered the requests from Camp Qwanoes and the House of Grace Pregnancy Centre for permissive tax exemptions, after hearing from them as delegations, and provided their reasons for decisions during the debate.

IT WAS MOVED AND SECONDED:

THAT the following motion:

*“THAT Council give Permissive Tax Exemption Bylaw No. 3928, 2023 first, second and third readings.”*

be amended by removing third reading.

(Opposed: Istace)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council give Permissive Tax Exemption Bylaw No. 3928, 2023 first, second reading.

(Opposed: Istace)

CARRIED

IT WAS MOVED AND SECONDED:

THAT the following motion:

*“THAT Council amend Schedule B Permissive Tax Exemption Bylaw No. 3928, 2023 to include Camp Qwanoes and House of Grace.”*

be amended by removing House of Grace.

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council amend Schedule B in Permissive Tax Exemption Bylaw No. 3928, 2023 to include Camp Qwanoes.

(Opposed: Istace)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council amend Schedule B Permissive Tax Exemption Bylaw No. 3928, 2023 to include the House of Grace Pregnancy Center. (Opposed: Douglas, Istace, Justice, Toporowski)

DEFEATED

IT WAS MOVED AND SECONDED:

THAT Council give Permissive Tax Exemption Bylaw No. 3928, 2023 third reading as amended.

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council adjourn the meeting at 7:14 pm to reconvene at the close of the public hearing meeting.

CARRIED

The meeting resumed at 9:02 p.m.

**7.4 Building Amendment Bylaw No. 3932, 2023, for first three readings**

IT WAS MOVED AND SECONDED:

THAT Council refer Building Amendment Bylaw No. 3932, 2023 back to staff to amend the bylaw to implement Emission Level 3 immediately and Emission Level 4 on July 1, 2024.

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

**7.5 Waste Collection and Waterworks Amendment Bylaw No. 3935, 2023, for three readings**

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third reading to Waste Collection and Waterworks Amendment Bylaw No. 3935, 2023.

CARRIED

**8. REPORTS**

IT WAS MOVED AND SECONDED:

THAT Council extend the meeting to 11:00 p.m.

CARRIED

**8.1 Temporary Use Permit Application for 6823/6833 Bell McKinnon Road**

IT WAS MOVED AND SECONDED:

THAT Council issue Temporary Use Permit No. TUP00029 to EllisDon Corporation to allow construction worker vehicle parking, trades trailers, and storage of topsoil at 6823/6833 Bell McKinnon Road.

CARRIED

**8.2 Remedial action required to address the hazardous condition at 7900 Mays Road**

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Declare the embankment on the west side of 7900 Mays Road (the "Property"), legally described as Lot A, Section 12, Range 5, Somenos District, Plan EPP25465, PID 029-614-929 to be a hazardous condition;
- (2) Declare the hazardous condition to be a significant risk to health and safety that requires action earlier than the minimum time limit for compliance set out in section 76 of the *Community Charter*;
- (3) Order that the owner of the Property, 4A Craft Concepts Inc. (the "Owner"), must, by October 12, 2023, install chain link mesh that provides a secure barrier between the fence on the western side of the Property and the land on the west side of the fence. The mesh must be securely anchored to the fence and the ground in a manner that will prevent the potential for people, animals or objects from falling under the fence and down the embankment;
- (4) Establish a reduced reconsideration request period, as set out in section 77 of the *Community Charter*, of seven days due to the significant risk to health and safety associated with the hazardous condition; and,
- (5) Direct that if the Owner does not complete the remedial action requirement, that District staff, its agents or contractors may enter onto the Property and complete the

remedial action, and any costs of the action shall be treated as a debt owed to the Municipality of North Cowichan. If the costs remain unpaid at the end of the calendar year in which the work was completed, it will be added to the property taxes pursuant to section 258 of the *Community Charter*. CARRIED

**8.3 Community Emergency Preparedness Fund Grant Application**

IT WAS MOVED AND SECONDED:

THAT Council authorize an application for a grant in the amount of \$30,000 under the Community Emergency Preparedness Fund grant program under the Volunteer & Composite Fire Department Training & Equipment funding stream for Wildland Personal Protective Equipment. CARRIED

**8.4 2024 Regional Recreation Budgets**

IT WAS MOVED AND SECONDED:

THAT Council approve the 2024 – 2028 budget for the Cowichan Aquatic Center and the Fuller Lake Arena for submission to the Cowichan Valley Regional District. CARRIED

**8.5 August Environmental Advisory Committee Report**

IT WAS MOVED AND SECONDED:

THAT Council direct staff to:

- (1) investigate the environmental, social, and economic impacts of installations on civic buildings and typical single-family buildings, mindful of the recommendations brought forward at the August 22, 2023, Environmental Advisory Committee meeting about solar power,
- (2) look for opportunities to educate and demonstrate to residents to advance solar power,
- (3) investigate municipal tools and incentives available to advance solar projects in North Cowichan; and
- (4) bring back a report to the Environmental Advisory Committee for review.

(Opposed: Findlay, Manhas)  
CARRIED

**9. NOTICES OF MOTIONS**

No items.

**10. UNFINISHED AND POSTPONED BUSINESS**

No items.

**11. NEW BUSINESS**

**11.1 Kevin Mills: re Pedaling Possibilities Across Canada [Consent Agenda Item 2.2.3]**

IT WAS MOVED AND SECONDED:

THAT Council direct the Communication Team to share Pedaling Possibilities Across Canada story on North Cowichan's social media sites. CARRIED

**11.2 Westcoast Prefab re BC Manufacturing Job Fund Grant & Invitation [Consent Agenda Item 2.2.5]**

IT WAS MOVED AND SECONDED:

THAT Council authorize Mayor to write a letter of support for Westcoast Prefab's application for a grant from the BC Manufacturing Job Fund. CARRIED

**11.3 Peter re Creating Affordable Housing [Consent Agenda Item 2.2.6]**

Council discussed item.

**12. QUESTION PERIOD**

Council received no questions from the public regarding agenda items.

**13. ADJOURNMENT**

The meeting adjourned at 10:15 p.m.

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Certified by Corporate Officer

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Signed by Mayor