

Municipality of North Cowichan

Regular Council

MINUTES

November 1, 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
Chris Osborne, Manager, Planning
Clay Reitsma, Director, Engineering
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
Sarah Foulkes, Development Planner
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 4:00 p.m.

2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

IT WAS MOVED AND SECONDED:

THAT Council close the meeting at 4:01 p.m. to the public on the basis of the following section(s) of the *Community Charter*.

- 90(1)(c) labour relations or other employee relations;
- 90(1)(e) the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and,
- 90(1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

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)(e) disposition of land and 90(1)(j) FIPPA s. 22 harm to business

3.3.2 Closed under section 90(1)(c) labour matter

3.4 Rise and Report

Council rose with report on item 3.3.2 [Social Planner Position] and recessed the meeting at 4:52 p.m.

IT WAS MOVED AND SECONDED:

THAT Council amend their previous decision *"to provide staff with pre-budget approval to hire a Social Planner"*, by replacing *"Social Planner"* with *"Director of Social Planning and Protective Services."*

(Opposed: Findlay, Manhas)

CARRIED

The meeting resumed in open at 5:03 p.m.

4. 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 4.1.2 [Jennifer Blunt re Letter of Support for Rowing Canada]

(2) Item 4.2.5 [Chief Thomas re Grant Funding to NIFA Elite Soccer Team]

(3) Item 4.2.7 [Somenos Marsh Wildlife Society]

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 meeting held October 4, 2023 and their regular and special meetings held October 18, 2023.

ADOPTED ON CONSENT

4.2 Items for information

4.2.1 Environmental Advisory Committee meeting minutes

IT WAS MOVED AND SECONDED:

THAT Council receive for information the minutes from the October 17, 2023 Environmental Advisory Committee meeting.

ADOPTED ON CONSENT

4.2.2 Honourable Bruce Ralston re Provincial and Federal Funding - Flood Management Plan

IT WAS MOVED AND SECONDED:

THAT Council receive for information the October 17, 2023 email from the Honourable Bruce Ralston.

ADOPTED ON CONSENT

4.2.3 Association of Vancouver Island Coastal Communities re 2024 AVICC AGM & Convention - 1st Call for Resolutions and Convention Information

IT WAS MOVED AND SECONDED:

THAT Council receive for information the October 23, 2023 email and documents from the Association of Vancouver Island and Coastal Communities.

ADOPTED ON CONSENT

4.2.4 City of Surrey re Letter to BC Mayors re Surrey Police Transition

IT WAS MOVED AND SECONDED:

THAT Council receive for information the October 20, 2023 letter from Mayor Brenda Locke on behalf of the City of Surrey for information.

ADOPTED ON CONSENT

4.2.6 Edgar Dearden re Fossil Gas Terminology

IT WAS MOVED AND SECONDED:

THAT Council receive for information the October 13, 2023 email from Edgar Dearden for information.

ADOPTED ON CONSENT

5. APPROVAL OF REGULAR AGENDA

The agenda was amended as follows:

(1) Moved item 13.2 [Evaluation of Noise Bylaw] forward, before the Bylaw section; and,

(2) Moved the following Consent Agenda items to New Business:

- Item 4.1.2 [Jennifer Blunt re Letter of Support for Rowing Canada]
- Item 4.2.5 [Chief Thomas re Grant Funding to NIFA Elite Soccer Team]
- Item 4.2.7 [Somenos Marsh Wildlife Society]

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.

Through unanimous consent of Council, the Mayor was authorized to send a follow up letter to Minister Whiteside, co-signed by the School Board Chair and the Mayor of Duncan regarding the location of the overdose prevention site and its close proximity to schools.

7. DELEGATIONS

7.1 Providence Farm Request for Connection to Water

Bev Suderman from Providence Farms provided an overview of their request for water services, and provided Council with contextual information about the properties.

8. PUBLIC INPUT ON AGENDA ITEMS

IT WAS MOVED AND SECONDED

THAT Council waive the maximum limit of speakers under the Public Input and Meeting Conduct Policy to allow more than 5 members of the public to participate in Public Input. CARRIED

Council received public input from 7 members of the public participating from Council Chambers regarding agenda items 4.2.1, 4.2.6, 6, 9.2, 10.2, 10.3, 11.1, 13.1, and 13.2.

Nancy Dower presented Council with a petition with 127 signatures requesting a noise bylaw addressing the impact of residential development on Mount Tzouhalem.

9. BYLAWS

9.1 Zoning Amendment Bylaw No. 3916 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Amendment Bylaw No. 3916, 2023. CARRIED

9.2 Zoning Amendment Bylaw No. 3937, 2023, for first and second readings

IT WAS MOVED AND SECONDED

THAT Council direct staff to prepare an amendment to Zoning Bylaw No. 2950, 1997, to permit a detached building at 7475 Bell McKinnon Road with a maximum two accessory dwelling units for consideration of first and second reading at a future meeting.

(Opposed Douglas, Justice, Toporowski)
CARRIED

9.3 South End Waterworks District Amendment Bylaw No. 3939, 2023, for first three readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give first, second and third reading to South End Waterworks District Amendment Bylaw No. 3939, 2023;
- (2) Direct that the following covenants be registered on title prior to consideration of adoption of South End Waterworks District Amendment Bylaw No. 3939, 2023:
 - (a) Lot A, Section 19, Range 2, Cowichan District, Plan VIP86516, Parcel Identifier 027-871-665:
 - (i) The use is limited to one single-family or one two-family dwelling with the associated accessory uses of Bed & Breakfast, Home Based Business, and Secondary Suite, similar to adjacent R2 zoning.
 - (ii) If the water pressure to the new dwelling is below 40 psi, then the owner must install a private booster pump system designed by a qualified professional. The design will be required prior to issuance of a building permit.
 - (iii) If the distance to the centre of the new dwelling is greater than 150 m from a municipal hydrant the owner must provide a hydrant at the property line. Provision of funds for the hydrant will be required prior to the issuance of a building permit.

(b) Lot A, Section 18, Range 1, Cowichan District, Plan VIP62100, Parcel Identifier 023-216-573:

- (i) The use is limited to one single-family or one two-family dwelling with the associated accessory uses of Bed & Breakfast, Home Based Business, and Secondary Suite, similar to adjacent R2 zoning.
- (ii) Access to the property will be off the existing cul-de-sac at the end of Deborah Drive.

CARRIED

10. REPORTS

10.1 Earthquake Early Warning System in Municipal Hall Building

IT WAS MOVED AND SECONDED:

THAT Council direct the CAO to enter into an agreement with Natural Resources Canada to install an Earthquake Early Warning system at the Municipal Hall building at 7030 Trans-Canada Highway for an annual consideration of \$30 payable November 1st each year.

CARRIED

10.2 Establishment of the Agricultural Advisory Committee

IT WAS MOVED AND SECONDED:

THAT Council amend the following motion to:

"(1) Approve the Terms of Reference for the Agricultural Advisory Committee, subject to the deletion of provisions highlighted in yellow in Attachment 1 in the Planning Manager's November 1, 2023 report; (2) Appoint Councillor Justice to serve as the Chair of the Agricultural Advisory Committee; (3) Direct staff to incorporate Agricultural Advisory Committee administration into the annual business planning process; and, (4) Direct staff to advertise for volunteers for Council's subsequent selection of committee members at a future meeting in 2024."

By adding *"and subject to the correction to the "Area of Expertise" section (economy to ecology) and removal of bullet 4 (Regional government) under "Sectors" to bullet (1).*

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Approve the Terms of Reference for the Agricultural Advisory Committee, subject to the deletion of provisions highlighted in yellow in Attachment 1 in the Planning Manager's November 1, 2023 report, and subject to the correction to the "Area of Expertise" section (economy to ecology) and removal of bullet 4 (Regional government) under "Sectors;
- (2) Appoint Councillor Justice to serve as the Chair of the Agricultural Advisory Committee;
- (3) Direct staff to incorporate Agricultural Advisory Committee administration into the annual business planning process; and,
- (4) Direct staff to advertise for volunteers for Council's subsequent selection of committee members at a future meeting in 2024.

CARRIED

10.3 Reimbursement of Legal Fees in Relation to Conflict of Interest Policy

IT WAS MOVED AND SECONDED:

THAT Council approve the Reimbursement of Legal Fees in Relation to Conflict of Interest Policy.

(Opposed Findlay)

CARRIED

11. NOTICES OF MOTIONS

11.1 Update to DRAFT Master Transportation Plan

Councillor Justice introduced the following motion which Council will consider at the same meeting where Council considers the Master Transportation Plan:

"THAT Council direct staff to remove the proposed Stamps Road to Bazett Road Connection Multi-Use Pathway from the Master Transportation Plan."

12. UNFINISHED AND POSTPONED BUSINESS

None.

13. NEW BUSINESS

13.1 Review of Council Committee and Board Appointments

IT WAS MOVED AND SECONDED:

THAT Council appoint:

- (1) Councillor Findlay to serve as the Chair on the Accessibility Advisory Committee to October 31, 2026;
- (2) Councillor Caljouw to serve as the Chair on the Environmental Advisory Committee to October 31, 2026;
- (3) Mayor Douglas to serve as the Chair on the Forestry Advisory Committee to October 31, 2026;
- (4) Councillor Manhas to serve as the Chair on the Sports Wall of Fame Committee to October 31, 2026;
- (5) Mayor Douglas and Councillor Findlay to the Joint Utilities Board to October 31, 2026;
- (6) Councillor Manhas to represent the Municipality of North Cowichan on the Cowichan Valley Regional District's Sport Tourism Grant Sub-Committee to October 31, 2026;
- (7) Councillor Manhas to the Vancouver Island Regional Library Board and Councillor Justice as the Alternate Member to serve on the library board if Councillor Manhas is absent or unable to act from January 1 to December 31, 2024;
- (8) Councillor Caljouw to the City of Duncan's Tourism Advisory Committee, and Councillor Toporowski as the Alternate to October 31, 2026;
- (9) Councillor Manhas to the BC Forest Discovery Centre Board to October 31, 2026;
- (10) Councillor Istace to the Chemainus and District Chamber of Commerce to October 31, 2026;
- (11) Councillor Istace to the Chemainus Festival of Murals Society to October 31, 2026;
- (12) Councillor Justice to the Cowichan Communities Health Network to October 31, 2026;
- (13) Councillor Manhas to the Cowichan Community Policing Advisory Society to October 31, 2026;

- (14) Councillor Justice to the Crofton Community Centre Society to October 31, 2026;
 - (15) Councillor Manhas to the Duncan Cowichan Chamber of Commerce to October 31, 2026;
 - (16) Councillor Toporowski to the Maple Bay Community Association to October 31, 2026;
 - (17) Councillor Caljouw to the Social Planning Cowichan Board to October 31, 2026;
 - (18) Councillor Caljouw to the Somenos Management Committee to October 31, 2026; and,
 - (19) Councillor Toporowski to the Quamichan Watershed Stewardship Society to October 31, 2026.
- CARRIED

IT WAS MOVED AND SECONDED

THAT Council appoint Mayor Douglas, Councillor Istace, Councillor Justice and Councillor Toporowski as Municipal Directors to the Cowichan Valley Regional District Board; and Councillor Manhas as Alternate Director #1, Councillor Caljouw as Alternate Director #2, and Councillor Findlay as Alternate Director #3 to the Cowichan Valley Regional District Board;

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

13.2 Evaluation of Noise Bylaw

IT WAS MOVED AND SECONDED:

THAT Council direct staff to prepare a report which provides options for creating a progressive Noise Bylaw which would mitigate noise complaints by:

- (1) Leveraging best practices from other jurisdictions;
 - (2) Taking into account the multiple aspects of noise - including its frequency, predictability, complexity, time course, duration, as well as level (decibels) - which can lead to annoyance and have negative health impacts or other detrimental effects on residents' well-being;
 - (3) Recognizing that in residential areas there are shift workers sleeping, home businesses operating, and an increasing number of people working remotely from home during 'work hours' throughout which increased noise levels have in the past been tolerated;
 - (4) Complying with our OCP goal of both mitigating the impact of current sources of noise pollution and preventing the creation of new sources.
- CARRIED

13.3 Jennifer Blunt re Letter of Support for Rowing Canada [Consent Agenda Item 4.1.2]

IT WAS MOVED AND SECONDED:

THAT Council authorize the Mayor to provide a letter of support to Rowing Canada Aviron for their application to the Rural Economic Diversification and Infrastructure Program (REDIP-FIT).

CARRIED

13.4 Chief Thomas re Grant Funding to NIFA Elite Soccer Team [Consent Agenda Item 4.2.5]

IT WAS MOVED AND SECONDED

THAT Council:

- (1) Approve a \$500 grant from the First Nations Initiatives budget in support of Janna George's travel expenses to participate on the Native Indian Football Association (NIFA) elite soccer team in Europe in August 2024; and
 - (2) Make the cheque payable to the Native Indian Football Association on behalf of Janna George.
- CARRIED

13.5 Somenos Marsh Wildlife Society [Consent Agenda Item 4.2.7]

IT WAS MOVED AND SECONDED

THAT Council refer the request from the Somenos Marsh Wildlife Society to staff to prepare a report to Council.

CARRIED

14. QUESTION PERIOD

Council received 1 question from the public regarding agenda item 13.2.

15. ADJOURNMENT

The meeting adjourned at 7:08 p.m.

Certified by Corporate Officer

Signed by Mayor