

Municipality of North Cowichan

Regular Council

MINUTES

April 17, 2024, 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
Amanda Young, Director, Planning and Building
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
Glenn Morris, Development Planning Coordinator
Heather Power, Legislative Coordinator
Jennifer Aldcroft, Climate Change Specialist
Marla Laycock, Director, Human Resources and Health & Safety
Neil Pukesh, Director, Parks and Recreation
Patricia Taylor, Planner
Sarah Foulkes-Watson, Development Planner
Shaun Mason, Manager, Parks and Forestry
Shawn Cator, Director, Operations
Teri Vetter, Director, Financial Services
Tricia Mayea, Corporate Officer

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)(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.

- 90(1)(g) litigation or potential litigation affecting the municipality.
 - 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]

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) - Land + Harm

3.3.2 Closed under section 90(1)(e) - Land + Harm and section 90(1)(g) - Litigation

3.3.3 Closed under section 90(1)(b) - Negotiations with Province

3.4 Rise and Report

The meeting recessed at 4:57 p.m. and resumed at 5:06 p.m.

4. APPROVAL OF CONSENT AGENDA

The following item was pulled from the Consent Agenda so that it could be added to the Regular Agenda:

1. Item 4.2.3 [Member of Parliament for Cowichan-Malahat-Langford re Bill C-277, National Strategy on Brain Injuries Act]

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 regular meeting held April 3, 2024.

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 April 9, 2024 Committee of the Whole meeting.

ADOPTED ON CONSENT

4.2.2 City of Port Alberni requesting support for AVICC Resolution

IT WAS MOVED AND SECONDED:

THAT Council receive for information the March 27, 2024, resolution and letter from the City of Port Alberni.

ADOPTED ON CONSENT

4.2.4 Minister of Housing re Introduction of Bill 16 - Housing Statutes Amendment Act

IT WAS MOVED AND SECONDED:

THAT Council receive for information the April 8, 2024, letter from the Honourable Ravi Kahlon, Minister of Housing.

ADOPTED ON CONSENT

4.2.5 Minister of Housing re Small Scale Multi-Unit Housing

IT WAS MOVED AND SECONDED:

THAT Council receive for information the April 10, 2024, letter from the Honourable Ravi Kahlon, Minister of Housing.

ADOPTED ON CONSENT

5. APPROVAL OF REGULAR AGENDA

The agenda was amended as follows:

1. reorder the agenda so the following items are considered after public input:
 - a. Item 13.1 [Request for Termination of the Covid-19 Vaccine Mandate]
 - b. Item 13.2 [Support for "Save BC Restaurants]
 - c. Item 13.3 [Postpone BC Zero Carbon Step Code Emission Level (EL-4)]
2. add Consent Agenda Item 4.2.3 [Member of Parliament for Cowichan-Malahat-Langford re Bill C-277, National Strategy on Brain Injuries Act] to New Business.

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

None.

8. PUBLIC INPUT ON AGENDA ITEMS

Council, by unanimous consent, waived the maximum limit of speakers under the Public Input Meeting Conduct Policy to allow more than 5 members of the public to participate in Public Input.

Council received public input from 8 members of the public regarding agenda items 4.2.1, 13.1 and 13.3.

9. BYLAWS

9.1 2024 Property Tax Rates Bylaw No. 3961

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third reading to Property Tax Rates Bylaw No. 3961, 2024. CARRIED

9.2 Council and Committee Procedures Bylaw No. 3945 for first three readings

IT WAS MOVED AND SECONDED:

THAT Council give first and second readings to Council and Committee Procedures Bylaw No. 3945, 2024. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council amend Council and Committee Procedures Bylaw No. 3945, 2024 by changing the word "Mayor" to "Presiding Member" wherever it is listed in section 7.21. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council give third reading to Council and Committee Procedures Bylaw No. 3945, 2024, as amended. CARRIED

9.3 Development Procedures Bylaw No. 3924, Development Approval Information Bylaw No. 3942, and Fees and Charges Amendment Bylaw No. 3960 for first three readings

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third readings to Development Procedures Bylaw No. 3924, 2024. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council give first and second readings to Development Approval Information Bylaw No. 3942, 2024. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council amend Development Approval Information Bylaw No. 3942, 2024, by

1. removing subsection (b) Manager, Development Planning from section 1.4.3.
2. by adding the words "secure bike storage and e-bike charging stations" immediately after the word 'including' to Schedule C, section C.19(d) [Traffic and Transportation Impact Assessment Report]. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council give third reading to Development Approval Information Bylaw No. 3942, 2024, as amended. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third readings to Fees and Charges Bylaw Amendment Bylaw No. 3960, 2024. CARRIED

10. REPORTS

10.1 Service Agreement Funding Increase Request from Somenos Marsh Wildlife Society

IT WAS MOVED AND SECONDED:

THAT Council increase the 2024 budget allocation for the service agreement with the Somenos Marsh Wildlife Society from \$50,000 to \$70,000 and that the increase be funded from unappropriated surplus.

(Opposed: Findlay)

CARRIED

10.2 Agricultural Land Commission Non-Farm Use (Placement of Fill) application for 6651 Lakes Road.

IT WAS MOVED AND SECONDED:

THAT Council allow the applicant to share information with Council on the application and answer questions.

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council authorize the Agricultural Land Commission (ALC) non-farm use application No. 67792 regarding 6651 Lakes Road to be sent to the ALC for its decision whether to allow the agricultural storage building to be built on the same foundation as the original barn building denied by the ALC and recommend that the application be approved.

CARRIED

10.3 Development Permit with Variance application for 2591 Beverly Street

IT WAS MOVED AND SECONDED:

THAT Council issue the Development Permit DP000302 for Lot 3 at 2591 Beverly Street (PID 030-594-715) to construct a six-storey mixed-use building with ground floor commercial use and 210 residential apartment units as attached to this report dated April 17, 2024, and grant this variance to Zoning Bylaw 1997, No. 2950, to:

- Decrease the minimum width of parking stalls at posts from 3.0 m to 2.6 m in the underground parkade under Section 24(2)(a).

CARRIED

10.4 Agricultural Land Commission Non-Farm Use Application (ID 70032) for the British Columbia Society for the Prevention of Cruelty to Animals at 7550 Bell McKinnon Road

IT WAS MOVED AND SECONDED:

THAT Council authorize Agricultural Land Commission's (ALC) application ID 70032 for the proposed animal shelter building replacement within the Agricultural Land Reserve at 7550 Bell McKinnon Road to be forwarded to the ALC with a recommendation to approve it.

CARRIED

10.5 Municipal Forest Review

Council reviewed the Forestry Review and Quw'utsun Nation Engagement Update report.

11. NOTICES OF MOTIONS

None.

12. UNFINISHED AND POSTPONED BUSINESS

None.

13. NEW BUSINESS

13.1 Request for Termination of the Covid-19 Vaccine Mandate

IT WAS MOVED AND SECONDED:

THAT North Cowichan Council authorize the Mayor to send a letter to Minister of Health, Adrian Dix, and the Provincial Health Officer, Dr. Bonnie Henry, to request the termination of the Covid-19 vaccine mandate and invite over 4,000 healthcare workers back to work, to help alleviate the stress on the provincial health care system.

(Opposed Douglas, Istace, Justice, Toporowski)

DEFEATED

13.2 Support for "Save BC Restaurants"

IT WAS MOVED AND SECONDED:

THAT the following motion:

THAT Council authorize the Mayor to send a letter to the provincial government advocating to:

- a) remove the "red tape" for liquor licensing purposes, both in permanent and special event situations,*
- b) implement a "trusted owner" liquor licensing system, rather than a property specific system.*

be amended to read:

THAT Council authorize the Mayor to send a letter to the Cowichan-Duncan Chamber of Commerce to ask if they'd be willing to advocate to the province to:

- a) remove the "red tape" for liquor licensing purposes, both in permanent and special event situations,
- b) implement a "trusted owner" liquor licensing system, rather than a property specific system.

(Opposed: Douglas, Findlay)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council authorize the Mayor to send a letter to the provincial government advocating to:

- a) reconsider the minimum wage levels, including an under-18 wage system, for entry-level positions such as food service workers, and
- b) freeze WorkSafeBC premiums and return the overages in the program to the businesses most affected by the excess premiums charged.

(Opposed: Caljouw, Douglas, Istace, Justice, Toporowski)

DEFEATED

13.3 Postpone BC Zero Carbon Step Code Emission Level (EL-4)

IT WAS MOVED AND SECONDED:

THAT Council direct staff to draft an amendment to the Building Bylaw to postpone when the Emission Level 4 (EL-4) requirement comes into force and effect from July 1, 2024 to July 1, 2027, to allow industry to adapt to ever-changing energy advancements and legislation. (Opposed: Douglas, Istace, Justice, Toporowski)

DEFEATED

Council recessed at 6:53 p.m. and reconvened at 7:00 p.m.

13.4 Member of Parliament for Cowichan-Malahat-Langford re Bill C-277, National Strategy on Brain Injuries Act

IT WAS MOVED AND SECONDED:

THAT Council authorize the Mayor to send a letter of support to the member of Parliament for Cowichan-Malahat-Langford regarding Bill C-277, National Strategy on Brain Injuries Act. (Opposed: Findlay, Manhas)

CARRIED

14. QUESTION PERIOD

Council received no questions from the public.

15. ADJOURNMENT

The meeting adjourned at 7:54 p.m.

Certified by Corporate Officer

Signed by Mayor