

Municipality of North Cowichan

Regular Council

MINUTES

May 15, 2024, 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
Amanda Young, Director, Planning and Building
Anthony Price, Development Planner
Barb Floden, Manager, Communications and Public Engagement
Chris Osborne, Manager, Planning
Christina Hovey, Project Planner
Clay Reitsma, Director, Engineering
David Conway, Director, Subdivision and Environmental Services
Heather Power, Legislative Coordinator
Jeff Miller, Senior Manager, Engineering (Utilities)
Marla Laycock, Director, Human Resources and Health & Safety
Neil Pukesh, Director, Parks and Recreation
Ron French, Fire Chief
Sarah Foulkes-Watson, Development Planner
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 7:00 p.m.

2. 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 2.2.3 [Peter Rusland re request to ban tire wear chemical 6PPD-quinone on Canadian roads]

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 May 1, 2024 and their special meeting held May 7, 2024. ADOPTED ON CONSENT

2.2 Items for information

2.2.1 Committee of the Whole meeting minutes

IT WAS MOVED AND SECONDED:

THAT Council receive for information the minutes from the May 7, 2024 Committee of the Whole meeting. ADOPTED ON CONSENT

2.2.2 Minister of Public Safety and Solicitor General and Deputy Premier re RCMP Contract Policing Municipalities

IT WAS MOVED AND SECONDED:

THAT Council receive for information the May 3, 2024, letter from the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General and Deputy Premier. ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

The agenda was amended as follows:

- (1) Consent agenda item, Peter Rusland re request to ban tire wear chemical 6PPD-quinone on Canadian roads, be moved to New Business as Item 11.2.

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended. CARRIED

4. MAYOR'S REPORT

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

5. DELEGATIONS

None.

6. PUBLIC INPUT ON AGENDA ITEMS

Council received public input from 5 members of the public regarding agenda items 8.5, 8.6, 8.7, and 8.10

Council agreed by unanimous consent to suspend the rules and allow items 8.1 and 8.2 to be brought forward and considered at this time.

7. BYLAWS

7.1 Development Procedures Bylaw No. 3924 for third reading

IT WAS MOVED AND SECONDED:

THAT Council rescinds third reading of Development Procedures Bylaw No. 3924, 2024.

CARRIED

IT WAS MOVED AND SECONDED:

THAT the following motion:

THAT Council amends Development Procedures Bylaw No. 3924, 2024 by substituting '12' with '6' in Section 2.5.1.

be amended by adding the words "with the exception of Official Community Plan applications" to the end of the sentence.

(Opposed: Caljouw, Manhas)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council amends Development Procedures Bylaw No. 3924, 2024 by substituting '12' with '6' in Section 2.5.1 with the exception of Official Community Plan applications.

(Opposed: Caljouw Findlay, Manhas)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council delete Section 2.5.3 of Development Procedures Bylaw No. 924, 2024 and replace it with the following:

"2.5.3 Despite subsection 2.5.1, where a material bylaw change occurs subsequent to the refusal of an *Application* and which would be relevant to consideration of the same or similar *Application*, the Director may accept a re-application within the respective timeframes specified in subsection 2.5.1 for each type of application, from the date of refusal."

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council gives third reading to Development Procedures Bylaw No. 3924, 2024, as amended.

(Opposed Caljouw, Findlay, Manhas)

CARRIED

8. REPORTS

8.1 RCMP Quarterly Report and Year End Report

Acting Officer in Charge Ken Beard presented the North Cowichan/Duncan RCMP quarterly, yearly, and annual performance plan reports, and answered questions from Council.

IT WAS MOVED AND SECONDED:

THAT Council endorse the 2024-2025 North Cowichan/Duncan RCMP Annual Performance Plan as presented.

CARRIED

8.2 North Cowichan Fire Department Quarterly Report

Fire Chief Ron French presented the North Cowichan Fire Department quarterly report and answered questions from Council.

8.3 Vipassana Association 2024 Grant-in-Aid

IT WAS MOVED AND SECONDED:

THAT Council approves a 2024 grant-in-aid to the Vancouver Island Vipassana Association to a maximum amount of \$4,440.

CARRIED

8.4 Bill 44 Zoning - Update and Timeline

IT WAS MOVED AND SECONDED:

THAT Council direct staff to bring forward Zoning Amendment Bylaw 3964, 2024 for initial readings, including provisions that:

- a. Permit accessory dwelling units in addition to a single-family dwelling within the Urban Containment Boundary wherever a zone allows for three or four units per lot;
- b. Amend the definition of "single-family dwelling" to include manufactured homes on a permanent foundation; and,
- c. Remove the floor area limit for secondary suites.

CARRIED

8.5 Agricultural Land Commission Non-Adhering Residential Use for 5753 Menzies Rd

IT WAS MOVED AND SECONDED:

THAT Council authorize the Agricultural Land Commission application ID: 67780 (ALR00061) regarding 5753 Menzies Road to be sent to the Agricultural Land Commission for its decision whether to allow the construction of a new secondary dwelling to replace the current secondary dwelling on the property, with a recommendation that the application be approved.

CARRIED

8.6 Development Variance Permit Application for 3070 Henry Road

IT WAS MOVED AND SECONDED:

THAT Council authorize the issuance of Development Variance Permit DVP00104 and grant variances to the following sections of Zoning Bylaw, 1997, No. 2950, to facilitate the construction of the proposed office addition at 3070 Henry Road:

1. Section 69 (5)(a) by reducing the minimum side yard setback from 3.0 to 0.91 metres; and,
2. Section 39 (2) by relaxing a two-metre section of the required landscaped area width from 1.1 metres to 0.6 metres.

CARRIED

8.7 Development Permit with Variance application for 3096 Gibbins Road

IT WAS MOVED AND SECONDED:

THAT Council:

1. Grant the variance to Section 21(1) of Zoning Bylaw 1997, No. 2950 to reduce the minimum number of residential off-street parking spaces from 150 to 108 and to Section 69(6) of Zoning Bylaw 1997, No. 2950 to increase the maximum permitted building height from 12 metres to 15.5 metres; and

2. Issue the development permit with variance DP000339 to Gibbins Road Holdings Inc. for a 100-unit mixed use building at 3096 Gibbins Road (PID: 006-410-723).
CARRIED

8.8 Manager, Asset Management

IT WAS MOVED AND SECONDED:

That Council approve a two-year temporary position of Manager, Asset Management (or similar title) to be funded from the Canada Community Building Fund annual allocation.
(Opposed Caljouw, Findlay and Manhas)
CARRIED

8.9 Fire Engine Contract Award

IT WAS MOVED AND SECONDED:

THAT Council award the contract to Safetek Emergency Vehicles Limited in the amount of \$1,387,639 plus applicable taxes for the purchase of a Fire Engine. CARRIED

8.10 Long-Term Borrowing for Integrated RCMP Facility

IT WAS MOVED AND SECONDED:

THAT Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2024 Fall Borrowing Session, \$10,000,000 as authorized through North Cowichan/Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020, and that the Cowichan Valley Regional District be requested to consent to our borrowing over a 20-year term and include the borrowing in a Security Issuing Bylaw.
CARRIED

9. NOTICES OF MOTIONS

None.

10. UNFINISHED AND POSTPONED BUSINESS

None.

11. NEW BUSINESS

11.1 Establishment of a Public Variance Approval System

IT WAS MOVED AND SECONDED:

THAT during the Development Approval Process Service Review, staff be directed to look at ways to streamline the Development Variance Permit application approval process by delegating minor variances to staff. CARRIED

11.2 Consent Agenda Item 2.2.3 [Peter Rusland re request to ban tire wear chemical 6PPD-quinone on Canadian roads]

Council discussed this item.

12. QUESTION PERIOD

Council received questions from the public regarding agenda items. 8.10

13. ADJOURNMENT

The meeting adjourned at 7:01 p.m.

Certified by Corporate Officer

Signed by Mayor