

Municipality of North Cowichan

Regular Council

MINUTES

June 19, 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)
Bill Corsan, General Manager, Corporate Services and Community Relations
George Farkas, General Manager, Planning, Development and Community Services
Andrea Hainrich, Deputy Corporate Officer
Amanda Young, Director, Planning and Building
Anthony Price, Development Planner
Barb Floden, Manager, Communications and Public Engagement
Christina Hovey, Project Planner
Clay Reitsma, Director, Engineering
David Conway, Director, Subdivision and Environmental Services
Jennifer Aldcroft, Climate Change Specialist
John Dehoop, Manager, Infrastructure
Neil Pukesh, Director, Parks and Recreation
Sarah Foulkes-Watson, Development Planner
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 5:00 p.m.

2. **APPROVAL OF CONSENT AGENDA**

IT WAS MOVED AND SECONDED:

THAT Council approve the Consent Agenda 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 and special meetings held May 15, 2024 and their special meeting held June 4, 2024. ADOPTED ON CONSENT

2.1.2 April 23, 2024 Agricultural Advisory Committee

IT WAS MOVED AND SECONDED:

THAT Council

1. Receives the minutes of the April 23, 2024 Agricultural Advisory Committee meeting;
2. Directs the mayor to write a letter to the Ministry of Agriculture and Food requesting an Agricultural Land Use Inventory to be carried out in the North Cowichan region as soon as possible.
3. Accepts the following feedback provided by the Agricultural Advisory Committee on the Richards Creek Ecological Accounting Process report to:
 - a. Consider individual site-specific circumstances, such as soil types, in the methodology.
 - b. Utilize the methods prescribed in the Riparian Areas Protection Regulation to determine appropriate setbacks.
 - c. Request that outreach efforts specifically outline ecosystem services.

ADOPTED ON CONSENT

2.1.3 2023 Statement of Financial Information

IT WAS MOVED AND SECONDED:

THAT Council approve the 2023 Statement of Financial Information.

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 June 11, 2024 Committee of the Whole meeting.

ADOPTED ON CONSENT

2.2.2 Sports Wall of Fame Committee Minutes

IT WAS MOVED AND SECONDED:

THAT Council receive for information the draft minutes from the May 16, 2024 Sports Wall of Fame Committee meeting.

ADOPTED ON CONSENT

2.2.3 Economic Development Committee Minutes

IT WAS MOVED AND SECONDED:

THAT Council receive for information the draft minutes from the May 31, 2024 Economic Development Committee meeting.

ADOPTED ON CONSENT

2.2.4 Office of the Ombudsperson Quarterly Report (January 1 to March 31, 2024)

IT WAS MOVED AND SECONDED:

THAT Council receive the May 8, 2024 quarterly report from the Office of the Ombudsperson for information.

ADOPTED ON CONSENT

2.2.5 Free Transit for BC Youth and Seniors

IT WAS MOVED AND SECONDED:

THAT Council receive for information, the May 15, 2024, email from the Victoria Riders Union. ADOPTED ON CONSENT

2.2.6 Deputy Mayor to represent City of Kamloops

IT WAS MOVED AND SECONDED:

THAT Council receive for information, the May 29, 2024, letter From Deputy Mayor Kelly Hall, City of Kamloops. ADOPTED ON CONSENT

2.2.7 Water Use Approvals in North Cowichan

IT WAS MOVED AND SECONDED:

THAT Council receive for information, the May 29, 2024, letter from the Honourable Nathan Cullen, Minister of Water, Land and Resource Stewardship. ADOPTED ON CONSENT

2.2.8 Request for Assistance in Managing Scotch Broom Near Transmission Lines

IT WAS MOVED AND SECONDED:

THAT Council receive for information the May 23, 2024, letter from Ted Olynyk, from BC Hydro. ADOPTED ON CONSENT

3. APPROVAL OF REGULAR AGENDA

The agenda was amended as follows:

- (1) Remove item 8.3, and
- (2) Reorder the agenda so that item 8.7 is considered before item 8.1.

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.

Councillor's Manhas, Caljouw and Justice reported on their attendance at the Federation of Canadian Municipalities (FCM) conference.

5. PUBLIC MEETINGS

5.1 Annual Municipal Report

The Corporate Officer advised Council that one written submission in relation to the annual report was received from the Quamichan Lake Neighbourhood Association who commented that the community profile description in the annual report doesn't align with the 2022 Official Community Plan.

The Mayor provided the public with an opportunity to comment or ask questions about the annual report. One member of the public from the Quamichan Lake Neighbourhood

Association simply stated that they wanted to make sure Council received their written submission.

IT WAS MOVED AND SECONDED:

THAT the annual report be amended by changing the Community Profile description so that it aligns with the wording in the third paragraph on page 9 [Municipal Context] of the Official Community Plan. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council accepts the 2023 Annual Report, as amended. CARRIED

6. DELEGATIONS

None

7. PUBLIC INPUT ON AGENDA ITEMS

Council received input from one member of the public regarding agenda item 9.1.

8. BYLAWS

8.1 Zoning Amendment Bylaw No. 3913, 2024 [2524 Ashcroft Road] for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Amendment Bylaw No. 3913, 2024. CARRIED

8.2 Development Procedures Bylaw No. 3924 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Development Procedures Bylaw No. 3924, 2024. CARRIED

8.3 Zoning Amendment Bylaw No. 3934, 2024 [2999 Drinkwater Road] for adoption

This item was removed from the agenda.

8.4 Fees and Charges Amendment Bylaw No. 3960 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Fees and Charges Amendment Bylaw No. 3960, 2024. CARRIED

8.5 Zoning Amendment Bylaw No. 3964 for adoption

IT WAS MOVED AND SECONDED:

THAT Council adopt Zoning Amendment Bylaw No. 3964, 2024. CARRIED

8.6 Council and Committee Procedures Bylaw No. 3945 for amendment

IT WAS MOVED AND SECONDED:

THAT Council rescinds third reading of Council and Committee Procedures Bylaw No. 3945, 2024; CARRIED

IT WAS MOVED AND SECONDED:

THAT Council amends Council and Committee Procedures Bylaw No. 3945, 2024 by:

- a. adding the heading "Statutory Hearing Matters" to item 6.11 [council agenda] following subsection (j) Unfinished and Postponed Business.
- b. adding subsection 4.32 to the Statutory Hearings section as follows:

"4.32. Notwithstanding section 4.23 [statutory hearings] Council may consider a Statutory Hearing matter at a regular Council meeting, subject to all conditions under the provincial legislation being met and where such circumstances occur, the matter shall be placed under the "Statutory Hearing Matters" section of the regular Council meeting agenda and consideration of the matter shall be subject to the same process established under subsection 6.12.(d)." CARRIED

IT WAS MOVED AND SECONDED:

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

8.7 Zoning Amendment Bylaw No. 3965, 2024 [6531 Bird's Eye Drive] for first three readings

IT WAS MOVED AND SECONDED:

THAT Council:

1. Gives first, second, and third readings to Zoning Amendment Bylaw No. 3965, 2024; and,
2. Require the registration of a section 219 covenant to restrict the size of an accessory dwelling unit at 6531 Bird's Eye Drive to 90m² gross floor area prior to Council's consideration of adoption of Zoning Amendment Bylaw No. 3965, 2024. CARRIED

9. REPORTS

9.1 Climate Change Risk and Vulnerability Assessment Project Update

IT WAS MOVED AND SECONDED:

THAT Council direct staff to:

1. Forward the draft report to the Environmental Advisory Committee and Agricultural Advisory Committees for feedback, and
2. Consider revisions based upon feedback received and bring forward the report to a future Council meeting for consideration of adoption.

(Opposed: Findlay and Manhas)
CARRIED

9.2 Development Permit with Variance Application No. DP000360 for 1935 Maple Bay Road

IT WAS MOVED AND SECONDED:

THAT Council:

1. Grant the variance to Section 56 (7) (b) of Zoning Bylaw 1997, No. 2950, to increase the maximum permitted accessory building height from 5 metres to 7 metres; and,

2. authorize the issuance of development permit with variance DP000360 to Len Thew to facilitate an accessory building containing a garage and additional dwelling unit at 1935 Maple Bay Road. CARRIED

9.3 BC Bike Race Event Temporary Use Permit Amendment Application

IT WAS MOVED AND SECONDED:

THAT Council issue Temporary Use Permit Amendment No. TUP00028 to the BC Bike Race to allow overnight parking at 1658 Robert Street and camping at the Crofton Sportsfield Park for a maximum of six consecutive days per calendar year for 2024 and 2025, subject to the applicant obtaining a Special Event Permit issued by the Director of Parks and Recreation each year the event is to be held. CARRIED

9.4 Genoa Bay Road Slope Stabilization and Road Remediation Project – Request to Increase Budget

IT WAS MOVED AND SECONDED:

That Council:

1. Approve Option 1 (Two Driving Lanes, Road-Side Barrier) of the Genoa Bay Road Slope Stabilization and Road Remediation Project, as outlined in the June 19, 2024 report from the Manager, Infrastructure.
2. Approve increasing the Genoa Bay Road Slope Stabilization and Road Remediation Project budget from \$1,500,000 to \$3,000,000.
3. Approve the transfer of \$1,500,000 of funds to the Genoa Bay Road Slope Stabilization and Road Remediation Project as follows:
 - a. \$1,000,000 from the Herd Road Bridge Repair Project;
 - b. \$350,000 from the Kingsview Culverts (Phase 1 and 2) Project;
 - c. \$50,000 from the Seine Road Culvert Replacement Project; and,
 - d. \$100,000 from the Unallocated Roads Fund.CARRIED

9.5 Revised Permissive Tax Exemption Policy

IT WAS MOVED AND SECONDED:

THAT Council approve Draft 2 of the Permissive Tax Exemption Policy as attached to the Director, Financial Services report dated June 19, 2024. CARRIED

10. NOTICE OF MOTIONS

None

11. UNFINISHED AND POSTPONED BUSINESS

None

12. NEW BUSINESS

None

13. QUESTION PERIOD

Council received no questions from the public regarding agenda items.

14. ADJOURNMENT

The meeting adjourned at 6:34 p.m.

Certified by Corporate Officer

Signed by Mayor