

- (4) consult under Section 476 of the *Local Government Act* with School District 79 in relation to Official Community Plan Amendment Bylaw No. 3914, 2023;
- (5) consider Official Community Plan Amendment Bylaw No. 3914, 2023, in conjunction with the North Cowichan 2022 Five-Year Financial Plan; and,
- (6) considers Official Community Plan Amendment Bylaw No. 3914, 2023, in conjunction with the Cowichan Valley Regional District Solid Waste Management Plan (as amended) and the Cowichan Valley Regional District Central Sector Liquid Waste Management Plan. CARRIED

IT WAS MOVED AND SECONDED:

THAT the following motions be deferred to the August 16, 2023, Regular Council meeting:

- “(1) *THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 3914, 2023.*
- (2) *THAT Council give first and second reading to Zoning Amendment Bylaw No. 3915, 2023.*
- (3) *THAT Council direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023, and Zoning Amendment Bylaw No. 3915, 2023.* CARRIED

7.4 Zoning Amendment Bylaw No. 3916, 2023 for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- 1. Give first and second readings to Zoning Amendment Bylaw No. 3916, 2023; and,
- 2. Authorize a Public Hearing for Zoning Amendment Bylaw No. 3916, 2023. CARRIED

7.5 Zoning Amendment Bylaw No. 3918, 2023 for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- 1. Give first and second readings to Zoning Amendment Bylaw No. 3918, 2023; and,
- 2. Schedule a Public Hearing for Zoning Amendment Bylaw No. 3918, 2023. CARRIED

7.6 Miscellaneous Offences and Fines Amendment Bylaw No. 3922 for first three readings

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third readings to Miscellaneous Offences and Fines Amendment Bylaw No. 3922, 2023 CARRIED

12. UNFINISHED AND POSTPONED BUSINESS

12.1 OCP Amendment Bylaw (1711 Roberts Street) No. 3914 and Zoning Amendment Bylaw No. 3915 for first and second readings

IT WAS MOVED AND SECONDED:
THAT the following motion:

"THAT Council:

- (1) give first and second reading to Official Community Plan Amendment Bylaw No. 3914, 2023;*
- (2) give first and second reading to Zoning Amendment Bylaw No. 3915, 2023; and*
- (3) direct staff to schedule a public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023, and Zoning Amendment Bylaw No. 3915, 2023."*

Be amended by striking out "and second" for bullets (1) and (2) and delete bullet (3).

(Opposed: Caljouw, Findlay, Manhas)
CARRIED

IT WAS MOVED AND SECONDED:
THAT Council:

- (1) give first reading to Official Community Plan Amendment Bylaw No. 3914, 2023; and,
- (2) give first reading to Zoning Amendment Bylaw No. 3915, 2023

(Opposed: Caljouw, Findlay, Manhas)
CARRIED

IT WAS MOVED AND SECONDED:
THAT the following motion:

"THAT Council direct staff to continue discussions with the proponent regarding affordable housing community amenity contributions, to seek an increase in the amount offered prior to Council's potential consideration of second reading of Zoning Amendment Bylaw No. 3915, 2023, to a target amount of \$245,000 for affordable housing."

Be amended adding "including the value of the trail land" at the end of the motion.

(Opposed: Douglas, Istace, Toporowski)
CARRIED

Mayor Douglas required the motion to amend be reconsidered, as per section 131 of the *Community Charter*, and a second vote was taken.

IT WAS MOVED AND SECONDED:
THAT the following motion:

"THAT Council direct staff to continue discussions with the proponent regarding affordable housing community amenity contributions, to seek an increase in the amount offered prior to Council's potential consideration of second reading of Zoning Amendment Bylaw No. 3915, 2023, to a target amount of \$245,000 for affordable housing."

Be amended adding "including the value of the trail land" at the end of the motion.

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

IT WAS MOVED AND SECONDED:

THAT Council direct staff to continue to work with the proponent regarding affordable housing community amenity contributions, to see the amount offered prior to Council's potential consideration of second reading of zoning amendment bylaw No 3915, 2023 to a target amount of \$245,000 for affordable housing.

(Opposed: Caljouw, Findlay, Manhas)

CARRIED

13. NEW BUSINESS

13.1 Cowichan Valley Regional District (CVRD) re Appointments to new Recreation Commissions

IT WAS MOVED AND SECONDED:

THAT Council recommends that the Cowichan Valley Regional District Board appoint:

- (1) Mayor Douglas to the Cowichan South Recreation Commission with Councillor Caljouw as the Alternate Member;
- (2) Councillor Istace to the Cowichan North Recreation Commission with Councillor Findlay as the Alternate Member;
- (3) Councillor Toporowski to the Cowichan North Recreation Commission with Councillor Justice as the Alternate Member;
- (4) Councillor Findlay to the Cowichan Core Recreation Commission with Councillor Istace as the Alternate Member;
- (5) Councillor Justice to the Cowichan Core Recreation Commission with Councillor Toporowski as the Alternate Member;
- (6) Councillor Manhas to the Cowichan Lake Recreation Commission with Councillor Istace as the Alternate Member; and,
- (7) Councillor Caljouw to the Cowichan Lake Recreation Commission with Councillor Istace as the Alternate Member.

CARRIED

Mayor Douglas and Councillor Manhas left the meeting at 8:29 p.m., due to their existing conflict of interest declaration in relation to Clements Centre for Families). Mayor Douglas turned over the Chair to Acting Mayor Councillor Toporowski.

13.2 Clements Centre for Families re: Clements Centre for Families Visit

IT WAS MOVED AND SECONDED:

THAT Council authorize Acting Mayor Toporowski to advocate on behalf of the Clements Centre for Families to the Province on following through on their commitments under Pathway to Hope initiative.

CARRIED

Mayor Douglas returned to the meeting at 8:32 p.m. and resumed as Chair.

14. QUESTION PERIOD

Council received 1 question from the public participating from Council Chambers regarding agenda item 9.6.

IT WAS MOVED AND SECONDED:

THAT Council direct staff to strengthen all bylaws that support enforcing safety for the community and prepare an open drug use bylaw that minimizes public exposure to open drug use in parks and adjacent to school properties while continuing to provide support aimed at saving lives of some of the most vulnerable people in our community who use drugs. (Opposed: Caljouw, Findlay, Manhas)
CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to reconstitute the Somenos Marsh Wildlife Committee and investigate ways to partner on more fulsome marsh patrols. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to consult with community health partners to develop a formal request to the province for additional support services in the medical and social services sector to improve outcomes in the drug addiction, mental health, and homelessness issues in the Cowichan Valley Regional District. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to include funding opportunities for a "Clean Team" in the 2024 budget discussions. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to continue to advocate to the province for funding to help manage the public disorder to support bylaw and/or RCMP resourcing. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council provide staff with pre-budget approval to hire a Social Planner. (Opposed: Caljouw, Findlay, Manhas)
CARRIED

9. NOTICES OF MOTIONS

None.

10. UNFINISHED AND POSTPONED BUSINESS

10.1 OCP Amendment Bylaw No. 3914 and Zoning Amendment Bylaw No. 3915 and updated community amenity contribution offer

THAT Council:

- (1) give second reading to Official Community Plan Amendment Bylaw No. 3914, 2023; and
- (2) give second reading to Zoning Amendment Bylaw No. 3915, 2023; and
- (3) authorize a Public Hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023.

(Opposed: Douglas, Justice, Toporowski)
CARRIED

Municipality of North Cowichan

Public Hearings

MINUTES

July 17, 2024, 7:00 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 |
| Members Absent | Councillor Debra Toporowski |
| Staff Present | Amanda Young, Director, Planning and Building Kayla Reid-Starck, Legislative Coordinator Tricia Mayea, Corporate Officer |

1. CALL TO ORDER

There being a quorum present, Mayor Douglas called the meeting to order at 7:01 p.m.

2. APPROVAL OF AGENDA

The agenda was amended by combining Items 3.1 and 3.2 so they are considered concurrently.

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended.

CARRIED

3. PUBLIC HEARINGS

3.1 Public Hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023 [1771 Robert Street]

3.1.1 Call public hearing to order

Mayor Douglas called the public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023, for 1771 Robert Street to order at 7:02 p.m.

3.1.2 Explanation of the public hearing process

Mayor Douglas outlined the public hearing process.

3.1.3 Acceptance of petitions and late correspondence

The Corporate Officer, Tricia Mayea, noted that there were no petitions submitted and no late correspondence was received.

3.1.4 Introduction of the proposal

The Director, Planning and Building, Amanda Young, presented the proposed bylaw amendments [Bylaw No. 3914 and 3915] and there were no questions from Council.

3.1.5 Summary of correspondence

The Corporate Officer, Tricia Mayea, noted that there were three submissions received in response to the notice published on the website, social media, the local newspapers and distributed to properties within 60 metres of 1771 Robert Street.

- (1) Letter from Lorne Zawislak [1742 Meagan Street, Crofton] in opposition.
- (2) Email from Ellen and Danny Williams [1787 Robert Street, Crofton] in opposition.
- (3) Letter from Richard and Louise Ritco [1738 Meagan Street, Crofton] who listed concerns.

The Corporate Officer summarized the submissions as follows:

- Loss of privacy in backyard
- The units will have decks overlooking their backyard causing fishbowl living
- Exposure to multiple years of construction traffic and noise
- Removal of trees and grading of land has already caused water runoff onto neighbouring property creating erosion issues which has cost Lorne Zawislak \$40,000 to address
- Will guarantees be in place that correct drainage so neighbouring properties are not washed out from water runoff?
- Can the Crofton water/sewer infrastructure support the proposed development?
- Concerns that people who do not use the sewer system will be taxed for upgrades
- Crofton Elementary School is not large enough to accommodate new students
- Wondering whether there will be height restrictions so not to obstruct ocean view
- Concerns about construction times, reducing dust and dirt with a water truck, and water runoff from the site

Copies of these submission were made available to the public in the information package that is available in print format at the door to Council Chambers and has been published to the public hearings' webpage so that members of the public may view and comment on this submission.

3.1.6 Presentation by proponent

The applicant, Scott Mack of Townsite Planning provided a brief presentation that outlined their application and answered questions from Council.

3.1.7 Comments from the public

The Mayor called for submissions from members of the public who were participating electronically through the Cisco Webex platform or in Council Chambers.

The following people were heard by Council in person from Council Chambers:

- Marlaine Williams, 1787 Roberts Street, was opposed to the Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023 [1771 Robert Street]. Mrs. Williams advised that she resides west of the proposed development and noted that it was interesting that there were no photos provided for that direction, only north, south and east. She noted that her property is not hooked up to the municipal sewer system because it does not come up that way. She has borne the cost of having new septic put in. She is concerned about fencing and height restrictions. She notes fencing will essentially cut off any current ocean view that they are privileged to have. She has concerns about a devaluation of their property because the ocean views and the landscape are enhancing and that makes it far better for them to sell and when the development starts, they won't have that opportunity. She has grandchildren who attended Crofton Elementary School for 6 years. She feels her grandchildren should have been in Crofton Elementary School for 7 years, but the grade 7 students were shipped up to Chemainus to be with the grade 12 students that are doing things that are not appropriate for grade 6 or 7 student. With Crofton Elementary School being a new school, she also has concerns about capacity and whether grade 6 students will be shipped up to Chemainus to accommodate this proposed development. Mrs. Williams had concerns about the proposed pond to be used for drainage, as well as the development's pond encroaching onto their property as well as the neighbour behind their property. Mrs. Williams is wondering who will maintain the pond and who will be responsible for the liability related to the pond. She feels there is more planning to be done before this proposed development should go ahead. Mrs. Williams thanked Mayor and Council for their attention and time.

The Mayor called for a second time for input from the public. No members of the public came forward on the Mayor's second call for submissions.

The Mayor called for a third time for input from the public.

- Joyce Behnson, North Cowichan, commented on the well-planned proposed development and knowing the concerns of neighbors in the area, questioned whether the applicant would consider a portion of the development adjacent to the existing homes, not as a park, but as an area that is separated from housing put up in such a way that it is like a park with plants that can be used as a hang-out area, or a walking area green space to create a separation between the proposed development and the existing adjoining properties. She commented that the proposed development looks good and is very well planned.

The Mayor called for a second and third time for input from the public, for which no further speakers came forward.

3.1.8 Close of public hearing

The Mayor declared the public hearing for Official Community Plan Amendment Bylaw No. 3914, 2023 and Zoning Amendment Bylaw No. 3915, 2023 [1771 Robert Street] closed at 7:27 p.m.

4. BYLAWS CONSIDERED AFTER PUBLIC HEARING

4.1 Official Community Plan Amendment Bylaw No. 3914, 2023 for third reading and adoption

IT WAS MOVED AND SECONDED:

THAT Council give third reading to Official Community Plan Amendment Bylaw No. 3914, 2023. (Opposed: Douglas, Justice)

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council adopt Official Community Plan Amendment Bylaw No. 3914, 2023.

(Opposed: Douglas, Justice)

CARRIED

4.2 Zoning Amendment Bylaw No. 3915 for third reading

IT WAS MOVED AND SECONDED:

THAT Council give third reading to Zoning Amendment Bylaw No. 3915, 2023. CARRIED

5. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

Certified by Corporate Officer

Signed by Mayor