

Municipality of North Cowichan Council - Regular and Public Hearings MINUTES

**July 20, 2022, 1:30 p.m.
Electronically**

Members Present Mayor Al Siebring
 Councillor Rob Douglas
 Councillor Christopher Justice
 Councillor Tek Manhas
 Councillor Kate Marsh
 Councillor Rosalie Sawrie
 Councillor Debra Toporowski

Staff Present Ted Swabey, Chief Administrative Officer (CAO)
 Sarah Nixon, Deputy Chief Administrative Officer (D/CAO)
 George Farkas, General Manager, Development and Community Services
 Alyssa Meiner, Information Management Officer
 Anthony Price, Development Planner
 Barb Floden, Manager, Communications and Public Engagement
 Caroline von Schilling, Development Planner
 Chris Osborne, Manager, Planning
 Dave Preikshot, Senior Environmental Specialist
 Jason Birch, Chief Information Officer
 Jeff Miller, Senior Manager, Engineering
 Jennifer Aldcroft, Climate Change Specialist
 John Dehoop, Manager, Infrastructure
 Marla Laycock, Director, Human Resources and Health & Safety
 Michele Gill, Manager, Development
 Michelle Martineau, Corporate Officer
 Rob Conway, Director, Planning and Building
 Sarah Grieves, Environmental Technologist
 Shawn Cator, Director, Operations
 Talitha Soldera, Director, Financial Services
 Theresa Dennison, Administrative Assistant to the Deputy CAO
 Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

There being a quorum present, Mayor Siebring called the meeting to order at 1:30 p.m.

2. APPROVAL OF CONSENT AGENDA

The following items were pulled from the Consent Agenda and added to New Business:

(1) 2.2.1 Quarterly List of Supplier Payments

(2) 2.2.2 Council Strategic Plan - Quarter 2 Update (April 1, 2022 - June 30, 2022)

(3) 2.2.3 City of Duncan Re: Corridor Safety Office Lease

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 June 15, 2022, their special and joint special meetings held July 5, 2022 and their special meeting held July 12, 2022. ADOPTED ON CONSENT

2.1.2 June 16, 2022 First Nations Relation Committee Recommendations

IT WAS MOVED AND SECONDED:

THAT Council direct staff to research municipal contributions to National Day for Truth and Reconciliation events on September 30, 2022, including both financial and organizational contributions, and to come back to Council with some recommendations. ADOPTED ON CONSENT

2.1.3 City of Duncan Re: Request for letter of support for City of Duncan Grant Application

IT WAS MOVED AND SECONDED:

THAT Council authorize the Mayor to provide a letter of support to the City of Duncan in support of their Cairnsmore Roundabout project. ADOPTED ON CONSENT

2.2 Items for information

2.2.4 Town of Gibsons Re: Hospice Services Funding - UBCM Resolution

IT WAS MOVED AND SECONDED:

THAT Council receive for information the June 16, 2022 letter from the Town of Gibsons. ADOPTED ON CONSENT

2.2.5 Town of View Royal Re: Support for Island Rail Corridor - UBCM Resolution

IT WAS MOVED AND SECONDED:

THAT Council receive for information the June 21, 2022 letter from the Town of View Royal. ADOPTED ON CONSENT

2.2.6 City of New Westminster Re: Library Funding - UBCM Resolution

IT WAS MOVED AND SECONDED:

THAT Council receive for information the June 21, 2022 letter from the City of New Westminster. ADOPTED ON CONSENT

2.2.7 STAND.earth Re: Acidic Washwater Dumping - UBCM Resolution

IT WAS MOVED AND SECONDED:

THAT Council receive for information the June 17, 2022 letter from STAND.earth.

ADOPTED ON CONSENT

3. APPROVAL OF AGENDA

The agenda was amended as follows:

- (1) Consent Agenda items 2.2.1 [Quarterly List of Supplier Payments], 2.2.2 [Council Strategic Plan - Quarter 2 Update (April 1, 2022 - June 30, 2022)], and 2.2.3 [City of Duncan Re: Corridor Safety Office Lease]
- (2) Correction of the bylaw number in the purpose statement of agenda item 5.3 from 3867 to 3868

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as amended.

CARRIED

4. MAYOR'S REPORT

The Mayor gave a verbal report on meetings and activities he recently attended.

5. DELEGATIONS AND PRESENTATIONS

5.1 2022 Environmental Education Program Contest Results

Sarah Grieves, Environmental Technologist provided a presentation on the 2022 Environmental Education Program and announced this year's award winners.

5.2 Bruno Jury to Present Proposal Related to Zoning Amendment Bylaw No. 3867

Mr. Jury provided a presentation to Council regarding their application for Zoning Amendment Bylaw No. 3867 and answered questions from Council.

5.3 Kristian Harvie to Present Proposal Related to Zoning Amendment Bylaw No. 3868

Mr. Harvie provided a presentation to Council regarding their application for Zoning Amendment Bylaw No. 3868 and answered questions from Council.

6. PUBLIC INPUT

Council received public input from one member of the public regarding agenda item 8.4

7. BYLAWS

7.1 Official Community Plan Amendment Bylaw No. 3869 for second reading

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give second reading to "Official Community Plan Amendment Bylaw No. 3869, 2022"; and,
- (2) Schedule a public hearing for "Official Community Plan Amendment Bylaw No. 3869, 2022", in accordance with the *Local Government Act*.

CARRIED

7.2 Zoning Amendment Bylaw No. 3867 (Paddle Road) and Zoning Amendment Bylaw No. 3868 (Ford Road) for second reading

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Amend section 4 of Zoning Amendment Bylaw No. 3867 (6478, 6494, 6493, 6489 Paddle Road from R1 & 6495 Paddle Road from CD10, to CD22), 2022 by:
 - (a) Striking out the value of 1.6 for the floor area ratio in column 3 of item 1, maximum density, in the table under subsection 80.22(2) and inserting 2.0 in its place;
 - (b) Striking out the value of 4 for the number of storeys in column 3 of item 3, maximum storeys, in the table under subsection 80.22(2) and inserting 5 in its place;
 - (c) Striking out the value of 17 m (55.8') in column 3 of item 4, maximum building height, in the table under subsection 80.22(2) and inserting 21.5 m (71') in its place; and,
 - (d) Striking out 35 in subsection 80.22(9)(f) and inserting 37 in its place;
- (2) Give second reading to Zoning Amendment Bylaw No. 3867 (6478, 6494, 6493, 6489 Paddle Road from R1 & 6495 Paddle Road from CD10, to CD22), 2022, *as amended*;
- (3) Schedule a Public Hearing for Zoning Amendment Bylaw No. 3867 (6478, 6494, 6493, 6489 Paddle Road from R1 & 6495 Paddle Road from CD10, to CD22), 2022, in accordance with the *Local Government Act*. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give second reading to Zoning Amendment Bylaw No. 3868 (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022; and,
- (2) Schedule a Public Hearing for Zoning Amendment Bylaw No. 3868 (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022, in accordance with the *Local Government Act*. (Opposed: Douglas, Justice)
CARRIED

IT WAS MOVED AND SECONDED:

THAT no unit under either bylaw being Zoning Amendment Bylaw No. 3867 and Zoning Amendment Bylaw No. 3868 be less than 350 square feet. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council require that no less than half the non-market housing units be included in phases 1 to 3 for Zoning Amendment Bylaw No. 3867.

(Opposed: Manhas, Sawrie, Siebring)
CARRIED

Council, by unanimous consent, recessed the meeting at 3:50 p.m. and reconvened at 4:05 p.m.

7.3 Zoning Amendment Bylaw No. 3875 (1234 Viewtop Road) for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give first and second readings to "Zoning Amendment Bylaw No. 3875, 2022" to permit a maximum of 15% of the total dwelling units to be in the form of a two-family dwelling at 1234 Viewtop Road; and,
- (2) Schedule a Public Hearing for "Zoning Amendment Bylaw No. 3875, 2022" in accordance with the *Local Government Act*.

CARRIED

7.4 Zoning Amendment Bylaw No. 3873 (to Harmonize existing Development Permit Guidelines with Development Permit Areas as proposed in the 2022 Official Community Plan)

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third readings to "Zoning Amendment Bylaw No. 3873".

CARRIED

7.5 Zoning Amendment Bylaw No. 3876, 2022 for first and second readings

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give first and second readings to Zoning Amendment Bylaw No. 3876, 2022; and,
- (2) Schedule a Public Hearing for Zoning Amendment Bylaw No. 3876, 2022, in accordance with the *Local Government Act*.

CARRIED

IT WAS MOVED AND SECONDED:

THAT the meeting be extended to 8:00 p.m.

CARRIED

8. REPORTS

8.1 Purchase of Land (Lot A River Road) from Artisan Gardens Strata

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Approve the purchase of Lot A River Road for \$9,000 from the Artisan Gardens Strata Corporation; and,
- (2) Authorize the Mayor and Corporate Officer to sign the Property Purchase Agreement, substantively as set out in the Property Purchase and Sale Agreement attached to the Information Management Officer's July 20, 2022 staff report.

CARRIED

8.2 Updated Estimate for the Parkside Academy Childcare Facility

IT WAS MOVED AND SECONDED:

THAT Council support and authorize staff to submit an application to the Ministry of Education and Childcare - Childcare BC New Spaces Fund, as outlined in the Director, Operations July 20, 2022 report in partnership with the Parkside Academy Childcare Society for the Morton Way facility, for an estimated cost of \$18,000,000.

CARRIED

8.3 Asset Management Planning Grant Application Approval

IT WAS MOVED AND SECONDED:

THAT Council support an application to the Asset Management Planning Program for a grant of up to \$12,500 for the creation of Asset Management Plans for major facilities and buildings and support overall grant management for the project. CARRIED

8.4 Climate Action and Energy Plan Reserve Fund Terms of Reference

IT WAS MOVED AND SECONDED:

THAT Council adopt the revised Terms of Reference for the Climate Action and Energy Plan Reserve Fund in its entirety as presented in Attachment 1 of the Senior Environmental Specialist's report dated July 20, 2022. (Opposed: Manhas, Siebring)
CARRIED

8.5 UBCM Resolution on Broom Control

IT WAS MOVED AND SECONDED:

THAT Council rescind their June 1, 2022, decision to "forward a resolution to the Union of British Columbia Municipalities (UBCM) and member local governments requesting that the UBCM call on the Province of British Columbia to establish Scotch Broom as a noxious weed and establish laws to mitigate spread on lands controlled by crown corporations and lands within Provincial control." CARRIED

9. NOTICES OF MOTIONS

9.1 Reimbursement of Councillor Marsh's reduction in compensation that resulted from the breach of Standards of Conduct Policy

Councillor Justice introduced the following motion which Council will consider at the August 17, 2022 regular Council meeting:

"THAT Council direct staff to prepare an amendment to subsection 1 (8) of the Council Remuneration Bylaw that would have the same effect of reimbursing Councillor Marsh an amount equivalent to her lost remuneration to date and up to the adoption of the bylaw amendment."

10. UNFINISHED AND POSTPONED BUSINESS

11. NEW BUSINESS

11.1 Review the Standards of Conduct Policy

IT WAS MOVED AND SECONDED:

THAT the following motion:

"THAT Council direct staff to review the Standards of Conduct policy and bring a report back to the newly elected Council that includes suggested improvements to the Standards of Conduct policy based on lessons learned and to include other best practices."

be amended to add the following words after 'staff to review the Standards of Conduct policy':

"based on the discussion of current members of Council and Staff who have varying experiences with the Policy to allow for improvements that will make the Policy more efficient and effective"

CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to review the Standards of Conduct policy based on the discussion of current members of Council and Staff who have varying experiences with the Policy to allow for improvements that will make the Policy more efficient and effective and bring a report back to the newly elected Council that includes suggested improvements to the Standards of Conduct policy based on lessons learned and to include other best practices.

CARRIED

11.2 Consider scheduling additional meetings over the Summer

IT WAS MOVED AND SECONDED:

THAT Council discuss with staff whether additional meeting/s besides those set for the OCP, will be required in order to address any of Council's priorities for this term.

DEFEATED

IT WAS MOVED AND SECONDED

THAT Council direct staff to schedule a discussion on an upcoming COW for continuance of the Committees the public currently sit on a) to keep the two we have, b) to consider some of the legacy Committees and which we might recommend Council consider and why.

(Opposed: Douglas, Manhas, Sawrie, Justice, Toporowski, Siebring)

DEFEATED

11.3 Consent Agenda Item 2.2.1 [Quarterly List of Supplier Payments]

This item was discussed.

11.4 Consent Agenda Item 2.2.2 [Council Strategic Plan - Quarter 2 Update (April 1, 2022 - June 30, 2022)]

This item was discussed.

11.5 Consent Agenda Item 2.2.3 [City of Duncan Re: Corridor Safety Office Lease]

This item was discussed.

12. QUESTION PERIOD

Council received one question from the public regarding agenda items.

13. ADJOURN COUNCIL MEETING TO RECONVENE AT 6:00 P.M.

IT WAS MOVED AND SECONDED:

THAT the meeting be adjourned at 5:05 p.m. to reconvene at 6:00 p.m. this evening.

CARRIED

14. PUBLIC HEARINGS 6:00 P.M.

Council reconvened the meeting at 6:00 p.m.

14.1 Public Hearing Zoning Amendment Bylaw (3110 Moorfield Road from R3 to R3-CH), 2022, No. 3872

Mayor Siebring outlined the public hearing process and called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw (3110 Moorfield Road from R3 to R3-CH), 2022, No. 3872.

The Corporate Officer, Michelle Martineau, noted there was one additional submission received after the agenda was published in opposition of the zoning amendment, and read out the correspondence.

The Development Planner, Caroline von Schilling, presented the proposed bylaw amendment and answered questions from Council.

The Corporate Officer, Michelle Martineau, noted that there was one email submitted from a resident who was opposed to the bylaw. That submission was included in the agenda and published in the public hearing information package located on the Public Hearings webpage.

Concerns included impact to the property owner's views, pedestrian and vehicle safety, that more of the sidewalk will be used for parking, it will set a precedent for setting up rental opportunities in a heavily populated area, and that the road is already very busy suggesting that a traffic study be conducted.

The applicant, Jerry Deol, and Erin Tett provided a brief presentations that outlined their application.

The Mayor called for submissions from members of the public a first time and no one raised their hands to speak.

The Mayor called for submissions from members of the public for a second and third time and no one raised their hand to speak.

The Mayor closed the public hearing for Zoning Amendment Bylaw (3110 Moorfield Road from R3 to R3-CH), 2022, No. 3872 at 6:19 p.m.

14.2 Public Hearing Zoning Amendment Bylaw (7167 Bell McKinnon Road), 2022, No. 3871

Mayor Siebring outlined the public hearing process and called the public hearing to order at 6:19 p.m. for Zoning Amendment Bylaw (7167 Bell McKinnon Road), 2022, No. 3871

The Corporate Officer, Michelle Martineau, noted that no petitions or late submissions had been received in relation to the Bylaw.

The Development Planner, Anthony Price, presented the proposed bylaw amendment and answered questions from Council.

The Corporate Officer noted that no written submissions were received from the public.

The applicant, Mr. Leidenius was present but had no comments to add in addition to the staff presentation.

The Mayor called for submissions from members of the public a first time and no one raised their hands to speak.

The Mayor called for submissions from members of the public for a second and third time and no one raised their hand to speak.

The Mayor closed the public hearing for Zoning Amendment Bylaw (7167 Bell McKinnon Road), 2022, No. 3871 at 6:33 p.m.

15. RESUME COUNCIL MEETING TO CONSIDER THE BYLAWS

Council reconvened the meeting at 6:33 p.m.

15.1 Zoning Amendment Bylaw (3110 Moorfield Road from R3 to R3-CH), 2022, No. 3872 for third reading and adoption

IT WAS MOVED AND SECONDED:

THAT Council:

- (1) Give third reading to "Zoning Amendment Bylaw (3110 Moorfield Road from R3 to R3-CH), 2022, No. 3872".
- (2) Adopt "Zoning Amendment Bylaw (3110 Moorfield Road from R3 to R3-CH), 2022, No. 3872".

CARRIED

15.2 Zoning Amendment Bylaw (7167 Bell McKinnon Road), 2022, No. 3871 for third reading

IT WAS MOVED AND SECONDED:

THAT Council give third reading to "Zoning Amendment Bylaw (7167 Bell McKinnon Road), 2022, No. 3871".

CARRIED

16. CLOSED SESSION

IT WAS MOVED AND SECONDED:

THAT Council close the meeting at 5:05 p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- 90(1)(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity; and
- 90(1)(m) a matter that, under another enactment, that being section 16(1)(a)(iii) of the Freedom of Information and Protection of Privacy Act related to intergovernmental relations or negotiations with an aboriginal government, is such that the public may be excluded from the meeting.

CARRIED

16.1 Minutes from the closed portion of the June 15, 2022 regular meeting and the July 12, 2022 special meeting for adoption

16.2 Closed under section 90(1)(b) – Personal information regarding municipal award or honour

16.3 Closed under sections 90(1)(b) – Personal information regarding municipal honour and 90(1) (m) FOIPPA s. 16 - relations with an aboriginal government

17. RISE AND REPORT

18. ADJOURNMENT

The meeting adjourned at 6:37 p.m.

Certified by Corporate Officer

Signed by Mayor