

Municipality of North Cowichan Council - Regular and Public Hearings MINUTES

September 21, 2022, 1:30 p.m.
Electronically

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Members Absent	Councillor Tek Manhas
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) George Farkas, General Manager, Development and Community Services Barb Floden, Manager, Communications and Public Engagement Caroline von Schilling, Development Planner Clay Reitsma, Director, Engineering Dave Preikshot, Senior Environmental Specialist Glenn Morris, Development Planning Coordinator Jason Birch, Chief Information Officer Jennifer Aldcroft, Climate Change Specialist Kim Ferris, Manager, Bylaw and Business Licensing Services Marla Laycock, Director, Human Resources and Health & Safety Martin Drakeley, Fire Chief, Senior Manager of Bylaw Services Michelle Martineau, Corporate Officer Rob Conway, Director, Planning and Building Sarah Grieves, Environmental Technologist Shaun Mason, Acting Director, Parks and Recreation Shawn Cator, Director, Operations Tricia Mayea, Deputy Corporate Officer Walter Wiebe, Senior Manager, Financial Services

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

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

Council noted an error in the minutes and asked that they be correct to reflect Councillor Justice as being absent from the meeting.

IT WAS MOVED AND SECONDED:

THAT Council adopt the minutes of their regular meeting held September 7, 2022.

ADOPTED ON CONSENT

2.2 Items for information

None.

3. APPROVAL OF AGENDA

IT WAS MOVED AND SECONDED:

THAT the agenda be adopted as circulated.

CARRIED

4. MAYOR'S REPORT

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

5. DELEGATIONS AND PRESENTATIONS

None.

6. PUBLIC INPUT

Council received no public input.

7. BYLAWS

7.1 2022-2026 Financial Plan Amendment Bylaw No. 3879

IT WAS MOVED AND SECONDED:

THAT Council adopt "Five-Year Financial Plan Amendment Bylaw, No. 3879, 2022".

CARRIED

7.2 Permissive Tax Exemption Amendment Bylaw No. 3877, 2022

IT WAS MOVED AND SECONDED:

THAT Council give first, second and third readings to Permissive Tax Exemption Amendment Bylaw No. 3877, 2022.

CARRIED

IT WAS MOVED AND SECONDED:

THAT the Mayor be authorized to write a letter to the Cowichan Neighbourhood House thanking them for their ongoing service to the community.

CARRIED

7.3 Amendments to the Bylaw Offence Notice Enforcement Bylaw and the Municipal Ticket Information System Bylaw for first three readings

IT WAS MOVED AND SECONDED:

THAT Council give first second and third readings to:

(1) Bylaw Offence Notice Enforcement Amendment Bylaw No. 3881, 2022; and,

(2) Municipal Ticket Information System Amendment Bylaw No. 3882, 2022.

CARRIED

8. REPORTS

8.1 Safer Community Plan Review and Next Steps

IT WAS MOVED AND SECONDED:

THAT Council terminate the existing lease for the Community Safety Office located at 490 Trans-Canada Highway. CARRIED

IT WAS MOVED AND SECONDED:

THAT Council direct staff to look for a different location for the Community Safety Office within North Cowichan's boundaries that will allow for continued safety patrols within the corridor and the areas around the Cowichan Commons and the Friendship Trail. CARRIED

8.2 Climate Adaptation Assessment Grant Application Approval

IT WAS MOVED AND SECONDED:

THAT Council support the submission of a grant application to the Community Emergency Preparedness Fund for up to \$150,000 under the Disaster Risk Reduction – Climate Adaptation funding stream for the development of a Climate Change Risk and Vulnerability Assessment for the Municipality of North Cowichan and support overall grant management of the project. CARRIED

8.3 Septic Tank Management to Support the Health of Water Bodies

IT WAS MOVED AND SECONDED:

THAT Council direct staff to work with Island Health to make available on the municipal website educational resources for residents about septic systems, including; material on septic tank maintenance and repairs; a virtual workshop on caring for septic systems; and, information on the benefits of regular septic tank pumping. CARRIED

8.4 Mitigating blue-green algae blooms in Quamichan Lake

IT WAS MOVED AND SECONDED:

THAT Council direct staff to:

- (1) Engage a consultant to assess the costs and benefits of aeration in Quamichan Lake to manage phosphorus dynamics and mitigate blue-green algae blooms; and,
- (2) Prepare a report for Council, which includes a recommendation on the most beneficial management option for mitigating blue-green algae blooms in Quamichan Lake. CARRIED

9. NOTICES OF MOTIONS

None.

10. UNFINISHED AND POSTPONED BUSINESS

10.1 Regular Pumping Out of Septic Tanks to Support the Health of Water Bodies

Councillor Justice withdrew the motion which he gave notice on at the July 21, 2021 regular Council meeting.

11. NEW BUSINESS

None.

12. QUESTION PERIOD

Council received no questions 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 2:59 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 Bylaw Amendment Bylaw No. 3868 (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022

Mayor Siebring outlined the public hearing process and called the public hearing to order at 6:00 p.m. for Zoning Bylaw Amendment Bylaw (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022, No. 3868.

- The Corporate Officer, Michelle Martineau, noted there were no petitions or late correspondence received after the agenda was published.
- The Development Planner, Caroline von Schilling, presented the proposed bylaw amendment and answered questions from Council.
- The Corporate Officer, Michelle Martineau, noted that there had not been any correspondence received that was published in the Digital Information Package available on the Public Hearings webpage and in the agenda, therefore, did not provide a summary.
- The applicant, Kristian Harvie, provided a brief presentation that outlined their application.

The Mayor called for submissions from members of the public who were participating either from Council Chambers or electronically through Cisco Webex platform. There were no submissions from members of the public who were participating electronically.

The following people were heard by Council:

- (1) *Joyce Behnsen* spoke twice, voicing concerns about parking, increase to traffic in the area and asked whether any traffic safety measures will be put in place. She also asked what the potential impact the development will have on the farm in the vicinity.
- (2) *Adrienne Richards* asked whether BC Assessment considers the impacts to, and decrease to the value of adjacent properties to this developments and whether the homes already in the area are grandfathered.

The Mayor called for submissions from members of the public for a further three times and no one raised their hand to speak.

The Mayor closed the public hearing for Zoning Bylaw Amendment Bylaw (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022, No. 3868 at 6:39 p.m.

14.2 Public Hearing Zoning Bylaw Amendment Bylaw No. 3878 (3288 Cowichan Lake Rd - Cannabis Retail), 2022

Mayor Siebring outlined the public hearing process and called the public hearing to order at 6:40 p.m. for Zoning Bylaw Amendment Bylaw No. 3878 (3288 Cowichan Lake Rd - Cannabis Retail), 2022, No. 3878.

- The Corporate Officer, Michelle Martineau, noted there were no petitions or late correspondence received after the agenda was published.
- The Development Planning Coordinator, Glenn Morris, presented the proposed bylaw amendment and answered questions from Council.
- The applicants, Kuljeet Thiara and Rebecca Hardin, were in attendance and able to comment if Council had any questions.
- The Corporate Officer, Michelle Martineau, noted that there was one item of correspondence received in support of the application from the corporate representative, Steven McPhee, for the property owner, Duncan's Berkey's Corner GP Inc. which had been included in the agenda package which was available in the public hearing binder and on the website.

The Mayor called for submissions from members of the public, who were participating either from Council Chambers or electronically through Cisco Webex platform, 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 Bylaw Amendment Bylaw No. 3878 (3288 Cowichan Lake Rd - Cannabis Retail), 2022, No. 3878 at 6:51 p.m.

14.3 Public Hearing Zoning Amendment Bylaw No. 3685 (3181, 3183 Gibbins Road; R3 to R3-MF), 2018

Mayor Siebring outlined the public hearing process and called the public hearing to order at 6:51 p.m. for Zoning Amendment Bylaw No. 3685 (3181, 3183 Gibbins Road; R3 to R3-MF), 2018, No. 3685.

- The Corporate Officer, Michelle Martineau noted there were no additional submissions received after the agenda was published.
- The Development Planner, Caroline von Schilling, presented the proposed bylaw amendment and she and answered questions from Council.
- The Corporate Officer, Michelle Martineau, noted that no other written submissions were received from the public. there had not been any correspondence received that was published in the Digital Information Package available on the Public Hearings webpage and in the agenda, therefore, did not provide a summary
- The applicant's representative, Richard Buckles provided a brief history of the property and outlined their application.

The Mayor called for submissions from members of the public, who were participating either from Council Chambers or electronically through Cisco Webex platform, 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 No. 3685 (3181, 3183 Gibbins Road; R3 to R3-MF), 2018, No. 3685 at 7:04 p.m.

15. RESUME COUNCIL MEETING TO CONSIDER THE BYLAWS

The Mayor resumed the Council meeting at 7:05 p.m.

15.1 Zoning Bylaw Amendment Bylaw No. 3868 (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022

IT WAS MOVED AND SECONDED:

THAT Council gives third reading to "Zoning Bylaw Amendment Bylaw (3005, 3011 Drinkwater Road & 6455 Ford Road from R1 to CD23), 2022, No. 3868". CARRIED

15.2 Zoning Bylaw Amendment Bylaw No. 3878 (3288 Cowichan Lake Road) - Cannabis Sales

IT WAS MOVED AND SECONDED:

THAT Council gives third reading to "Zoning Amendment Bylaw (Cannabis Sales – 3288 Cowichan Lake Road), 2022, No. 3878". CARRIED

IT WAS MOVED AND SECONDED:

THAT Council adopts "Zoning Amendment Bylaw (Cannabis Sales – 3288 Cowichan Lake Road), 2022, No. 3878". CARRIED

15.3 Zoning Amendment Bylaw No. 3685 (3181, 3183 Gibbins Road; R3 to R3-MF), 2018

IT WAS MOVED AND SECONDED:

THAT Council gives third reading to "Zoning Amendment Bylaw (3181, 3183 Gibbins Road; R3 to R3-MF), 2018, No. 3685". CARRIED

IT WAS MOVED AND SECONDED:

Adopt "Zoning Amendment Bylaw (3181, 3183 Gibbins Road; R3 to R3-MF), 2018, No. 3685". CARRIED

16. CLOSED SESSION

None.

17. RISE AND REPORT

18. ADJOURNMENT

The meeting adjourned at 7:19 p.m.

Certified by Corporate Officer

Signed by Mayor