

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, April 3, 2024, 4:00 p.m.

Municipal Hall - Council Chambers & Electronically

Members of the public may attend the Municipal Hall [7030 Trans-Canada Highway] in person, or join the meeting electronically to participate during the 'Public Input' and 'Question Period' portions of the agenda. Please visit northcowichan.ca/virtualmeeting for instructions on how to connect online or you may dial 1.844.426.4405, enter 1# for English, enter the meeting ID 2773 432 4636, and then enter the meeting password 1111.

1. CALL TO ORDER

As soon as there is a quorum present after the time specified for the Council meeting, the Mayor shall call the meeting to order. If there is no quorum of Council present within 30 minutes of the scheduled time for the meeting, the meeting is adjourned until the next scheduled meeting.

2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

A resolution of Council must be passed during the open portion of the meeting stating the basis under the *Community Charter* in which the public shall be excluded.

Recommendation:

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

- 90(1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

3. CLOSED SESSION [4:00 - 5:00 PM]

Any matters that must or may be closed to the public in accordance with section 90 of the *Community Charter* shall appear here.

3.1 Approval of in-camera meeting agenda

3.2 Adoption of in-camera meeting minutes

3.3 In-camera meeting items

3.3.1 Closed under section 90(1)(j) - FIPPA s.21 + Harm

3.4 Rise and Report

4. AWARDS

4.1 2024 Environmental School Program and Awards

Purpose: Sarah Grieves, Engineering Technologist, Environmental Programs to present awards to local students for the Environmental Education Program.

5. APPROVAL OF CONSENT AGENDA

To adopt all recommendations appearing on the Consent Agenda in one motion, without discussion or debate. Included are items that are regular, non-controversial, or routine in nature. Any item may be moved out at the request of any Council member for discussion or debate, before the agenda is approved. Items removed from the Consent Agenda will be placed under New Business.

Recommendation:

THAT Council approve the Consent Agenda and the recommendations contained therein.

5.1 Items for decision

All recommendations provided under each of the items listed below will be adopted once the Consent Agenda is approved, unless removed and placed under New Business.

5.1.1 Council Meeting Minutes for Adoption

Purpose: To consider if there were any errors or omissions prior to adopting the minutes of previous meetings of Council.

Recommendation:

THAT Council adopt the minutes of their special and regular meetings held March 20, 2024.

5.2 Items for information

All items listed below will be received for information purposes only once the Consent Agenda is approved, unless removed and placed under New Business where Council may consider taking action.

5.2.1 Environmental Advisory Committee Minutes

Purpose: To receive for information the draft minutes from the March 26, 2024, Environmental Advisory Committee meeting.

Recommendation:

THAT Council receive for information the minutes from the March 26, 2024, Environmental Advisory Committee meeting.

5.2.2 City of Duncan re Requesting support for AVICC Resolution

Purpose: To receive for information the March 15, 2024, letter from Michelle Staples, Mayor of the City of Duncan requesting support for their resolution [fail to appear charges in policing statistics] which will be considered at the Association of Vancouver Island Coastal Communities (AVICC) 2024 AGM & Convention.

Recommendation:

THAT Council receive for information the March 15, 2024, letter from the City of Duncan.

5.2.3 Town of Osoyoos re Requesting support for UBCM Resolution

Purpose: To receive for information the February 29, 2024, letter from Sue McKortoff, Mayor of the Town of Osoyoos requesting support for their resolution [legislative changes regarding personal and defamatory attacks on municipal leaders] which will be considered at the Southern Interior Local Government Association (SILGA) 2024 Convention, in advance of the UBCM Convention.

Recommendation:

THAT Council receive for information the February 29, 2024, letter from the Town of Osoyoos.

5.2.4 City of Port Alberni re Request for Enhanced Provincial Support for the Port Alberni Mill

Purpose: To receive for information the March 15, 2024, letter from Sharie Minions, Mayor of the City of Port Alberni to the Honourable Bruce Ralston, Ministry of Forests requesting enhanced provincial support for the Port Alberni Mill.

Recommendation:

THAT Council receive for information the March 15, 2024, letter from the City of Port Alberni.

5.2.5 Ministry of Agriculture and Food re An Invitation to present on Land Use Planning for Agriculture

Purpose: To receive for information the March 22, 2024, letter from Jeff Weightman, Acting Director, Land Use and Geospatial Unit, Ministry of Agriculture and Food, offering to present as a delegation to a future Council meeting on agricultural land use planning and the legislative tools available.

Recommendation:

THAT Council receive for information the March 22, 2024, letter from the Ministry of Agriculture and Food.

6. APPROVAL OF REGULAR AGENDA

To consider any items of business not included in the Agenda that are of an urgent nature they must be introduced and approved at the time the agenda is adopted. Matters must be taken up in the order that they are listed unless changed at this time.

Recommendation:

THAT the agenda be adopted as circulated [or as amended].

7. MAYOR'S REPORT

Mayor's opportunity to make announcements and update Council and the community on various matters which the Mayor has participated in since the last meeting.

8. DELEGATIONS

9. PUBLIC INPUT ON AGENDA ITEMS

Public Input is an opportunity for the public to provide their feedback on matters included on the agenda. The maximum number of speakers to be heard during the public input period is limited to five, with a maximum of three minutes allotted to each speaker. Members of the public attending the meeting in person must register at least 10 minutes prior to the meeting by signing the sheet posted outside of Council Chambers. Members of the public attending electronically must raise their hand once the meeting has been called to order. Please visit northcowichan.ca/virtualmeeting for instructions on how to raise your hand. Speakers are asked to state their name and residential address when commencing their address to Council.

10. BYLAWS

11. REPORTS

This section includes reports from staff requiring a decision of Council and/or staff presentations. Staff reports for information only are placed in the Consent Agenda.

11.1 Development Variance Permit Application 9837 Napier Place, Chemainus. BC

Purpose: To consider a Development Variance Permit application to vary a side yard fence height for an existing fence from 1.2 m to 2.5 m at 9837 Napier Place.

Recommendation:

THAT Council authorize the issuance of Development Variance Permit DVP00103 and grant a variance to section 37.1(8) of Zoning Bylaw No. 2950, 1997 to increase the maximum side yard fence height from 1.2 metres to 2.5 metres to regularize the existing fencing at 9837 Napier Place (PID 030-280-079).

11.2 Safer Community Plan

Purpose: To provide direction to staff on whether to continue to implement the recommended actions under the Safer Community Plan or to initiate the development of a new plan.

Recommendation:

THAT Council direct staff to undertake a collaborative process to develop a new Safer Community Plan which addresses crime, public safety, public disorder and the impacts of the addictions and mental health crisis on our community, and that staff return to Council with a draft version of that report for consideration.

11.3 Suspension of No Heavy Truck Route on Bell McKinnon Road

Purpose: To consider suspending the "no heavy trucks" restriction on Bell McKinnon Road during the construction of the Cowichan District Hospital Replacement and designating Mays Road from Herd Road to Bell McKinnon Road as a "no heavy truck" route.

Recommendation:
That Council:

1. Suspend the “no heavy truck” designation on Bell McKinnon Road between Herd Road and Mays Road until the detour route is not required for the construction works related to the Hospital Replacement Project as determined by the Director, Subdivision and Environmental Services.
2. Designate Mays Road from Herd Road to Bell McKinnon Road a “no heavy truck” route and direct staff to install appropriate regulatory signage.
3. Direct staff to complete work with the construction project team and the Ministry of Transportation and Infrastructure for effective and timely detour routing as described in the Director, Subdivision and Environmental Services report dated April 3, 2024.
4. Direct staff to work with the construction project team on an as needed basis to ensure that Bell McKinnon Road is repaired to the equivalent conditions present or better upon completion of the roadworks.
5. Direct staff to communicate with the public prior to detour routes becoming active and regularly throughout the construction at milestones that could affect motorists.

12. NOTICES OF MOTIONS

This section includes notices of motions submitted by Members of Council for introduction only, discussion and debate of the motion shall occur at a future meeting. Introductory remarks or clarifying questions are not permitted at this time as per Council’s Notice of Motion Policy.

12.1 Request for Termination of the Covid-19 Vaccine Mandate

Purpose: So that Councillor Findlay may introduce the following motion which Council will consider at the April 17, 2024, regular Council meeting.

“WHEREAS North Cowichan Council voted on March 20, 2024, to provide a grant-in-aid of \$1,000 to the Cowichan Valley Primary Care Society, and to send a letter in support of the Cowichan Valley Primary Care Society to the BC Minister of Health;

AND WHEREAS the healthcare industry in British Columbia is stretched to the limit, from all accounts;

AND WHEREAS approximately 10,000 healthcare workers retired, left the industry, moved out of province, or chose to stop working due to the provincial Covid-19 vaccine mandates;

AND WHEREAS approximately 4,000 healthcare workers remain out of the industry, but wish to return to their previous healthcare positions;

AND WHEREAS British Columbia remains the only jurisdiction in North America to maintain a vaccine mandate for healthcare workers;

NOW THEREFORE be it resolved that North Cowichan Council authorize the Mayor to send a letter to Minister of Health, Adrian Dix, and the Provincial Health Officer, Dr. Bonnie Henry, to request the termination of the Covid-19 vaccine mandate and invite over 4,000 healthcare workers back to work, to help alleviate the stress on the provincial health care system.”

12.2 Support for "Save BC Restaurants"

Purpose: So that Councillor Findlay may introduce the following motion which Council will consider at the April 17, 2024, regular Council meeting.

"WHEREAS Restaurants Canada and the BC Restaurants & Foodservice Association provided a "Save BC Restaurants" menu to North Cowichan council, recommending options for support the BC restaurant & food service industry;

AND WHEREAS North Cowichan, and the Cowichan Valley, have a significant amount of food service establishments, resulting in the 6th highest employment industry in the Cowichan Valley Regional District;

AND WHEREAS food service establishments were disproportionately affected by government's Covid-19 policies and the fallout of the pandemic;

NOW THEREFORE be it resolved that North Cowichan Council:

- 1. request a report from staff that outlines how North Cowichan can expedite the approval process for temporary and permanent patio additions for food service establishments; and*
- 2. authorize the Mayor to send a letter to the provincial government advocating to:*
 - a. remove the "red tape" for liquor licensing purposes, both in permanent and special event situations,*
 - b. implement a "trusted owner" liquor licensing system, rather than a property-specific system,*
 - c. reconsider the minimum wage levels, including an under-18 wage system, for entry-level positions such as food service workers, and*
 - d. freeze WorkSafeBC premiums and return the overages in the program to the businesses most affected by the excess premiums charged."*

12.3 Postpone BC Zero Carbon Step Code Emission Level 4 (EL-4)

Purpose: So that Councillor Findlay may introduce the following motion which Council will consider at the April 17, 2024, regular Council meeting.

"WHEREAS North Cowichan Council adopted the Building Amendment Bylaw on October 18, 2023, which included implemented Emission Level 3 of the BC Zero Carbon Step Code on January 1, 2024, and further implementing Emission Level 4 of the BC Zero Carbon Step Code on July 1, 2024;

AND WHEREAS the construction industry has stated this is an unreasonable and difficult acceleration of code implementation without the full BC industry being in line;

AND WHEREAS the Zero Carbon Step Code, as created by the BC government, was designed to be slowly implemented over time to allow industry to adapt;

AND WHEREAS several municipalities in British Columbia, including North Cowichan and Nanaimo, have expedited the Code six years faster than the provincial guidelines;

AND WHEREAS the construction industry while guided by the rules set out in the BC Building Code by the province, may have accelerated timelines for different, and sometimes neighbouring, municipalities for the Zero Carbon Step Code implementation;

AND WHEREAS North Cowichan staff recommended the expedience of the Zero Carbon Step Code but at a slower rate of Emissions Level 2, and to maintain the provincial guidelines for the Energy Step Code;

AND WHEREAS the Canadian Federation of Independent Business, the Greater Vancouver and Surrey Boards of Trade, the International Brotherhood of Electrical Workers and other unions, restaurant owners, trades and fireplace manufacturers, have created the BC Coalition for Affordable Dependable Energy lobby group to lobby the provincial government over such haphazard amendments;

NOW THEREFORE be it resolved that Council direct staff to draft an amendment to the Building Bylaw to postpone when the Emission Level 4 (EL-4) requirement comes into force and effect from July 1, 2024 to July 1, 2027, to allow industry to adapt to ever-changing energy advancements and legislation."

13. UNFINISHED AND POSTPONED BUSINESS

This section includes matters that have been postponed to a certain time or referred to staff, a committee or some other organization or person, and shall be placed under this section when the matter is returned to Council for consideration.

14. NEW BUSINESS

This section includes external items that require a decision of Council, items that have been removed from the Consent Agenda, and motions submitted by Council members, where previous notice has been given, for Council consideration.

15. QUESTION PERIOD

Question Period is an opportunity for the public to ask brief questions regarding the business discussed during the meeting. When invited by the Mayor, members of the public who are attending the meeting in person may step up to the podium to ask their question(s) and members of the public who are attending electronically may raise their hand at this time. Please visit northcowichan.ca/virtualmeeting for instructions on how to raise your hand.

16. ADJOURNMENT

Once all the business is done and over with, the Mayor may declare the meeting adjourned without requiring a resolution of Council.