

Municipality of North Cowichan

Regular Council

MINUTES

March 1, 2017, 1:30 p.m.
Municipal Hall - Council Chambers

Members Present Mayor Jon Lefebure
 Councillor Joyce Behnsen
 Councillor Rob Douglas
 Councillor Maeve Maguire
 Councillor Kate Marsh
 Councillor Al Siebring
 Councillor Tom Walker

Staff Present Mark Ruttan, Director of Corporate Services / Deputy CAO
 Scott Mack, Director of Development Services
 David Conway, Director of Engineering and Operations

1. **CALL TO ORDER**

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

2. **APPROVAL OF AGENDA**

It was moved and seconded:

That Council approve the agenda as amended to add:

1. 9.1 Noise Agreement Update
2. 3.1 (Closed) Proposed Property Acquisition, and
3. 3.2 (Closed) Potential Litigation.

CARRIED

3. **ADOPTION OF MINUTES**

3.1 **Adoption of Minutes**

It was moved and seconded:

That Council adopt the February 15th Committee of the Whole and Regular Council minutes, as amended, and the February 20th Committee of the Whole minutes.

CARRIED

3.2 **Proposed Budget Additions**

It was moved and seconded:

That Council

1. add to the draft 2017 budget \$50,000 for the Cowichan Aquatic Centre, \$50,000 for Somenos Creek improvements, and \$5,000 for First Nations engagement; and

2. apportion the budget increase evenly across all assessment classes, with the exception of class 5, Light Industry, which will receive a 2.5% tax decrease (the net impact will result in a 2.97% increase to classes 1-4 & 6-8 and a 0.63% decrease to class 5).

CARRIED

4. PUBLIC INPUT

Council received public input regarding Council's draft Communications Protocol.

5. BYLAWS

5.1 Bylaw 3638 - "Highway Use Amendment Bylaw, 2017"

It was moved and seconded:

That Council adopt "Highway Use Amendment Bylaw, 2017", No. 3638.

(Opposed: Behnsen)

CARRIED

5.2 Bylaw 3640 - "Zoning Amendment Bylaw (No. 15 – Sycamore Street), 2016"

It was moved and seconded:

That Council read a first time "Zoning Amendment Bylaw (No. 15 – Sycamore Street), 2016", No. 3640.

CARRIED

It was moved and seconded:

That Council require registration of a restrictive covenant on the title of Lot 3, Plan 19240 (Sycamore Street) prior to adoption of the zoning amendment bylaw that sets a minimum front yard and garage setback of 9.0 m.

(Opposed: Behnsen; Siebring)

CARRIED

It was moved and seconded:

That Council direct staff initiate the process to hold a public hearing for "Zoning Amendment Bylaw (No. 15 – Sycamore Street), 2016", No. 3640.

CARRIED

5.3 Bylaw 3644 - "Zoning Amendment Bylaw (No. 2 – Henry Road), 2017"

It was moved and seconded:

That Council read a first and second time "Zoning Amendment Bylaw (No. 2 – Henry Road), 2017", No. 3644.

CARRIED

5.4 Bylaw 3648 - "South End Sewer Local Area Service Enlargement Bylaw, 2017"

It was moved and seconded:

That Council adopt "South End Sewer Local Area Service Enlargement Bylaw, 2017", No. 3648.

CARRIED

5.5 Bylaw 3649 - "Fees Amendment Bylaw (No. 2) 2017"

It was moved and seconded:

That Council read a first, second and third time "Fees Amendment Bylaw (No. 2), 2016", No. 3649.

(Opposed: Behnsen)

CARRIED

6. REPORTS

6.1 Kingsview Public Hearing

It was moved and seconded:

That Council direct staff to:

1. continue to work closely with Cowichan Tribes to discuss and hopefully resolve outstanding questions and concerns related to cultural sensitivity, environmental considerations, trespass and transportation; and
2. schedule a public hearing for the bylaws related to the proposed Kingsview Comprehensive Development Plan.

Amendment:

It was moved and seconded:

That Council amend the main motion to insert "within 90 days" between the words "hearing" and "for".

(Opposed: Douglas; Marsh)

CARRIED

Main Motion as Amended:

It was moved and seconded:

That Council direct staff to:

1. continue to work closely with Cowichan Tribes to discuss and hopefully resolve outstanding questions and concerns related to cultural sensitivity, environmental considerations, trespass and transportation; and
2. schedule a public hearing within 90 days for the bylaws related to the proposed Kingsview Comprehensive Development Plan.

(Opposed: Douglas; Marsh)

CARRIED

6.2 Fuller Lake Telecommunications Tower

It was moved and seconded:

That Council consent to Rogers' February 16, 2017 request to upgrade its equipment on the telecommunications tower on North Cowichan property near the Fuller Lake Arena.

CARRIED

It was moved and seconded:

That Council delegate authority, in its next amendment to the Delegation of Authority Bylaw, for the Chief Administrative Officer to consent to requests to install additional equipment on telecommunications towers on North Cowichan property and negotiate appropriate additional compensation.

Amendment:

It was moved and seconded:

That Council amend the main motion to add "existing" between the words "on" and "telecommunications".

CARRIED

Main Motion as Amended:

It was moved and seconded:

That Council delegate authority, in its next amendment to the Delegation of Authority Bylaw, for the Chief Administrative Officer to consent to requests to install additional equipment on existing telecommunications towers on North Cowichan property and negotiate appropriate additional compensation.

CARRIED

6.3 Chemainus Advisory Committee

It was moved and seconded:

That Council

1. retain the Chemainus Advisory Committee,
2. refer more matters to the Committee for its advice, and
3. consider expanding the Committee's mandate.

(Opposed: Behnsen; Maguire; Siebring)

CARRIED

6.4 Change to Liquor Licence

It was moved and seconded:

That Council endorse a change to Averill Creek's Vineyard's liquor licence to increase the seating capacity of its outdoor picnic area and direct staff to confirm whether suitable zoning is in place.

CARRIED

It was moved and seconded:

That Council delegate to staff requests from the Liquor Licensing and Control Branch to confirm zoning allows the operation of proposed picnic areas.

CARRIED

7. NOTICE OF MOTIONS

7.1 Election Signs

It was moved and seconded:

That Council direct staff to prepare a bylaw regulating the display of temporary election signs on municipal property within North Cowichan.

(Opposed: Lefebure; Douglas; Marsh; Walker)

DEFEATED

8. REVIEW OF COMMITTEE MINUTES

Council reviewed, for information, the following Council committee minutes:

1. Community Planning Advisory Committee - February 14, 2017
2. Chemainus Advisory Committee - February 16, 2017.

9. NEW BUSINESS

9.1 Noise Agreement Update

Council heard from Mayor Lefebure that the Gain Group has acquired noise monitoring equipment and that North Cowichan will install its own equipment. Council heard this will provide data on noise that should make it possible to create a voluntary agreement to limit noise from the test track facility.

10. QUESTION PERIOD

Council received no questions from the public regarding business considered at this meeting.

11. CLOSED SESSION

Council closed the meeting to the public at 4:32 p.m. on the basis of section (90) (1) (a), (c), (e) and (g) *Community Charter*. Council rose and reported on the following:

11.1 Committee Vacancies

Council received a Report dated February 22, 2017 from Alyssa Meiner, Deputy Director of Corporate Services, regarding Committee Vacancies for 2017.

It was moved and seconded:

That Council reappoint Nick Neisingh and James Cosh to the Community Planning Advisory Committee for a further three-year term ending April 30, 2020, subject to their willingness to be reappointed.

(Opposed: Behnsen; Maguire; Siebring)

CARRIED

It was moved and seconded:

That Council reappoint Eric Jeklin to the Forestry Advisory Committee for a further three-year term ending April 30, 2020, subject his willingness to be reappointed.

CARRIED

12. ADJOURNMENT

The meeting ended at 8:00 p.m.

Signed by Mayor

Certified by Corporate Officer