

Municipality of North Cowichan

Regular Council

MINUTES

March 15, 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
 Mark Frame, Director of Financial Services
 David Conway, Director of Engineering and Operations
 Alyssa Meiner, Deputy Director of Corporate Services
 Natasha Horsman, Community Planning Coordinator

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 the following items:

1. 3.1 (closed) Potential Litigation, and
2. 3.2 (closed) Proposed Property Disposition.

CARRIED

3. **ADOPTION OF MINUTES**

It was moved and seconded:

That Council adopt the minutes of the February 21, 2017 Special Council meeting as amended, and the March 1, 2017 Committee of the Whole and regular Council meetings.

CARRIED

4. **PUBLIC INPUT**

Council received brief public input regarding agenda items from registered speakers.

5. DELEGATIONS AND PRESENTATIONS

5.1 Wharf Manager's Annual Report

Council received a verbal report from Harmen Bootsma, Wharf Manager regarding activity, maintenance and finances involving the Chemainus, Crofton and Maple Bay wharfs.

It was moved and seconded:

That Council receive the Wharf Manager's March 1, 2017 report for information.

CARRIED

6. BYLAWS

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

It was moved and seconded:

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

CARRIED

6.2 Bylaw 3647 - "Zoning Amendment Bylaw (No. 3 - Text Amendment), 2017"

It was moved and seconded:

That Council read a first and second time "Zoning Amendment Bylaw (No. 3 – Text Amendment), 2017", No. 3647, as amended to include imperial measurements in parenthesis.

CARRIED

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

It was moved and seconded:

That Council adopt "Fees Amendment Bylaw (No. 2), 2016", No. 3649.

CARRIED

6.4 Bylaw 3650 - "Fees Amendment Bylaw (No. 3), 2017"

It was moved and seconded:

That Council read a first, second and third time "Fees Amendment Bylaw (No. 3), 2017", No. 3650.

CARRIED

6.5 Bylaw 3652 - "Five-Year Financial Plan Bylaw, 2017"

It was moved and seconded:

That Council read a first, second and third time "Five-Year Financial Plan Bylaw, 2017", No. 3652.

(Opposed: Behnsen)

CARRIED

7. REPORTS

7.1 Mobile Food Vending Regulations

It was moved and seconded:

That Council direct staff to draft bylaws to more effectively manage mobile food vending.

CARRIED

7.2 Murals Management Agreement

It was moved and seconded:

That Council:

1. approve, and authorize the Mayor and Corporate Officer to sign, the Murals Management Agreement with the Chemainus Festival of Murals Society;
2. direct staff to draft a bylaw to repeal the murals royalty fee in the Fees Bylaw;
3. approve the Society's request for reimbursement in the amount of \$29,033.90 from the Mural Protection Reserve Fund; and
4. repeal the 1985 and 1989 policies set out in the February 2, 2017 staff report.

CARRIED

7.3 Encroachment Agreement – 6855 Hall Road

It was moved and seconded:

That Council approve, and authorize the Mayor and Corporate Officer to sign, an encroachment agreement with the owners of 6855 Hall Road to allow an irrigation line within the Hall Road drainage culvert.

CARRIED

7.4 Licence of Occupation – Chemainus Ball Park

It was moved and seconded:

That Council authorize the Mayor and Director of Corporate Services to enter into a Licence of Occupation agreement to build a baseball dugout on private land adjacent to the Chemainus ball field.

CARRIED

7.5 Encroachment Agreement - Cassino Road

It was moved and seconded:

That Council authorise the Mayor and the Corporate Officer to sign an encroachment agreement with the strata corporation for Strata Plan EPS1773 to permit a white picket fence (no greater than 1.2 m in height) to encroach approximately 1.3 m into the Cassino Road right-of-way adjacent to strata lots 1 to 12, subject to the strata corporation planting and maintaining appropriate street trees (min. 6 cm diameter at breast height) within the rear yards of each of Strata Lots 1-12.

Amendment:

It was moved and seconded:

That Council amend the main motion to add the words "including appropriate market compensation".

(Opposed: Lefebure; Behnsen; Douglas; Maguire)

DEFEATED

It was moved and seconded:

That Council authorise the Mayor and the Corporate Officer to sign an encroachment agreement with the strata corporation for Strata Plan EPS1773 to permit a white picket fence (no greater than 1.2 m in height) to encroach approximately 1.3 m into the Cassino Road right-of-way adjacent to strata lots 1 to 12, subject to the strata corporation planting and maintaining appropriate street trees (min. 6 cm diameter at breast height) within the rear yards of each of Strata Lots 1-12.

(Opposed: Lefebure; Douglas; Maguire; Marsh; Walker)

DEFEATED

7.6 Early Public Consultation on Development Applications

It was moved and seconded:

That Council direct staff to draft a Land Use Procedures Bylaw.

CARRIED

7.7 Duncan-Cowichan Festival Society

Council agreed that Mayor Lefebure should attend if possible.

7.8 Motorsport Circuit Update

Council received a verbal report from Mayor Lefebure and staff regarding efforts to acquire acoustical monitoring equipment to monitor noise from the motorsport facility, as well as phase 2 plans for the motorsport facility property.

It was moved and seconded:

That Council recess from 3:43 p.m. to 3:51 p.m.

CARRIED

It was moved and seconded:

That Council send a letter to the GAIN Group directing them to make no use of phase 2 without a development permit.

CARRIED

It was moved and seconded:

That Council invite the Sahtlam Neighbourhood Association to a Committee-of-the-Whole meeting.

CARRIED

It was moved and seconded:

That Council extend the meeting to 6:00 p.m.

CARRIED

8. NOTICE OF MOTIONS

8.1 GHG Emission

Council Siebring gave notice he intends to move the following motion at the April 5, 2017 Regular Council meeting:

"That, as part of the 'review of the Climate Action and Energy Plan (CAEP) reserve fund terms of reference' added to the Council priority list on February 15th, staff be directed to prepare a report clarifying the alignment between GHG emission targets as identified in the CAEP and those identified in the Official Community Plan."

9. REVIEW OF COMMITTEE MINUTES

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

1. Protective Services Committee - February 28, 2017
2. Community Planning Advisory Committee - March 6, 2017

10. NEW BUSINESS

None.

11. QUESTION PERIOD

Council received questions from the public regarding business considered at this meeting.

12. CLOSED SESSION

Council closed the meeting to the public at 5:20 p.m. on the basis of section 90 (1) (a), (e) and (k) of the *Community Charter*. Council rose without reporting.

13. ADJOURNMENT

The meeting ended at 10:45 p.m.

Signed by Mayor

Certified by Corporate Officer