

Municipality of North Cowichan Regular Council MINUTES

**March 21, 2018, 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 (after 3:44 p.m.)

Staff Present Ted Swabey, Chief Administrative Officer (CAO)
 Mark Ruttan, Director of Corporate Services / Deputy CAO
 David Conway, Director of Engineering and Operations
 Kyle Young, Director of Development Services
 Ernie Mansueti, Director of Parks, Forestry and Recreation
 Natasha Horsman, Manager of Communications and Strategic Initiatives

1. CALL TO ORDER

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

2. MAYOR'S STATEMENT

Mayor Lefebure recognized Terri Brennan for going above and beyond while assisting the public with a matter dealing with a park bench.

3. APPROVAL OF AGENDA

It was moved and seconded:

That Council approve the agenda as amended to add the following:

1. 12.1 Request For Letter of Support,
2. 12.2 Special Council Closed Meeting, and
3. 3.1 (Closed) Personnel.

CARRIED

4. ADOPTION OF MINUTES

It was moved and seconded:

That Council adopt the minutes of the following meetings:

1. Committee of the Whole held March 5, 2018;

2. Committee of the Whole held March 7, 2018; and
3. Regular Council held March 7, 2018.

CARRIED

5. PUBLIC MEETINGS AND HEARINGS

5.1 Public Hearing - Bylaw 3693 - "Zoning Amendment Bylaw (No. 5 - Somenos Road), 2018"

Public Hearing Report – Council commenced a public hearing at 1:35 p.m. to allow the public to make representations to Council respecting proposed Bylaw 3693. Mayor Lefebure outlined the public hearing order of business and read aloud Council’s policy that it will not receive verbal or written communications from the public regarding the proposed zoning amendment bylaw after the closure of the public hearing. He then invited those in attendance to submit any last-minute correspondence. Nothing was presented. No correspondence was received from the public in response to the public hearing notice. Council then received a presentation regarding the proposal from Kyle Young, Director of Development Services. Council also heard from Mr. Gurdial Singh Khela, of 6123 Sumas Road, who spoke in opposition to the proposal due to his belief that the area currently has sufficient housing density. Mayor Lefebure then asked three times if anyone else wished to speak. No one spoke so Mayor Lefebure closed the public hearing at 1:51 p.m.

It was moved and seconded:

That Council read a third time "Zoning Amendment Bylaw (No. 5 – Somenos Rd), 2018," No. 3693.

CARRIED

It was moved and seconded:

That Council adopt "Zoning Amendment Bylaw (No. 5 – Somenos Rd), 2018," No. 3693.

CARRIED

5.2 Public Meeting - Temporary Use Permit - 2003 University Way

Council received a presentation from the Director of Development Services regarding the temporary use permit. Council then invited public input but no one came forward.

It was moved and seconded:

That Council issue temporary use permit No. TUP00009 to School District No. 79, for 2003 University Way, to permit temporary commercial uses (Midway, Circus and Vehicle Sales) for a term of three years.

(Opposed: Marsh)

CARRIED

6. PUBLIC INPUT

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

7. DELEGATIONS AND PRESENTATIONS

7.1 Cowichan Green Community

Council received a video presentation from Judy Stafford regarding the Cowichan Green Community's accomplishments during 2017.

8. BYLAWS

8.1 Bylaw 3694 - "Proposed Fees Amendment Bylaw, 2018"

It was moved and seconded:

That Council read a first, second and third time "Fees Amendment Bylaw, 2018", No.3694.

CARRIED

8.3 Bylaw 3692 - "Zoning Amendment Bylaw (No. 4 – Cambrai Road), 2018"

It was moved and seconded:

That Council read a first and second time "Zoning Amendment Bylaw (No. 4 – Cambrai Road), 2018", No. 3692.

CARRIED

8.2 Bylaw 3698 - "Chemainus Business Improvement Area Bylaw, 2018"

It was moved and seconded:

That Council:

1. read a first , second and third time "Chemainus Business Improvement Area Bylaw, 2018", No. 3698, and
2. give notice that it intends to re-establish a Business Improvement Area for Chemainus, unless a valid petition against this service is presented within 30-days after notice had been given.

CARRIED

9. REPORTS

9.1 Temporary Mobile Home Permit - 7221 Bell McKinnon Road

It was moved and seconded:

That Council issue temporary mobile home permit No. TTP00072 to Alana Fox and Josephine LeBlanc, for 7221 Bell McKinnon Road (despite the fact that the parcel is .80 ha in size, rather than the .81 ha minimum lot area required by section 2 of the Temporary Mobile Home Permit Bylaw).

CARRIED

9.2 2017 Annual Report

Council reviewed the Municipal Forester's 2017 Annual Report.

Councillor Marsh left the meeting at 3:04 p.m.

It was moved and seconded:

That Council receive, for information, the Municipal Forester's 2017 Annual Report.

CARRIED

9.3 Boys Road Safety Design

It was moved and seconded:

That Council direct staff to prepare a report on improvements to Boys Road as proposed by students of Cowichan Secondary Youth Placemaking.

CARRIED

9.4 Ambleside Place Sewer Extension

Councillor Marsh returned to the meeting at 3:05 p.m.

It was moved and seconded:

That Council direct staff to work with the Ambleside Place property owners to prepare a petition to

1. extend sanitary sewer to their properties as a local area service, and
2. include their properties in the South End Sewer Local Area Service.

CARRIED

9.5 Drinkwater Road Traffic Calming

It was moved and seconded:

That Council direct staff to consider installing speed tables on local and collector roads, including in playground areas of Herd Road in Maple Bay and Queen Street in Crofton, as contemplated in North Cowichan's traffic calming policy.

CARRIED

9.6 Petition to Extend Municipal Water

Council reviewed the February 16, 2018 letter from Tom Miller regarding a petition to extend Municipal water to the area of Genoa Bay.

It was moved and seconded:

That Council direct staff to provide a report regarding an extension of the South End Water Local Area Service to Genoa Bay.

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

DEFEATED

Councillor Behnsen left the meeting at 3:40 p.m.

It was moved and seconded:

That Council direct staff to provide a report on options to address Genoa Bay residents' concerns regarding water.

CARRIED

9.7 Licence of Occupation

It was moved and seconded:

That Council approve, and authorize the Mayor and Corporate Officer to sign, a Licence of Occupation with Freshwater Fisheries Society of BC to occupy 2731 Boys Road for a five-year term.

CARRIED

10. NOTICE OF MOTIONS

Councillor Siebring gave notice that he intends to move the following motion at the April 4, 2018 regular Council meeting:

"That Council direct staff to prepare a report on Council remuneration, including an assessment of remuneration rates in comparable municipalities, and the impacts of planned CRA changes taking effect in 2019."

11. REVIEW OF COMMITTEE MINUTES

Councillor Behnsen returned to the meeting at 3:42 p.m.

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

1. Forestry Advisory Committee - March 7, 2018,
2. Community Planning Advisory - March 12, 2018, and
3. Public Works Committee - March 14, 2018.

12. NEW BUSINESS

12.1 Request For Letter of Support

Councillor Behnsen left the meeting at 3:43 p.m.

It was moved and seconded:

That Council provide a letter of support to the Maple Bay Rowing Club for their gaming grant application.

CARRIED

12.2 Special Council (Closed) Meeting

Councillor Walker arrived at 3:44 p.m. and Councillor Behnsen returned to the meeting at 3:44 p.m.

It was moved and seconded:

That Council

1. hold a special Council (closed) meeting on Monday, March 26, 2018, at 7:00 p.m. to consider a matter under Section 90 (2) (b) [*confidential information from the provincial or federal government*] of the *Community Charter*, and
2. waive the meeting notice requirement (a unanimous vote to waive the notice was not obtained).

(Opposed: Behnsen)

CARRIED

13. QUESTION PERIOD

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

14. CLOSED SESSION

Council closed the meeting to the public at 3:46 p.m. on the basis of section (90) (1) (a) *[personnel]*, (b) *[honour]*, (e) *[disposition of land]*, (i) *[receipt of legal advice]*; and (k) *[discussion regarding proposed municipal facility]* of the *Community Charter*. At 5:06 p.m. Council rose and reported on the following:

14.1 Turner Lane Land Sale

It was moved and seconded:

That Council

1. support the Mayor and Director of Corporate Services in amending the Turner Lane purchase and sale agreement (under section 2 (3) of the Delegation of Authority Bylaw) to extend the closing date from March 31, 2018 to June 30, 2018, and
2. ask the Municipal Solicitor to negotiate revisions to the ancillary agreement to better protect the Municipality's interests.

CARRIED

14.2 Affordable Housing Communications Plan

It was moved and seconded:

That Council direct staff to prepare and carry-out a communications plan regarding Council's decision to support revised design concepts for the Sherman Road and Willow Street affordable housing project.

CARRIED

14.3 Delegation of Authority Bylaw Amendment

It was moved and seconded:

That the CAO, in consultation with the Municipal Solicitor, be directed to draft a revised delegation of authority bylaw for Council's consideration that outlines the CAO's authority for personnel administration which includes appointing, promoting, disciplining, and dismissing its employees, and other delegated authority as deemed appropriate.

CARRIED

15. ADJOURNMENT

The meeting ended at 5:07 p.m.

Signed by Mayor

Certified by Corporate Officer
(Minutes certified "correct" and Public Hearing
report certified "fair and accurate")