

Municipality of North Cowichan

Regular Council

MINUTES

April 17, 2019, 1:30 p.m.
Municipal Hall - Council Chambers

Members Present Mayor Al Siebring
 Councillor Rob Douglas
 Councillor Christopher Justice
 Councillor Tek Manhas
 Councillor Kate Marsh
 Councillor Rosalie Sawrie
 Councillor Debra Toporowski

Staff Present Ted Swabey, Chief Administrative Officer (CAO)
 Karen Robertson, Corporate Officer
 Jacqueline East, General Manager, Development and Engineering Services
 Mark Frame, General Manager, Financial and Protective Services
 Ernie Mansueti, General Manager, Community Services
 Sarah Nixon, General Manager, People and Business Services
 Rob Conway, Director of Planning
 Natasha Horsman, Manager, Communications and Strategic Initiatives

1. **CALL TO ORDER**

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

2. **APPROVAL OF AGENDA**

It was moved and seconded:

That Council adopt the April 17, 2019 Regular Council agenda, as amended by:

- **replacing item 9.1 (Animal Responsibility Bylaw) with the report and bylaw circulated on the addendum agenda;**
- **adding the letter from Amy Matamba regarding a request for a letter of support circulated on the addendum agenda (item 10.2);**
- **adding the letter from the Liquor Distribution Branch regarding its request for Council to reconsider first reading of its rezoning application at the May 1, 2019 Council meeting circulated on the addendum agenda (item 10.3);**
- **removing item 6.3 (delegation from Maria Green and Alison Strom) as they asked to reschedule to a future meeting; and**
- **adding a Notice of Motion by Councillor Justice (to be considered under Notice of Motion – 11.1).**

CARRIED

3. ADOPTION OF MINUTES

It was moved and seconded:

That Council adopt the minutes of the following meetings:

- 1. Committee of the Whole meeting held April 3, 2019;**
- 2. Regular Council meeting held April 3, 2019; and**
- 3. Special Council meeting held April 8, 2019.**

CARRIED

4. MAYOR'S REPORT

The Mayor gave a verbal report on meetings and activities he recently attended. He then highlighted that Sarah Nixon, General Manager of Corporate Services, recently received her certification from the Society for Human Resource Management. He conveyed that this achievement means that Ms. Nixon is a recognized expert and leader in the field of HR and it complements her Master's Degree in Public Administration and her designation as a Chartered Professional in Human Resources. He congratulated Ms. Nixon on her impressive accomplishment and stated that North Cowichan is fortunate to have her on staff.

5. PUBLIC INPUT

Council received brief public input regarding agenda items from the following registered speakers:

- Joyce Behnsen spoke to item 7.2 (proposed environmental position) and item 9.3 (Five-Year Financial Plan);
- Sandy McPherson spoke to item 7.2 (proposed environmental position);
- David Haley spoke to item 7.1 (community engagement in the municipal forest reserve); item 7.2 (environmental position); item 8.2 (collaboration on developing forest management plans); and 8.3 (forest operation's review);
- Peter Rusland spoke to item 6.2 (tree protection bylaw petition); and
- Paulina Kee spoke to item 7.1 (community engagement in the municipal forest reserve).

6. DELEGATIONS AND PRESENTATIONS

6.1 DELEGATION: Alastair MacGregor, MP Re: housing, opioid crisis and watershed protection

Alastair MacGregor, MP provided an update to Council on what he has been working on, and what the Federal Government has been working on regarding the housing crisis, opioid crisis, and watershed protection.

6.2 DELEGATION: Cynthia Montgomery Re: Presentation of a Petition to Request that Council Implement a Tree Protection Bylaw

Ms. Montgomery presented Council with a petition with over 500 signatures from North Cowichan residents requesting Council enact a tree protection bylaw similar to those found in many other municipalities.

6.3 DELEGATION: Maria Green and Alison Strom Re: Request to Remove a Tree at 2908 Stonehaven Drive

This item was pulled from the agenda as Mr. Strom advised she was unable to attend the meeting.

7. UNFINISHED AND POSTPONED BUSINESS

7.1 Community Engagement on the Municipal Forest Reserve

Consideration of the following motion was postponed from the March 20, 2019 Council meeting:

It was moved and seconded:

That Council affirm its desire to go ahead with a meaningful public engagement, both deep and broad, on the future management of our forests defined by the following decision statement:

Council will decide on an overall vision for the highest and best use of the Municipal Forest Reserve that:

- 1. will emphasize ecological stewardship and promotion of biodiversity;**
- 2. will build and enhance those values and interests the forest has for the community and forest experts;**
- 3. will be used to inform the development of a management framework and long term plan for achieving the vision; and**
- 4. if harvesting is to continue, will establish harvesting guidelines.**

This decision will preferably be made by January 2020, but will not be rushed.

(Opposed: Siebring; Douglas; Manhas; Sawrie; Toporowski)

DEFEATED

It was moved and seconded:

That Council affirm its desire to go ahead with a meaningful public engagement, both deep and broad, on the future management of our forests to determine the highest and best use of our Municipal Forest Reserve.

CARRIED

By consensus, Council recessed the meeting at 3:15 p.m.

The meeting reconvened at 3:25 p.m.

7.2 Proposed Environmental Position

Consideration of the following motion was postponed from the March 20, 2019 Council meeting:

It was moved and seconded:

That a senior environmental specialist be hired to expedite completion of the climate change and environment-related priority projects of Council identified in the 2019-2022 Council Strategic Plan.

(Opposed: Siebring; Manhas)

CARRIED

8. FOREST ADVISORY COMMITTEE RECOMMENDATIONS

8.1 April 8, 2019 Forest Advisory Committee Minutes (for information purposes)

Council reviewed, for information, the April 8, 2019 Forestry Advisory Committee minutes.

8.2 Letter from UBC Professor Peter Arcese Re: Proposed Collaboration on Developing Forest Management Plans to Achieve Shared Goals

It was moved and seconded:

That Council direct staff to:

- 1. Explore the opportunity of forming a collaboration between the Municipality of North Cowichan, UBC, and the Coastal Douglas Fire Conservation Partnership, as proposed by the University of British Columbia, for the purposes of developing forest management plans to achieve shared goals and report back to the Committee; and**
- 2. Invite UBC/Conservation partnership group members to attend an upcoming Forest Advisory Committee meeting to provide a presentation and answer questions from Committee members.**

CARRIED

By consensus, Council agreed to reimburse any out of pocket expenses for University of British Columbia representatives to attend meetings at the Municipality, with funds to come from the Forest Reserve budget.

8.3 Forest Operations Review

It was moved and seconded:

That a residents' survey be considered as part of the broader forestry engagement strategy.

CARRIED

9. BYLAWS

9.1 "Animal Responsibility Bylaw 3740, 2019" - a bylaw to include provisions for animal welfare, control, licencing, duties of animal owners, penalties, and enforcement

It was moved and seconded:

That "Animal Responsibility Bylaw No. 3740, 2019" be amended as follows:

- By adding the following after section 7: "7.1 Every owner of an outdoor Cat must have the Cat spayed or neutered."**
- By deleting "premises operated by an institution of education for research, study or teaching purposes" from section 9(c) and renumbering section 9(d) to 9(c).**
- By deleting "such that the ambient temperature in the enclosure does not exceed 23 degrees Celsius and/or" from section 24(b) and add the word "and" before the words "the Animal does not exhibit signs of distress."**
- By adding the word "or" after "pet shows" in section 35(c), and deleting section 35(e) which states "rodeos".**

And That Council give "Animal Responsibility Bylaw No. 3740, 2019" third reading, as amended.

CARRIED

9.2 Bylaw 3745 "Fees Amendment Bylaw, 2019" - a bylaw to amend the animal fees

It was moved and seconded:

That Council adopt Bylaw 3745 "Fees Amendment Bylaw, 2019" – a bylaw to amend the Animal Fee schedule.

CARRIED

9.3 Bylaw 3747 "Five-Year Financial Plan Bylaw, 2019" and Bylaw 3749 "Tax Rates Bylaw, 2019"

It was moved and seconded:

That Council give first three readings to "Bylaw 3747, Five-Year Financial Plan, 2019".

CARRIED

It was moved and seconded:

That Council give first three readings to "Bylaw 3749, Tax Rates Bylaw, 2019".

CARRIED

9.4 Bylaw 3744 "Fees Amendment Bylaw (No. 2 - Waste Collection Fees) 2019" - a bylaw to formalize the garbage rate increases as outlined in the 2019-2023 Financial Plan

It was moved and seconded:

That Council adopt "Fees Amendment Bylaw (No. 2 Waste Collection Fees), 2019" No. 3744 – a bylaw to provide for a 2% rate increase to cover the increased costs associated with waste collection.

CARRIED

10. CORRESPONDENCE

10.1 The Erosion of Democratic Elected Government

It was moved and seconded:

That Council receive and file the April 5, 2019 letter by the Mayor of Maple Ridge.

CARRIED

10.2 Request from Amy Matamba Re: Letter of Support for the Zimbabwe Music Society

It was moved and seconded:

That Council authorize the Mayor to provide a letter of support to the Zimbabwe Music Society validating and acknowledging the Society as a non-profit and to convey support for the valuable work they are providing to the community.

CARRIED

10.3 Liquor Distribution Branch - BC Cannabis Store Retail Store Application

Councillor Toporowski declared a conflict of interest as Cowichan Tribes is a partner in Costa Canna Corporation and she is a Cowichan Tribes Council member and left the Council Chambers at 2:55 p.m.

Councillor Manhas declared a conflict of interest as his employer has submitted a rezoning application for a retail cannabis store and left the Council Chambers at 2:55 p.m.

It was moved and seconded:

That Council reconsider its decision to hold off considering the site specific rezoning application by the BC Liquor Distribution Branch to permit the use of Retail Cannabis Sale and direct staff to place the rezoning application on the May 1, 2019 Council meeting for consideration of first reading.

(Opposed: Siebring; Marsh; Sawrie)

DEFEATED

Councillors Toporowski and Manhas returned to the Council Chambers.

11. NOTICE OF MOTIONS

Councillor Justice requested that the following resolution be placed on the May 1, 2019 Regular Council agenda for Council's consideration:

Whereas Council's strategic plan includes the strategic priority to reconsider the urban containment boundary in the Quamichan watershed area;

And Whereas the rewriting of the Official Community Plan (OCP) will take up to two years before it is completed and ratified;

And Whereas the lands currently in the Urban Containment Boundary (UCB) in the Quamichan watershed are facing immediate development pressure, which will likely increase during the two year OCP process;

And Whereas it would appear that there are no other legal means to protect these lands until Council has consulted the community and deliberated on the appropriate location of the UCB;

Therefore Be it Resolved that Council ask staff to consider options to immediately amend the current OCP to either: 1) reclassify the land in the Quamichan watershed from "growth centre" back to "future development area"; or 2) move the location of the UCB out of the Quamichan watershed, until the new plan is completed.

12. NEW BUSINESS

None.

13. RISE AND REPORT

13.1 Rise and Report from the April 8, 2019 Closed Session

It was moved and seconded:

That Council ratify the following recommendation:

That Council continue with the present Committee of the Whole structure until October, 2019 at which time the committee structure will be re-evaluated by Council;

And That future Committee of the Whole meetings be chaired by the Deputy Mayor.

CARRIED

13.2 Rise and Report from the April 17, 2019 Closed Session

Council reported out that it endorsed the 2016 S-Amuna' / Somenos Marsh Conservation Area Management Plan, as attached to the Director of Engineering's April 17, 2019 report, in principle, while reserving the ability to consider participation in specific goals as and when the opportunities arise (i.e. RCMP Building lands).

14. QUESTION PERIOD

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

15. ADJOURNMENT

It was moved and seconded:

That Council adjourn the April 17, 2019 Regular Council meeting at 4:18 p.m.

CARRIED

Certified by Corporate Officer

Signed by Mayor