

Municipality of North Cowichan

Regular Council

MINUTES

June 5, 2019, 1:30 p.m.
Municipal Hall - Council Chambers

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

Members Absent Councillor Tek Manhas

Staff Present Sarah Nixon, General Manager, Corporate Services and Acting CAO
 Jacqueline East, General Manager, Development and Engineering Services
 Mark Frame, General Manager, Financial and Protective Services
 Ernie Mansueti, General Manager, Community Services
 Rob Conway, Director of Planning
 Don Stewart, Director, Parks and Recreation
 Natasha Horsman, Manager, Communications and Public Engagement
 Jason Blood, Manager, Recreation
 Karen Robertson, Corporate Officer

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 June 5, 2019 Regular Council agenda, as amended, to include the following late items that were circulated previously under the Revised Agenda:

- **Notice of Motion "Regional Management of Forestry" (to be considered under Notice of Motions - Item 11.3);**
- **Council member attendance at the Vancouver Island Economic Alliance's 2019 Island Wood Forum (to be considered under New Business – item 12.1); and**
- **Coastal Communities Social Procurement Initiative (to be considered under New Business - item 12.2).**

CARRIED

3. ADOPTION OF MINUTES

It was moved and seconded:

That Council adopt the following minutes:

- 1. Committee of the Whole meeting held May 15, 2019; and**
- 2. Regular Council meeting held May 15, 2019.**

CARRIED

4. MAYOR'S REPORT

The Mayor gave a verbal report on meetings and activities he recently attended.

Councillor Toporowski provided a report on the sessions she attended at the Federation of Canadian Municipalities conference which was held May 30 – June 2, 2019.

5. PUBLIC INPUT

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

- Bernie Jones spoke to item 9.1 (Committee of the Whole recommendation regarding endorsing a 12 month process for the Official Community Plan); and
- Joyce Behnsen spoke to item 11.1 (Regional Growth Strategy).

6. DELEGATIONS AND PRESENTATIONS

6.1 PRESENTATION: Mayor Siebring to Acknowledge Sandy McPherson's BC Community Achievement Award

Mayor Siebring acknowledged Sandy McPherson for receiving the BC Achievement Community Award for her outstanding leadership and volunteerism. He noted that Ms. McPherson was recently honoured in a ceremony at Government House in Victoria as one of this year's 25 recipients who received the award.

The Mayor conveyed that Council nominated Ms. McPherson for this award because she exemplifies community leadership and has volunteered countless hours at various organizations throughout the Cowichan Valley and beyond. Some of those include: North Cowichan's Environmental Advisory Committee, Somenos Women's Institute, Cowichan Green Community, Transition Cowichan, Cycle Cowichan, and Cowichan Chapter of Earth Guardians.

6.2 DELEGATION; Cowichan Energy Alternatives to Present the Current and Upcoming Greenhouse Gas Reduction Projects

Brian Roberts, Executive Director for Cowichan Energy Alternatives (CEA's) was in attendance to apprise Council of the current and upcoming greenhouse gas reduction projects that the Society is implementing, in partnership with the Cowichan Bio-Diesel Co-op and Ergo Sustainable Solutions Inc.

He highlighted that the Cowichan Energy Alternatives hub currently oversees projects such as the Community Carbon Marketplace, the green and go-biodiesel stations in the Cowichan Valley, the Vancouver Island waste cooking oil collections, and the CEA's community carbon smart program. The Society's future plans include: implementation of

a Green and Go station in the south end of the Cowichan Valley, re-launching of the website for local governments, businesses and individuals to off-set emissions, and raising awareness of their programs through education.

6.3 DELEGATION: Kevin Satterfield, Director of Retail Operation - Cannabis Operations, BC Liquor Distribution Branch Re: Zoning Amendment Bylaw for Cannabis Retail Sales at 2900 Drinkwater Road

Councillor Toporowski declared a conflict of interest on items 6.3, 6.4, 7.1 and 7.2 as Cowichan Tribes is a partner in a rezoning application for a retail cannabis store and she is a Cowichan Tribes Council member and left the Council Chambers at 2:22 p.m.

Kevin Satterfield, Director of Retail Operations for the BC Liquor Distribution Branch provided a PowerPoint overview of the BC Liquor Distribution Branch's rezoning application for a retail cannabis storefront at 2900 Drinkwater Road.

6.4 DELEGATIONS: Mr. Phil Floucault, President Costa Canna Corp. Re: Zoning Amendment Bylaw for Cannabis Retail Sales at 2951 Green Road

Chief Seymour gave an opening statement and thanked Council for the opportunity to present Costa Canna's rezoning application.

Mr. Phil Floucault, President of the Costa Canna Corp., provided a PowerPoint overview of Costa Canna's application for a retail cannabis storefront at 2951 Green Road. During the presentation, Mr. Floucault noted that staff put forward its recommendation to deny the application primarily based on the proposed location within the parcel of land at 2951 Green Road. He noted that Costa Canna has had further discussion with the landlord who would be willing to lease unit 110 to them, which is a much more desirable store front location.

7. REPORTS

7.1 Bylaw 3748 "Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater Road), 2019" – a bylaw to permit Cannabis Retail Sales

It was moved and seconded:

That Council approve First Reading of "Zoning Amendment Bylaw (Cannabis Sales – 2900 Drinkwater Road), 2019" No. 3748 to permit cannabis retail sales;

And That Council require the Applicant to conduct an Information meeting prior to Council's consideration of second reading.

CARRIED

7.2 Bylaw 3752 "Zoning Amendment Bylaw (Retail Cannabis Sales – 2951 Green Road), 2019 - an application to permit Cannabis Retail Sales at 2952 Green Road)

Based on the delegation by Costa Canna, a question and answer period ensued about the steps that would be involved with their application should a new location be put forward.

The Corporate Officer noted, that provided Costa Canna can secure a new storefront location within the same parcel of land, their existing application could be resubmitted for consideration of first reading, once the following information was received by the Planning department:

- Written authorization from the landlord at 2915 Green Road that they are willing to lease a new store front location to Costa Canna Corp. on the same parcel of land for a retail cannabis sales store; and
- Approval from the Liquor Control and Licencing Branch (LCLB) on the proposed new storefront location (as approval by the LCLB is "footprint specific" and a new location would precipitate a new approval).

It was moved and seconded:

That Council deny Zoning Bylaw Amendment Application No. 000109 (2951 Green Road, PID: 027-506-444) and invite the applicant to re-submit the application with the proposed new storefront location within the same parcel.

CARRIED

Concern was expressed by Council about its existing Retail Cannabis Policy, along with a desire to revisit the policy for discussion at a future Committee of the Whole meeting.

It was moved and seconded:

That the "Retail Cannabis Sales" policy be referred to a future Committee of the Whole meeting for review and discussion.

CARRIED

Council, by consensus, took a 10 minute recess at 3:15 p.m.

The meeting resumed at 3:25 p.m. with Councillor Toporowski in attendance.

7.3 Bylaw 3753 "Traffic Amendment Bylaw (River Road Speed Limit Change), 2019" a bylaw to amend the River Road speed zones

It was moved and seconded:

That Council give first three readings to "Bylaw 3753 - Traffic Amendment Bylaw (River Road Speed Limit Change), 2019.

CARRIED

7.4 Bylaw 3754 "Zoning Amendment Bylaw (Housekeeping Amendment), 2019"

It was moved and seconded:

That Council give first and second reading to "Bylaw 3754 – Zoning Amendment Bylaw (Housekeeping Amendment), 2019.

CARRIED

7.5 Vancouver Island Health Authority Agreements - Chemainus Seawalk

It was moved and seconded:

That Council approve, and authorize the Corporate Officer to sign, the restrictive covenant and statutory right-of-way agreements with the Vancouver Island Health Authority to facilitate development of the proposed Chemainus Sea Walk.

CARRIED

7.6 Recreation Fees and Charges 2019

It was moved and seconded:

That Council direct staff to draft an amendment to the Fees Bylaw for Recreation Fees for Council's consideration to include:

- 1. A 2% increase to individual admission rates rounded to the nearest nickel;**
- 2. A 2% increase to all rental, booking and event rates, excluding damage deposits and staffing rates;**
- 3. Deletion of the 3-hour room rental rates at Fuller Lake Arena, to be replaced with an hourly equivalent; and**
- 4. Removal of Personal Fitness Training rates.**

CARRIED

8. BYLAWS

8.1 Bylaw 3750 - "Municipal Ticket Information System Amendment Bylaw, 2019"

It was moved and seconded:

That "Municipal Ticket Information System Amendment Bylaw No. 3750, 2019" - a bylaw to assign fees to the Animal Responsibility Bylaw be adopted.

CARRIED

9. COMMITTEE OF THE WHOLE RECOMMENDATION (April 17, 2019)

Council considered the timeline for the Official Community Plan as discussed at the April 17, 2019 Committee of the Whole meeting.

9.1 Official Community Plan Process

It was moved and seconded:

That Council support the process for rewriting the Official Community Plan as outlined in the April 3, 2019 report by the Community Planning Coordinator (Attachments 2, 3, and 4) to the staff report.

CARRIED

10. CORRESPONDENCE

10.1 Livable Cities Forum - Victoria, BC (October 28 - 30, 2019)

It was moved and seconded:

That Councillors Sawrie, Marsh, and Justice be authorized to attend the Livable Cities Forum to be held October 28 - 30, 2019 at the Victoria Conference Centre in Victoria, BC.

CARRIED

11. NOTICE OF MOTIONS

11.1 Regional Growth Strategy

Council, by consensus, agreed to consider the notice of motion in two parts.

It was moved and seconded:

That the Mayor be directed to write the CVRD urging the Board to adopt a Regional Growth Strategy to prevent further urban sprawl.

It was noted that the CVRD would be going through its Strategic Planning session next week and that discussions about the Regional Growth Strategy would likely come up during those discussions.

It was moved and seconded:

That consideration of the motion be postponed for two weeks.

(Opposed: Douglas; Marsh; Toporowski)

DEFEATED ON A TIE VOTE

It was moved and seconded:

That the motion be amended to remove the word "adopt" and replace it with "consider initiating" and remove the words "to prevent further urban sprawl."

CARRIED

Main Motion as Amended:

It was moved and seconded:

That the Mayor be directed to write the CVRD urging the Board to consider initiating a Regional Growth Strategy.

CARRIED

It was moved and seconded:

That North Cowichan's appointees to the CVRD be directed to advocate for a Regional Growth Strategy in Board discussions.

(Opposed: Siebring; Marsh; Sawrie; Toporowski)

DEFEATED

11.2 North Cowichan's Proclamation Policy

It was moved and seconded:

Whereas North Cowichan's proclamation policy is over 20 years old, and contains no rationale for not issuing proclamations;

And Whereas proclamations can help community groups draw attention to important events and causes;

And Whereas many other communities both large (Victoria and Vancouver) and small (Duncan and Campbell River) support proclamation requests and issue proclamations;

Therefore be it Resolved that staff be directed to prepare a report and recommendation o an updated policy related to receiving proclamation requests and issuing proclamations.

(Opposed: Siebring)

CARRIED

11.3 Regional Management of Forestry

Councillor Douglas requested that the following Notice of Motion be considered at the June 19, 2019 Council meeting for the purposes of forwarding to UBCM for consideration:

Whereas the forest industry in British Columbia has been on a steady decline in recent decades, with regular mill closures, thousands of jobs lost, and once thriving forestry communities experiencing severe economic decline - in part due to government policies that removed the appurtenancy rules that tied timber harvest to processing at local mills and facilitated an unprecedented growth in raw log exports;

And Whereas many communities across British Columbia have demonstrated that when local people are empowered to manage their forests, such as is the case with the dozens of community forests across the Province, there are significant social, economic and environmental benefits, including: higher local employment levels and increased self-reliance of rural communities; increased public involvement in resource planning and management decisions; and reduced conflicts over timber harvesting in watersheds and other sensitive areas;

Therefore be it Resolved that the Province of British Columbia explore the feasibility of: 1) adopting a new model of regionally-based forestry management (as outlined in the paper Restoring Forestry in BC: The Story of the Industry's Decline and the Case for Regional Management by former B.C. Forests' Minister Robert Williams) to ensure power rests with the communities most directly affected by forest management decisions; 2) create a Forest Charter passed by the Legislature that includes an overall vision, sustainability principles, and standards and goals for our forests; and 3) to appoint a Forester General to serve as a new independent officer who will report annually to the Legislature and work with the regions on local land planning processes;

And Further be it Resolved that the Province of British Columbia implement a pilot project on Vancouver Island and Coastal BC, in partnership with local First Nations, that will empower local communities and provide an opportunity to assess the effectiveness of regional forestry management to enhance environmental sustainability, involve the public in planning and management, raise real incomes and provide fulling jobs, and improve equity and fairness.

12. NEW BUSINESS

12.1 Vancouver Island Economic Alliance's 2019 Island Wood Forum

It was moved and seconded:

That Council authorize registration payment for Councillor Sawrie, Justice, and Marsh to attend the Vancouver Island Economic Alliance, Island Wood Forum on June 20, 2019 at the Quw'utsun' Cultural Centre in Duncan, BC.

CARRIED

12.2 Coastal Communities Social Procurement Initiative (CCSPI)

It was moved and seconded:

That Council direct staff to prepare a report on the implications, costs, and value of pursuing membership in the Coastal Communities Social Procurement Initiative.

CARRIED

13. QUESTION PERIOD

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

14. CLOSED SESSION

It was moved and seconded:

That Council close the June 5, 2019 Council meeting to the public at 4:25 p.m. on the basis of the following sections of the *Community Charter*:

- **90(1)(e) - the acquisition, disposition or expropriation of land or improvements, that if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;**
- **90(1)(f) - law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;**
- **90(1)(i) - the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and**
- **(90)(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of Council, could reasonably be expected to harm the interests of the municipality if they were held in public.**

CARRIED

15. RISE AND REPORT

Council rose without report and adjourned the regular meeting at 5:40 p.m.

Certified by Corporate Officer

Signed by Mayor