



The Corporation of the District of North Cowichan
Council and Committee Procedures Amendment Bylaw
BYLAW NO. 4065

A bylaw to amend the Council and Committee Procedure Bylaw No. 3945 with various housekeeping amendments to improve clarity and correct minor issues.

The Council of The Corporation of The District of North Cowichan, enacts in open meeting assembled, as follows:

Citation

- 1 This Bylaw may be cited as "*Council and Committee Procedures Amendment Bylaw No. 4065, 2026*".

Amendment

- 2 Council and Committee Procedures Bylaw No. 3945, 2024 is amended as follows:
- (a) By striking out *Council and Committee Procedures Bylaw* in the Bylaw title and section 1.1 and substituting "*Council Procedure Bylaw*"
 - (b) By striking out section 1.3 [Interpretation] in its entirety and substituting with the following:

"1.3 A reference in this Bylaw to an enactment of British Columbia includes its regulations and any amendments, revisions, consolidations, or replacements. A reference to a municipal bylaw or policy includes that bylaw or policy as amended, revised, or replaced by Council from time to time."
 - (c) By replacing *Director of Planning and Building* with "*Director of Planning, Building and Environmental Services*" in the definition heading.
 - (d) By striking out *Director of Planning and Building* and substituting "*Director of Planning, Building and Environmental Services*" wherever it appears.
 - (e) By replacing *District* with "*Municipality*" in the definition heading and reordering the definitions in alphabetical order.
 - (f) By striking out *District* and substituting "*Municipality*" wherever it appears.
 - (g) By striking out *Duncan* from the definition of *Municipal Hall* and substituting with "*North Cowichan*".
 - (h) By striking out the definition of "*Public and Statutory Hearing Meeting*" and substituting the following:

““Public Hearing Meeting” means a meeting of Council established under section 4.1 [public hearing rules] of this Bylaw;”

- (i) By striking out *Public and Statutory Hearing Meeting* and substituting “Public Hearing Meeting” wherever it appears
- (j) By deleting the definition of “Statutory Hearing” in its entirety.
- (k) By striking out section 3.23(c) [Cancelled or Postponed Meetings] in its entirety and substituting the following:

“(c) one month prior to a general local election, a by-election, or an assent voting opportunity”
- (l) By removing the word “or” from the end of subsection 3.25(a), adding the word “or” to the end of subsection 3.25(b), and adding the following subsection to section 3.25:

“(c) unforeseen circumstances, including emergencies, severe weather, or significant technical issues, prevent the meeting from being held safely or effectively.
- (m) By striking out section 3.26 [Cancelled or Postponed Meetings] in its entirety and substituting the following:

“3.26 The Presiding Member may postpone or cancel a Regular Meeting:

 - (a) by giving notice through the Corporate Officer’s office at least 2 days before the date on which the Regular Meeting is scheduled;
 - (b) despite paragraph (a), where postponement or cancellation is required due to unforeseen circumstances as contemplated in section 3.25(c), by giving notice through the Corporate Officer’s office as soon as reasonably possible; and
 - (c) in all cases, the Corporate Officer must post notice of a postponed or cancelled Regular Meeting at the Public Notice Posting Places and on social media.”
- (n) By striking out “PART 4: PUBLIC & STATUTORY HEARINGS” in its entirety and substituting “PART 4: PUBLIC HEARINGS, MATTERS REQUIRING A RIGHT TO BE HEARD, DEVELOPMENT APPLICATIONS AND REQUESTS FOR RECONSIDERATION (BY APPLICANT)”, as set out in Schedule 1 attached to this Bylaw.
- (o) By striking out *Electronic Meeting Participation Policy* and substituting “Municipality’s procedures governing electronic meeting participation” wherever it appears.
- (p) By striking out *Agenda and Minutes Policy* and substituting “Municipality’s procedures governing the distribution of agendas and minutes” wherever it appears.
- (q) By striking out *Petitions Policy* and substituting “Municipalities procedures governing petitions” wherever it appears.
- (r) By deleting the subheading *Public and Statutory Hearing Notice* immediately before section 5.9 in its entirety.
- (s) By deleting sections 5.9 to 5.11 [*Public and Statutory Hearing Notice*] in its entirety.
- (t) By striking out section 6.11(k) *Statutory Hearing Matters* and substituting “Matters Requiring a Right to be Heard”.

- (u) By inserting section 6.11(l) Development Applications and section 6.11(m) Requests for Reconsideration (by Applicant) and renumbering the remaining items on the list accordingly.
- (v) By striking out the subheading *Public and Statutory Hearing Agenda* immediately before section 6.12 and substituting "Public Hearing Agenda".
- (w) By deleting section 6.12(d) [*Statutory Hearing Matters*] in its entirety.
- (x) By striking out *Agendas and Minutes Policy* from section 6.22 and substituting "Municipality's procedures governing routine release of in-camera resolutions"
- (y) By striking out section 7.1 in its entirety and substituting the following:
 "7.1 The **Corporate Officer** shall refuse to place a **Delegation** or a petition on an **Agenda** where the subject matter:
 - (a) is under a statutory input or hearing process, including a **Public Hearing**, notice-based input process, or Council-directed public engagement,
 - (b) relates to an OCP or Zoning bylaw for which a Public Hearing is not permitted or not required under section 467 of the *Local Government Act*,
 - (c) relates to an Early Consideration application, as defined in the Development Procedures Bylaw No. 3924, 2024,
 - (d) relates to personnel or labour relations,
 - (e) is before the courts or where legal action has been authorized,
 - (f) promotes a business or solicits goods/services for financial gain, except for independent nonprofit organizations,
 - (g) relates to a staff report that has not yet been presented to Council,
 - (h) contains confidential information or records not lawfully released,
 - (i) relates to information considered at an In-Camera meeting unless released by Council, or
 - (j) relates to a proposed bylaw for which a required Public Hearing has already been held."
- (z) By striking out the words '30 seconds' in section 7.22 [*Question Period*] and substituting with the words "1-minute".
- (aa) By striking out the words '*Standards of Conduct Policy*' in section 8.1 [Code of Conduct for all Attendees] and substituting "Code of Conduct Bylaw No. 4053, 2025"
- (bb) By striking out the reference to section 10.3 in section 10.5(b) and substituting with reference to section 10.4.
- (cc) By deleting the reference to (vii) in section 10.22(b)(iii).
- (dd) By deleting the definition of "Public Input" and "Question Period" in its entirety and replacing it with the following two definitions, placed in alphabetical order:
 ""Public Input" means an opportunity for members of the public to address Council at a Council or Committee of the Whole meeting, in accordance with this bylaw.

"Question Period" means an opportunity for members of the public to ask questions of Council at a Council or Committee of the Whole meeting, in accordance with this bylaw.

(ee) By inserting the following sections under the Public Input subheading:

"7.19.1 Despite section 7.19, Public Input shall not be permitted in relation to the following matters:

- (a) matters that are subject to a statutory public input or hearing process, including a Public Hearing or other notice-based public input opportunity required by legislation;
- (b) Official Community Plan or Zoning Bylaws in respect of which a Public Hearing is not permitted or required under section 464 of the *Local Government Act*;
- (c) Early Consideration applications, as defined in the Development Procedures Bylaw No. 3924, 2024; and
- (d) Land Use applications such as Temporary Use Permits and Development Variance Permits.

7.19.2 Where there is uncertainty as to whether Public Input is permitted on a matter, the Presiding Member shall determine whether Public Input will be accepted, in accordance with this Bylaw, having regard to applicable legislation and principles of procedural fairness.

7.19.3 Despite section 7.19, Public Input shall not be permitted where, in the opinion of the Presiding Member, it may prejudice the fairness or integrity of a statutory, quasi-judicial, or administrative process."

READ a first time on July 16, 2026.

READ a second time on July 16, 2026.

READ a third time, as amended on July 16, 2026

This bylaw was advertised on the municipality's social media sites on ____, 202__, in the Cowichan Valley Citizen and the Chemainus Valley Courier on ____, 202__, and was posted to the municipality's public notice places on ____, 202__.

ADOPTED on _____.

CORPORATE OFFICER

PRESIDING MEMBER

Presiding Member

Corporate Officer

PART 4: PUBLIC HEARINGS, MATTERS REQUIRING A RIGHT TO BE HEARD, DEVELOPMENT APPLICATIONS, AND REQUESTS FOR RECONSIDERATION (BY APPLICANT)

Public Hearing Rules

- 4.1 Meetings for conducting a **Public Hearing Meeting** shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by Council.
- 4.2 A Council Member will:
 - (a) limit their questions to the speaker to seek clarification or additional details;
 - (b) not engage the speaker in a debate; and
 - (c) not comment on the merits of the bylaw, during a **Public Hearing Meeting**.
- 4.3 Only a **Council Member** may put a question to a person who speaks at a **Public Hearing Meeting**.
- 4.4 No person may make a reply, rebuttal, or further submission at a **Public Hearing Meeting** unless permitted in this Bylaw, the Public Input and Meeting Conduct Policy, or without the **Mayor's** permission subject to section 4.20 [*report from staff*].
- 4.5 Despite section 4.1 [*hearing date and time*] of this Bylaw, a **Public Hearing Meeting** shall only be scheduled where:
 - (a) **Council** has directed staff to give notice, and
 - (b) the **Director of Planning, Building and Environmental Services** has given notice in accordance with section 66 [*public hearing procedures*] of the *Local Government Act*.
- 4.6 All comments made during a **Public Hearing Meeting** are to be directed to **Council** and must relate to the matter that is the subject of the hearing as per the Municipality's procedures governing public hearings.
- 4.7 All comments must be respectful of **Council**, the applicant, staff and other members of the public. The **Mayor** may expel a person from the **Public Hearing Meeting** who is acting improperly or disrupting the proceedings, or the **Council** may adjourn the **Public Hearing Meeting** to reconvene on a future date where order cannot be restored.

Public Hearings

- 4.8 The **Public Hearing Information Package** shall be published to the public hearing webpage at least four (4) calendar days prior to the **Public Hearing Meeting**.
- 4.9 All persons who believe they are affected by the proposed bylaw will be given a reasonable opportunity to be heard or to present a written submission. Submissions may be provided in writing in advance, in accordance with the deadline set out in the **Public Hearing** notice under section 5.9 [*public hearing notice*], or presented orally during the **Public Hearing**, including by PowerPoint presentation, provided that arrangements are made with the **Corporate Officer** and the PowerPoint presentation is submitted no later than the day prior to the **Public Hearing**. Multimedia formats, including videos, are prohibited.
- 4.10 All written submissions received pursuant to section 4.9 [*people affected by proposed bylaw*] of this Bylaw, shall be made available to the public for review by placing them in the **Public Hearing** binder and by appending them to the **Public Hearing Information Package** located on the public hearings webpage.
- 4.11 The **Mayor** will provide an explanation of the **Public Hearing** process and may establish a time limit for speakers, if necessary, to ensure that all members of the public present who wish to share their comments with **Council** are able to make their submissions.
- 4.12 Where more than one bylaw is to be considered at the same Public Hearing, the explanation provided by the Mayor under section 4.11 [*explanation of public hearing process*] of this Bylaw, shall apply as the **Public Hearing** process for all **Public Hearing** matters, unless otherwise established by the **Mayor**.
- 4.13 Staff may make a presentation to **Council** during the **Public Hearing**.
- 4.14 The applicant, if applicable, shall be provided up to ten (10) minutes to make a presentation to **Council** during the **Public Hearing** regarding their application, to be delivered orally, or by PowerPoint presentation, provided that arrangements are made with the **Corporate Officer** and the PowerPoint presentation is submitted no later than the day prior to the **Public Hearing**. Multimedia formats, including videos, are prohibited.
- 4.15 The **Corporate Officer** shall provide a summary of all correspondence, including petitions, received by 3:00 p.m. on the day of the **Public Hearing** and/or added to the **Public Hearing Information Package** that was published in accordance with section 4.10 [*public hearing information package*] of this Bylaw.
- 4.16 Written submissions that have not been published in accordance with section 4.15 [*received by 3:00 p.m. on day of hearing*] of this Bylaw, shall be read out by the **Corporate Officer** during the **Public Hearing**.
- 4.17 The **Mayor** will ask if there is any person who wishes to speak at the **Public Hearing**, whether or not there is a speakers' list. All persons with an interest in the proposed bylaw that is the subject of the **Public Hearing** will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the proposed bylaw, in accordance with section 4.9.

- 4.18 Those wishing to speak at the **Public Hearing** must state their name and address for identification, or the name and address of the person or body they represent (if applicable) and whether they are in support of or opposed to the proposed bylaw prior to sharing their comments. If a person wishes to speak a second time, they will be given further opportunity to address **Council** after all interested members of the public have been heard a first time.
- 4.19 A **Motion** to request a report from staff on a matter raised in a **Public Hearing** is in order at the **Public Hearing**.
- 4.20 Staff and the applicant shall be given an opportunity to respond to comments or questions raised during the **Public Hearing** before the hearing is closed on the application.
- 4.21 When the **Mayor** considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, the **Mayor** shall close the **Public Hearing** after calling three times for further submissions. **Council** may debate further consideration of the bylaw immediately following the close of the **Public Hearing**.
- 4.22 Once a **Public Hearing** is closed, **Council** may not receive additional information from the applicant or public. **Council** may request clarification of an issue raised at the **Public Hearing**, but not any new information.

Matters Requiring a Right to be Heard

- 4.23 Where a person has a right to be heard under the provincial legislation, that person shall be provided such an opportunity, and the **Corporate Officer** shall place their request on the **Regular Meeting Agenda**, subject to all conditions under the provincial legislation being met.
- 4.24 Where **Council** is considering adoption of a bylaw to establish, amend or replace:
- (a) Business Licence Bylaw No. 3153, 2002 in accordance with section 59(2) [*notice required before adopting bylaw*] of the *Community Charter*,
 - (b) A bylaw that removes a reservation or dedication of property as a park or public square in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*,
 - (c) A bylaw that removes a reservation or dedication of property for heritage or heritage conservation in accordance with section 30 [*reservation and dedication of municipal property*] of the *Community Charter*, or
 - (d) A bylaw that closes a road permanently in accordance with section 40 [*permanent closure and removal of highway dedication*] of the *Community Charter*,
- Council** must provide an opportunity for any person who considers they are affected by the bylaw to be heard.

Development Applications

- 4.25 Where **Council** is considering a resolution to issue a Temporary Use Permit under Development Procedures Bylaw No. 3924, 2024, and section 493 of the *Local Government Act*.
- 4.26 Where **Council** is considering a resolution to issue a Development Variance Permit under

Requests for Reconsideration (by Applicant)

- 4.27 Where a decision was delegated, a person may request **Council** reconsider that delegated decision. The reconsideration by Council is final and cannot be reconsidered further by **Council** [*may only be reconsidered once*].
- 4.28 The procedures for requesting **Council's** reconsideration of the **Business Licence Inspector's** decision to refuse to grant, transfer, or renew a business licence are established under Delegation of Authority Bylaw No. 3814, 2021.
- 4.29 The procedures for requesting **Council's** reconsideration of the **Director of Planning, Building and Environmental Services'** decision to issue a development permit, a development variance permit, or a temporary use permit, or require security are established under Delegation of Authority Bylaw No. 3814, 2021 and Development Procedures Bylaw No. 3924, 2024.
- 4.30 The procedures for requesting Council's reconsideration of the **Director of Planning, Building and Environmental Services'** decision to require a development approval information report are established under Development Approval Information Bylaw No. 3942, 2024.
- 4.31 The procedures for requesting **Council's** reconsideration of the **Manager of Bylaw and Business Licensing Services'** decision ordering a person to clean up their property are established under Nuisance Abatement and Cost Recovery Bylaw No. 3804, 2020.