



TOWN OF LAKE COWICHAN

Minutes of a Regular meeting of Council

Tuesday, April 25th, 2017

PRESENT: Mayor Ross Forrest
Councillor Carlyne Austin
Councillor Bob K. Day
Councillor Tim McGonigle
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

PUBLIC: 12

1. **CALL TO ORDER**

Mayor Forrest called the meeting to order at 6:00 p.m.

2. **AGENDA**

No. R.0037/17

Moved: Councillor Vomacka

Seconded: Councillor McGonigle

that the agenda be with the following additions:

Delegations and Representations:

(b) Sybille Sanderson re: Emergency Preparedness Agreement;
and

New Business:

(b) Park Rd and Wilson Rd water main upgrades.

CARRIED.

3. **ADOPTION OF MINUTES**

No. R.0038/17

(a) Moved: Councillor Day

Seconded: Councillor Austin

that the minutes of the Public Hearing held on March 28th, 2017
be adopted.

CARRIED.

No. R.0039/17

(b) Moved: Councillor McGonigle

Seconded: Councillor Day

that the minutes of the Regular Meeting of Council held on
March 28th, 2017 be adopted.

CARRIED.

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

5. **DELEGATIONS AND REPRESENTATIONS**

(a) Denise Allan accompanied the Lady of the Lake candidates for
2017, each of whom introduced and provided facts about
themselves. Mayor Forrest then gave each contestant a Town
pin before a group picture was taken with Council.

(b) Sybille Sanderson gave an update on the Emergency
Preparedness Agreement.

named insured for the events, being provided.

CARRIED.

No. R.0044/17
Economic and Sustainable
Development

Moved: Councillor Day
Seconded: Councillor McGonigle
that the minutes of the Economic and Sustainable Development
Committee meeting held on April 11th, 2017 be approved, as
presented.

CARRIED.

Ohtaki Twinning Committee

The minutes of the Ohtaki Twinning Committee meeting from
April 4th, 2017 was treated as information.

Cowichan Lake Recreation

Mayor Forrest stated that the next meeting for the Cowichan
Lake Recreation Commission will take place on April 27th, 2017.

Vancouver Island Regional
Library

Councillor Vomacka gave an update on the last Vancouver
Island Regional Library meeting.

Advisory Planning Commission

Councillor McGonigle informed Council that the next meeting of
the Advisory Planning Commission will be on Thursday, April
27th, 2017 where the columbarium issue, parking regulations
and two delegations will be presented.

Community Forest Co-
operative

Councillor McGonigle had nothing to report on the Community
Forest Co-operative.

(b) Other Reports

Cowichan Valley Regional
District Board

(i) Councillor Day gave a verbal report to Council on his
attendance at the April 12th, 2017 Cowichan Valley Regional
District's Board meeting. Some of the highlights from the
meeting included the Watershed report, the protocol
agreement signed with First Nations and a presentation on the
noise levels from the Motorsport track was given.

Community Outreach Team

(ii) Councillor Austin had nothing to report on the Community
Outreach Team but did say that the Health Fair at Lake
Cowichan School went well. Council met young adults where
many topics including recycling and the banners with the art
teacher were discussed.

Seniors' Care Facility

(iii) Councillor McGonigle said there was nothing to report for the
Senior Care Facility Steering Committee.

Community Safety Advisory

(iv) Councillor Austin is no longer on that committee with Councillor
Vomacka taking her place starting in May 2017.

(c) Staff Reports

No. R.0045/17

(i) Moved: Councillor Day
Seconded: Councillor McGonigle
WHEREAS Division 12 of Part 3 of the Community Charter (the
"Charter") authorizes Council to impose a remedial action
requirement on the owner or owners of a building including a
requirement to remove or demolish the building where:

- 1) Council considers that the buildings are in or create an
unsafe condition;
- 2) Council considers that the buildings contravenes the
Provincial building regulations or a Town bylaw under s.

8(3) (1) (buildings and other structures); and

3) Council declares the building is a nuisance;

AND WHEREAS John Bower is the registered owner (the "Owner") of the property at 182 Neva Road, Lake Cowichan, British Columbia, PID # 005-641-667 (the Property);

AND WHEREAS the building on the Property are in a state of disrepair and have been left vacant and unsecure for a considerable period of time and are a threat to public safety and have not been repaired or demolished, despite the Town's efforts to persuade the owner to take action;

NOW THEREFORE, the Council of the Town of Lake Cowichan, in open meeting assembled, resolves as follows:

1. that Council hereby considers that the buildings located at 182 Neva Road, Lake Cowichan, BC are in a hazardous condition, within the meaning of Section 73(2)(b) of the Community Charter in that it contravenes the building regulations for British Columbia and the Town of Lake Cowichan Building Bylaw No. 987-2017 (the Building Bylaw) and the Town of Lake Cowichan Fire Protection Bylaw 865-2009 ;
2. that Council hereby considers that the buildings on the Property are in and create an unsafe condition within the meaning of Section 73(2)(a) of the Community Charter, as a result of the buildings being vacant and insecure, the buildings continuing to deteriorate and/or the building contravening the Building Bylaw;
3. that Council hereby declares that the buildings on the Property are a nuisance, within the meaning of Section 74(2) of the Community Charter, as Council considers the buildings on the Properties to be so dilapidated as to be offensive to the community;
4. that Council hereby declares that the buildings on the Property are nuisances, within the meaning of Section 74(2) of the Community Charter, as Council has received community complaints about the unsightliness of the Properties;
5. that Council hereby requires pursuant to its remedial action powers under Part 3, Division 12 of the Community Charter that the Owner:
 - (a) demolish the buildings on the Property and remove all remnants of the demolished buildings no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Charter has been sent by the Town to the Owner;
 - (b) erect a strongly constructed fence at least 1.5 meters tall around the area where the building was formerly located immediately after the building is demolished and removed and maintain the fence until the requirement in s. 5(c) of this resolution has been complied with; and
 - c) fill in and level any hole created by the removal of the

building no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Community Charter has been sent by the Town to the Owner;

6. and that the Town advise the Owner that he may request that Council reconsider the Remedial Action Requirement by providing the Town written notice within 14 days of the date on which notice under s. 77 of the Community Charter was sent and that if any or all of the actions required by the Remedial Action Requirement is not completed by the date specified for compliance, the Town may take action in accordance with section 17 of the Community Charter and undertake any or all of the actions required by the Remedial Action requirement without further notice to and at the expense of the Owner.

CARRIED.

No. R.0046/17

- (ii) Moved: Councillor McGonigle
Seconded: Councillor Austin
that Council approve the \$2300 in grants-in-aid as listed below:
- | | |
|--|-------|
| -Cowichan Lake Lady of the Lake
(Pageants and Parades) | \$600 |
| -Cowichan Rocks –Team Myrden
(Curling Provincials) | \$600 |
| -Lake Cowichan Downtown Renewal Society
(LC Farmers Market) | \$600 |
| -CICV Radio Society
(Summer Nights) | \$500 |

CARRIED.

8. BYLAWS

No. R.0047/17
No. 988-2017
Zoning Amendment

- (a) Moved: Councillor McGonigle
Seconded: Councillor Day
that the "Town of Lake Cowichan Zoning Amendment for Services Bylaw No. 988-2017" be given first and second readings.

CARRIED.

No. R.0048/17
No. 989-2017
Financial Plan

- (b) Moved: Councillor Austin
Seconded: Councillor Day
that the "Town of Lake Cowichan Financial Plan Bylaw No. 989-2017" be given first, second and third readings.

CARRIED.

No. R.0049/17
No. 990-2017
Tax Rates

- (c) Moved: Councillor Day
Seconded: Councillor Vomacka
that the "Town of Lake Cowichan Tax Rates Bylaw No. 990-2017" be given first, second and third readings.

CARRIED.

9. NEW BUSINESS

No. R.0050/17

- (a) Moved: Councillor McGonigle
Seconded: Councillor Austin
that Council appoint Councillor Vomacka on the Lake Cowichan Safety Advisory Commission with Councillor Austin as an alternate Council representative.

CARRIED.

No. R.0051/17

(b) Moved: Councillor McGonigle
Seconded: Councillor Day
that Council approve the contract for water main upgrades for Park Road and Wilson Road to Stone Pacific Contracting Ltd.
CARRIED.

10. MAYOR'S REPORT

The Mayor presented his report for April which highlighted:

- Thanks to all of the great volunteers in our community;
- Town is investing in our future with upgrades to improving our water quality and distribution system. All of these are taking place through successful grant applications;
- Through other grant application, more capital improvement projects are being made possible including the Centennial ball field upgrades, Duck Pond washroom upgrades and the paving of Cowichan Avenue West;
- An audit by Recycle BC found the Town of Lake Cowichan has between 9-12% contamination rates compared to the 3-6% of other municipalities; and
- Public input is welcome at committee meetings held on the 1st and 2nd Tuesdays of each month and the Regular meeting of Council on the 4th Tuesday of each month. The public meeting will take place at the Centennial Hall from 6:30 pm- 8:30 pm on May 29th, 2017.

11. NOTICES OF MOTION

None.

12. IN CAMERA

No. R.0052/17

Moved: Councillor McGonigle
Seconded: Councillor Day
that Council close the meeting to the public to deal with issues relating to labor relations or other employee relations, and the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality under Section 90(1) (g) of the Community Charter, respectively (7:29 p.m.).

CARRIED.

13. ADJOURNMENT

No. R.0053/17
Adjournment

Moved: Councillor Day
Seconded: Councillor McGonigle
that we arise and adjourn at 7:48 p.m. without report.

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2017.

Mayor