



## TOWN OF LAKE COWICHAN

Minutes of a Regular meeting of Council

Tuesday, April 25<sup>th</sup>, 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.0040/17

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.0041/17

(a) Moved: Councillor Day

Seconded: Councillor Austin

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

CARRIED.

No. R.0042/17

(b) Moved: Councillor McGonigle

Seconded: Councillor Day

that the minutes of the Regular Meeting of Council held on  
March 28<sup>th</sup>, 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.

No. R.0043/17

Moved: Councillor McGonigle  
Seconded: Councillor Day  
that Council approve execution of the Emergency Preparedness Agreement.

CARRIED.

**6. CORRESPONDENCE**

**(a) Action Items**

None.

**(b) Information or Consent Items**

None.

**7. REPORTS**

No. R.0044/17  
Finance and Administration

Moved: Councillor McGonigle  
Seconded: Councillor Day  
that the minutes of the Finance and Administration Committee meeting held on April 11<sup>th</sup>, 2017 be approved with the following:

1- Cowichan Lake Community Garden

that council execute the community gardens agreement with the Cowichan Lake Community Garden Society;

2-Lake Cowichan Fire Department

that the Lake Cowichan Fire Department's incident report for February 2017 in the total amount totaling \$6,427.45 be approved; and

3-Sahtlam Park Upgrades

that Council gave approval to Katie Burridge's proposed design for Sahtlam Park for submission to the BCAA Play Here contest with the recommendation that it be for \$100,000 so that drainage upgrades and playground equipment purchases may be made.

CARRIED.

No. R.0045/17  
Public Works and  
Environmental Services

Moved: Councillor Austin  
Seconded: Councillor McGonigle  
that the minutes of the Public Works and Environmental Services Committee meeting on April 4<sup>th</sup>, 2017 be approved, as presented.

CARRIED.

No. R.0046/17  
Parks, Recreation and Culture

Moved: Councillor Vomacka  
Seconded: Councillor Austin  
that the minutes of the Parks, Recreation and Culture Committee meeting on April 4<sup>th</sup>, 2017 be approved with the following:

1-Use of Saywell Park

that Council approve the use of Saywell Park on June 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup>, 2017 for the Lake Days celebration; and that approval be given to the Lake Days Society to have a beer garden at Saywell Park on June 9<sup>th</sup>, 2017 from 4 p.m. to 10 p.m., and on each of June 10<sup>th</sup> and 11<sup>th</sup>, 2017 from noon to 6 p.m. under the following stipulated conditions: that park policies be abided by with appropriate fencing being used; and proof of liability insurance with the Town of Lake Cowichan as a

named insured for the events, being provided.

CARRIED.

No. R.0047/17  
Economic and Sustainable  
Development

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

CARRIED.

Ohtaki Twinning Committee

The minutes of the Ohtaki Twinning Committee meeting from  
April 4<sup>th</sup>, 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 27<sup>th</sup>, 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  
27<sup>th</sup>, 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 12<sup>th</sup>, 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.0048/17

(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.0049/17

- (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<br>(Pageants and Parades)      | \$600 |
| -Cowichan Rocks –Team Myrden<br>(Curling Provincials)          | \$600 |
| -Lake Cowichan Downtown Renewal Society<br>(LC Farmers Market) | \$600 |
| -CICV Radio Society<br>(Summer Nights)                         | \$500 |

CARRIED.

**8. BYLAWS**

No. R.0050/17  
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.0051/17  
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.0052/17  
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.0053/17

- (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.0054/17

**(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 1<sup>st</sup> and 2<sup>nd</sup> Tuesdays of each month and the Regular meeting of Council on the 4<sup>th</sup> Tuesday of each month. The public meeting will take place at the Centennial Hall from 6:30 pm- 8:30 pm on May 29<sup>th</sup>, 2017.

**11. NOTICES OF MOTION**

None.

**12. IN CAMERA**

No. R.0055/17

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.0056/17  
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