



PRESENT: Mayor Ross Forrest
Councillor Carolyne 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

1. CALL TO ORDER

The Chair called the meeting to order at 5:07 p.m.

2. APPROVAL OF AGENDA

No R.00158/17

Moved: Councillor Austin
Seconded: Councillor Vomacka
that the agenda be approved as presented.

CARRIED.

3. ADOPTION OF MINUTES

None.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. DELEGATIONS

None.

6. CORRESPONDENCE

None.

7. REPORTS

(a) **Council and Other Committee Reports**

None.

(b) **Other Reports**

None.

(c) **Staff Reports**

No R.00159/17

- (i) Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that Council approve the issuance of a Development Permit for the property described as Lot 8, Block 14, Section 5, Plan VIP 54940 – 276 Castley Heights – subject to the property owner ensuring that all proposed retaining walls and structures are designed and certified by a professional geoscientist and that all legal setbacks are duly met.

CARRIED.

No R.00160/17

- (ii) Moved: Councillor Day
Seconded: Councillor Austin
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 structures 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 buildings are a nuisance;

AND WHEREAS Daniel Wort is the registered owner (the "Owner") of the property at 127 North Shore Road, Lake Cowichan, British Columbia, PID # 006- 912-940 (the Property);

AND WHEREAS the buildings 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;

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

1. that Council hereby consider that the buildings located at 127 North Shore Road and legally described as PID # 006-912-940, Lot C, Block 6, Section 5, Plan 1760 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 Property is in 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 being damaged or continuing to structurally deteriorate that the structures contravene the BC Fire Code;
3. that Council hereby declares that the entire Property is a nuisance, within the meaning of Section 74(2) of the Community Charter, as conditions on the Property are so dilapidated and offensive to the community and pose a risk to the health and welfare of residents adjacent to or visiting the property, and particularly children;
4. that Council hereby requires pursuant to its remedial action powers under Part 3, Division 12 of the Community Charter that the Owner:
 - (a) demolish or remediate buildings and the premises 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) must follow all BC WorkSafe Hazardous Materials requirements for the safe removal of any and all hazardous materials on the property and provide evidence of such compliance; 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;

- 5. that human habitation or occupation of the property is to only occur after all remediation measures in conformance with municipal requirements are met;
- 6. and that Owner 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.00161/17 (iii) Moved: Councillor Day
 Seconded: Councillor McGonigle
 that Council approve the renewal of the property insurance with Aon Reed Stenhouse in the amount of \$40,279.

CARRIED.

8. BYLAWS

9. NEW BUSINESS

10. MAYOR'S REPORT

11. MEDIA/PUBLIC QUESTION PERIOD

12. IN CAMERA

13. ADJOURNMENT

No R.00162/17 Moved: Councillor McGonigle
 Adjournment Seconded: Councillor Vomacka
 that this meeting adjourn. (5:24 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2017.

Chair