



## **TOWN OF LAKE COWICHAN**

Minutes of a Regular meeting of Council  
*Tuesday, May 28th, 2019*

**PRESENT:** Mayor Rod Peters  
Councillor Carolyne Austin  
Councillor Lorna Vomacka  
Councillor Kristine Sandhu  
Councillor Tim McGonigle

**STAFF:** Joseph A. Fernandez, Chief Administrative Officer  
Ronnie Gill, Director of Finance  
Jill Walters, Recording Secretary

**PUBLIC:** 8

**1. CALL TO ORDER**

Mayor Peters called the meeting to order at 6:38 p.m.

**2. AGENDA**

No. R.0061/19

Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that the agenda be approved with the following additions:

**CORRESPONDENCE:**

(b)(i) UBCM re: Firesmart Funding; and  
(b)(ii) UBCM re: Evacuation Route Planning.

**IN CAMERA:**

s.90(1)(e) Land Matters

CARRIED.

**3. ADOPTION OF MINUTES**

No. R.0062/19

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that the minutes of the Regular Meeting of Council held on April 23<sup>rd</sup>, 2019 be adopted.

CARRIED.

No. R.0063/19

Moved: Councillor Sandhu  
Seconded: Councillor Austin  
that the minutes of the Public Hearing held on April 23<sup>rd</sup>, 2019 be adopted.

CARRIED.

No. R.0064/19

Moved: Councillor Sandhu  
Seconded: Councillor McGonigle  
that the Special Meeting of Council held on May 14<sup>th</sup>, 2019 be adopted.

CARRIED.

**4. BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

**5. DELEGATIONS AND REPRESENTATIONS**

None.

**6. VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA**

**7. CORRESPONDENCE**

**(a) Action Items**

No. R.0065/19

- (i)** Moved: Councillor Sandhu  
Seconded: Councillor Vomacka  
that the Lake Days Society be granted permission to hold a beer garden at Saywell Park on Saturday June 8<sup>th</sup>, 2019 from 12:00 p.m. to 6:00 p.m. with set up to occur on Friday June June 7<sup>th</sup>, 2019 provided security, fencing and insurance conditions are in place.

CARRIED.

**(b) Information or Consent Items**

- (i)** The letter from UBCM regarding FireSmart funding in the amount of \$113,565 was treated as information.
- (ii)** The letter from UBCM regarding Evacuation Route Planning funding in the amount of \$20,000 was treated as information.

**8. REPORTS**

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

No. R.0066/19  
Finance and  
Administration

- (i)** Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that the minutes of the Finance and Administration Committee meeting held on May 14<sup>th</sup>, 2019 be approved with the following:

**1-Fire Department March Incident Report**

that Council approve of the Lake Cowichan Fire Department's incident report for March 2019 in the total amount of \$8234.24.

**2-Animal Control Services Contract**

that the Animal Control Services Contract be approved.

CARRIED.

No. R.0067/19

- (ii)** Moved: Councillor Vomacka  
Seconded: Councillor McGonigle  
that the minutes of the Public Works and Environmental Services Committee meeting held on May 21<sup>st</sup>, 2019 be approved with the following.

**1-Greendale Road Sewer Main**

that letters be sent to property owners on Greendale road expressing Council's intent in initiating the extension of sewer main to Greendale Road properties at the cost of the property owners.

CARRIED.

No. R.0068/19

- (iii)** Moved: Councillor Austin  
Seconded: Councillor Vomacka  
that the minutes of the Parks, Recreation and Culture Committee held on May 21<sup>st</sup>, 2019 be approved with the following.

**1-Pickleball Shed**

that the Lake Cowichan Pickleball Club be allowed to place a

“storage container” at the Pickleball Courts site and; that the container is to be removed or be left as the property of the Town, should the use be discontinued; and that the facility be subject to the required inspections.  
CARRIED.

- |   |                          |   |
|---|--------------------------|---|
| Cowichan Lake Recreation                | <b>(iv)</b>              | The Cowichan Lake Recreation Commission is looking to add a before and after school program to the preschool program. Cowichan Lake Community Services has been approached about transportation to the schools  |
| Vancouver Island Regional Library       | <b>(v)</b>               | Councillor Vomacka reported that the Library Board meeting will be held Saturday June 1 <sup>st</sup> , 2019. Councillor Vomacka will be touring heritage libraries in Quebec City while she attending the Federation of Canadian Municipalities Conference.  |
| Advisory Planning Commission            | <b>(vi)</b>              | Councillor Austin reported on the following highlights from the May 23 <sup>rd</sup> , 2019 meeting: <ul style="list-style-type: none"> <li>• Minor adjustments/ editing to the language and mapping of the OCP were discussed;</li> <li>• Lake Cowichan First Nations reserve will now be referred to as Lake Cowichan First Nations Lands;</li> <li>• Rental only zones was discussed;</li> <li>• Bylaws for Zoning, Subdivisions and Signs would need updating; and</li> <li>• Block 200, Employment Lands, information from the owner was discussed.</li> </ul>   |
| Community Forest Co-op                  | <b>(vii)</b>             | There was no update available from the Community Forest Co-op. The next meeting will be held Thursday June 6 <sup>th</sup> , 2019.  |
| Cowichan Valley Regional District Board | <b>(b)</b><br><b>(i)</b> | <b><u>Other Reports</u></b><br>Councillor McGonigle reported on the following highlights: <ul style="list-style-type: none"> <li>• A grant application was approved from the BC Salmon Restoration and Innovation Fund;</li> <li>• There will be an increase in waste tipping fees from \$5.00 to \$7.00 for 30 kg or less;</li> <li>• There will be an increase in waste fees per tonnage from \$140 to \$148 to cover transport costs;</li> <li>• The Soil Deposit Bylaw was approved; and</li> <li>• \$15,000 in Sport Tourism Grants were granted-the Lake Cowichan Pickleball Club received \$1,000 and the Lake Cowichan Trailblazers Society received \$500.</li> </ul>                  |
| Community Outreach Team                 | <b>(ii)</b>              | Councillor Austin reported the following highlights from the May 2019 meeting of the Outreach Team: <ul style="list-style-type: none"> <li>• “Neighbours connecting Neighbours” community meeting and BBQ is still being discussed;</li> <li>• Saturday June 22<sup>nd</sup>, 2019 the Slopes would be hosting its community potluck and info session;</li> <li>• Wednesday May 29<sup>th</sup>, 2019 Community Services is hosting a 75<sup>th</sup> Celebration event from 3:00 p.m. to 6:00 p.m. with music food and games;</li> <li>• The reading program at the library for Palsson students if going very well;</li> <li>• Electronic Health Records will soon be available at</li> </ul> |

the Kaatza Health Unit;

- Kristen from the Vancouver Island Regional Library is working with Social Planning Cowichan regarding landlords and renter programs;
- Constable Prak reported that pamphlets are available about safety in the back country (animals, fire hazards etc.); and
- Mike Wright Community Paramedic is finishing his first year of providing service and has been very busy.
- The next meeting will be held Thursday June 29<sup>th</sup>, 2019.

Our Cowichan

- (iv)** At the meeting held May 9<sup>th</sup>, 2019 there were 2 delegations. The first was the Cowichan Valley Division of Family Practice where the difficulty in enticing doctors to relocate to the Cowichan Valley and the minimal holiday coverage for doctors was discussed. The second delegation was from Nourish Cowichan. It has a functioning kitchen at Mt. Prevost school where 1600 students are provided with breakfast and lunch.

**(c) Staff Reports**

No. R.0069/19

- (i)** Moved: Councillor McGonigle  
 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 building where:**

- 1) Council considers that the buildings are in or create an unsafe condition;**
- 2) Council considers that the buildings contravene the Provincial building regulations or a Town bylaw under s. 8(3) (1) (buildings and other structures); and**
- 3) Council declares the premises are a nuisance;**

**AND WHEREAS 2030 INVESTMENTS LTD. INC. NO. 288620 is the registered owner (the "Owner") of the premises at 220 MacDonald Road, Lake Cowichan, British Columbia, PID # 005-991-633 (the Property);**

**AND WHEREAS the buildings on the Property are in a state of disrepair and have been occupied or left vacant and unsecure for a considerable period of time and are a threat to public safety and have not been repaired, secured or demolished, despite the Town's efforts to persuade the owner to take remedial 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 building or buildings and the property located at 220 Macdonald Road, Lake Cowichan, BC are in a hazardous and unsafe 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. 998-2017 (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 unsecure, 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 21 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.

**9. BYLAWS**

No. R.0070/19

- (a)** Moved: Councillor Sandhu  
 Seconded: Councillor McGonigle  
 that the "Town of Lake Cowichan Animal Control Bylaw No.

1019-2019" be given third reading, as amended.

CARRIED.

No. R.0071/19

(d)

Moved: Councillor McGonigle  
Seconded: Councillor Austin  
that the "Town of Lake Cowichan Official Community Plan Bylaw No. 1022-2019" be given third reading.

CARRIED.

**10. NEW BUSINESS**

(a)

The request from Neiser Sales to be included within the Town of Lake Cowichan boundaries has been referred to the Finance and Administration meeting.

**11. MAYOR'S REPORT**

The Mayor presented his report for May, 2019 with the following highlights:

- Pleased to see the Town get the UBCM funding for Firesmart and Evacuation Route Planning;
- The Water Treatment Plant is coming along; and
- Mayor Peters and Councillor Vomacka would be attending the Federation of Canadian Municipalities Conference at Quebec City from May 29<sup>th</sup>, 2019 to June 3<sup>rd</sup>, 2019.

**12. NOTICES OF MOTION**

**13. QUESTION PERIOD**

**14. IN CAMERA**

No. R.0072/19

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that Council close the meeting to the public to deal with issues relating to labor relations or other employee relations, to the acquisition, disposition or expropriation of land or improvements and litigation or potential litigation affecting the municipality under Sections 90(1) (c), 90(1) © and 90(1) (g) of the Community Charter respectively (7.15 p.m.).

**15. ADJOURNMENT**

No. R.0073/19

Moved: Councillor McGonigle  
Seconded: Councillor Vomacka  
that we adjourn with no report (8.07 p.m.).

CARRIED.

Certified correct \_\_\_\_\_.

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor