



## TOWN OF LAKE COWICHAN

Minutes of a Regular meeting of Council  
Held and transmitted electronically via Council Chambers located at 39 South  
Shore Road, Lake Cowichan, BC  
on Tuesday, September 26<sup>th</sup>, 2023.

PRESENT: Mayor Tim McGonigle  
Councillor Carlyne Austin  
Councillor Aaron Frisby  
Councillor Kristine Sandhu  
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer  
Ronnie Gill, Director of Finance  
Jas Sandhu, Superintendent, Public Works and Engineering Services  
Dalton Smith, Manager, Cowichan Lake Education Centre

PUBLIC: 5

**1. CALL TO ORDER**

The Mayor called the meeting to order at 6:00 pm.

**2. AGENDA**

No. R.0082/23  
Agenda

Moved: Councillor Frisby  
Seconded: Councillor Austin  
that the agenda be approved with the addition of the following under:

**NEW BUSINESS**

(a) Leave of Absence for Councillor Frisby from Committee of the Whole meeting to be held on October 10<sup>th</sup>, 2023;

**NOTICES OF MOTION**

(a) Lake Cowichan 80<sup>th</sup> Anniversary in 2024; and  
(b) In-Camera Matter which falls under s.90(1) (e) land matters.

CARRIED.

**3. ADOPTION OF MINUTES**

No. R.0083/23  
Regular Council

(a) Moved: Councillor Austin  
Seconded: Councillor Frisby  
that the minutes of the Regular meeting of Council held July 25<sup>th</sup>, 2023, be adopted as presented.

CARRIED.

No. R.0084/23  
Special Council

(b) Moved: Councillor Sandhu  
Seconded: Councillor Vomacka  
that the minutes of the Special meeting of Council held on September 12<sup>th</sup>, 2023, be adopted as presented.

CARRIED.

**4. BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

**5. DELEGATIONS AND REPRESENTATIONS**

None.

**6. CORRESPONDENCE**

**(a) Action Items:**

Mayor McGonigle spoke on a correspondence item received from Alistair MacGregor on the matter of C-48 Bill that proposes changes to the Criminal

Code’s bail provisions that would promote community safety and reinforce public confidence in the administration of justice. The bill is awaiting Senate approval.

The Chief Administrative Officer brought forward a letter from the Cowichan Lake Elder Care Society requesting a letter of support.

No. R.0085/23  
Letter of Support  
– Seniors  
Housing

Moved: Councillor Sandhu  
Seconded: Councillor Vomacka  
that the Town of Lake Cowichan give its support to the Cowichan Lake Elder Care Society on its application for funding to construct a seniors’ housing facility in Lake Cowichan.

CARRIED.

**(b) Information or Consent Items**

None.

**7. REPORTS**

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

No. R.0086/23  
Committee of  
the Whole

**(i)** Moved: Councillor Vomacka  
Seconded: Councillor Sandhu  
that the minutes of the Committee of the Whole meeting held on September 12<sup>th</sup>, 2023, be approved as amended, with the following:

**1—Installation of Equipment at Duck Pond**

that staff work with the applicant, Kinsmen Club, to allow for the installation of seniors’ exercise equipment at Riverside Park (Duck Pond) as per design submittals;

**2— Grant Funding Application – Live Fire Training Centre**

that the Town make an application under the Fire Chief’s Association of BC and Officer of the Fire Commissioner programme to establish a live fire training centre at the site known as AB Greenwell for the amount of \$400,000;

**3—Fire Department – Incident Report**

that Council approve the Lake Cowichan Fire Department’s incident report in the amount of \$13,146.36 for May, 2023;

**4—Fire Department – Incident Report**

that Council approve the Lake Cowichan Fire Department’s incident report in the amount of \$9,649.94 for June, 2023;

**5—Fire Department – Incident Report**

that Council approve the Lake Cowichan Fire Department’s incident report in the amount of \$16,092.31 for July, 2023;

**6—Unsightly Condition of 63 Cowichan Lake Road**

that staff contact the property owner and occupier of 63 Cowichan Lake Road to seek their plans on the property and to address bylaw infraction concerns which include but are not limited to the trees and the fire hazard posed by the property;

**7—Automated Sani-Dump System Installation**

that Council approve the installation of an automated system under a three-year contract at the Town’s sani-dump station with a \$10 user fee implemented to be effective April 1<sup>st</sup>, 2024;

**8—Local Area Service – Greendale Road Sanitary Sewer**

that the Local Area Service Bylaw be forwarded to Council for its consideration;  
and that the “Petition against” method be used to determine if the local area service for sanitary sewer capital works for Greendale is to proceed;

**9—Cowichan Lake Recreation Commission Appointments**

that Councillors Kristine Sandhu and Aaron Frisby be appointed to the Cowichan Recreation Commission as the Town’s representatives, with Mayor McGonigle serving as an Alternate, for a term from October, 2023 to October, 2026.

CARRIED.

- Cowichan Lake Recreation Commission (ii) Councillor Sandhu reported that the next meeting of the Commission would be held on October 23<sup>rd</sup>, 2023 at 2:30 pm.
- Vancouver Island Regional Library (iii) Councillor Austin reported on her recent attendance at the Library Board meeting to discuss budget which included library revenue increases and a reserve framework.
- Advisory Planning Commission (iv) Councillor Austin reported that the open house held on Saturday, September 23<sup>rd</sup>, 2023 was well attended. She further reported that the Contract Planner will collate and forward the details and information to Council for its information and made available on the Town’s website.

Community Forest Co-operative (v) Mayor McGonigle reported that the Forest Co-operative held a retreat this past weekend.

**(b) Other Reports**

Cowichan Valley Regional District (i) Mayor McGonigle had no report, as the Union of BC Municipalities conference had been held.

He further advised that Councillor Vomacka would be attending the Board meeting to be held on Wednesday, September 27<sup>th</sup>, 2023.

Community Outreach Team (ii) Councillor Austin shared highlights from the minutes of the meeting held as she was unable to attend in person.

Our Cowichan (iii) Councillor Sandhu gave a verbal report on her attendance at Our Cowichan meeting.

No. R.0087/23 Health and Wellness Survey Moved: Councillor Sandhu  
 Seconded: Councillor Vomacka  
 that Council direct staff to send out the “Our Health Our Community Health and Wellness” survey to all residents through e-mail and place on the Town’s website and social media pages with an October 3<sup>rd</sup>, 2023 due date.

CARRIED.

The next meeting will be held in November, 2023.

Cowichan Watershed Board (iv) Councillor Sandhu conveyed her thanks to Tom Rutherford for attending the Town’s recent open house to provide information on the weir project.

She further reported that the next meeting would be held on October 3<sup>rd</sup>, 2023.

**(c) Staff Reports**

No. R.0088/23 Development Permit DP2023-04 Cowichan Lake Road Lot K and Lot 16, Lot C, Plan 27479 and Lot 1, Plan VIP27794 (i) Moved: Councillor Sandhu  
 Seconded: Councillor Austin  
 that Council approve a Natural Hazards Lands (wildfire) Development Permit for the development of lands legally described as:

- Parcel K, & Lot 16 lying w/i Sec 6 bnded on E by W Bndy of said DL 16 & bnded on NW & SW by Cowichan Lake Highway Ex Plan 28610 & NW of NWly bndy of Cowichan Lake Highway through PCL K, (P.I.D 003-337-804);
- Lot C, DL 16, Cowichan Lake District, Plan 27479, Except part in Plan VIP83577, P.ID. 002-103-109); and
- Lot 1, DL 16, Cowichan Lake District, Plan VIP27794 (PID: 002-213-061) be approved with the following conditions:

- 1) Development must comply with all Town Bylaws, specifically including, but not limited to:
  - a. Zoning Bylaw
  - b. Subdivision, Works, & Services Bylaw
- 2) That development proceeds to the satisfaction of the Town in accordance with the recommendations of the Wildfire Hazard Assessment prepared by Strathcona Forestry Consulting, as follows:
  - a. As per the BC Wildfire Act, if a high risk activity (i.e., land clearing) is taking place between 1 April and 31 October, the operator must keep at the activity site firefighting hand tools, in a combination and type to properly equip each person who works at the site with a minimum of one firefighting hand tool, and an adequate fire suppression system (onsite portable water tanker and firefighting tools – shovels, pulaskis, portable water backpacks). In addition, efforts must be made to maintain an adequate fire break between any high-risk activity and areas of continuous forest to ensure a fire originating at the site does not escape the site.
  - b. During land clearing, develop an Emergency Plan of Action, listing key contact information in case of fire and/or other emergency at the site.
  - c. Hazard abatement (removal of slash/disposal of debris piles) must take place in compliance with Town of Lake Cowichan bylaws.
  - d. Ensure construction workers are made aware of the risk of fire in the interface zone, especially during dry summer weather.
  - e. Where safely practical, hazard trees could be modified (i.e., pruned, topped [deciduous trees] to provide wildlife habitat). As noted, tree cover has largely been removed from the subject proposal; surrounding perimeters should be checked for potential hazard trees prior to commencement of work.
  - f. Install split rail non-flammable fencing along the perimeter of the park adjoining lot boundaries.
  - g. Install signage along the park perimeter, educating residents about best management practices for forest parks and streams.
- 3) A Land Title Act Section 219 Wildfire Hazard Covenant shall be placed upon the land to address the specific recommendations of the Wildfire Hazard Assessment, particularly with respect to Fire Smart Zones and construction materials.
- 4) Approval of this Development Permit does not constitute approval of a Building Permit and any required sign permits.

CARRIED.

No. R.0089/23  
2024 FireSmart  
Community Funding and  
Supports

- (ii) Moved: Councillor Sandhu  
Seconded: Councillor Vomacka  
that Council approves the making of a grant application under Community Resiliency Investment Program for a 2024 FireSmart Community Funding grant through UBCM;  
and that it further provides assurance that it would support all the proposed activities under the plan and would undertake the overall proper fiscal management of the grant.

CARRIED.

No. R.0090/23  
2023 Community  
Emergency and  
Composite Fire  
Departments Equipment  
and Training

- (iii) Moved: Councillor Austin  
Seconded: Councillor Frisby  
that Council approve the making of a grant application under the Community Emergency Preparedness Fund for a 2023 Equipment and Training project grant through UBCM;  
and that it further provides assurance that it would support all the proposed activities under the plan and would undertake the overall proper fiscal management of the grant.

CARRIED.

**8. BYLAWS**

No. R.0091/23  
Council Procedure  
1093-2023

- (a) Moved: Councillor Sandhu  
Seconded: Councillor Vomacka  
that the “Town of Lake Cowichan Council Procedure Bylaw No. 1093-2023”  
be reconsidered and adopted.

CARRIED.

- (b) The Committee discussed the “Town of Lake Cowichan Greendale Road  
Sanitary Sewer Local Area Service Establishment Bylaw No. 1095-2023”.

**9. NEW BUSINESS**

No. R.0092/23  
Leave of Absence

- (a) Moved: Councillor Vomacka  
Seconded: Councillor Sandhu  
that Council approve a leave of absence for Councillor Frisby from the  
Committee of the Whole meeting to be held on October 10<sup>th</sup>, 2023.

CARRIED.

**11. NOTICES OF MOTION**

Councillor Austion raised the following Notices of Motion:

- Lake Cowichan celebrating its 80<sup>th</sup> year since incorporation  
in 1944 and the possible plans to celebrate this during the  
2024 Lake Days event and celebration; and
- Land matter in the next In-Camera meeting.

Councillor Sandhu requested that the matter of a facility tour with Council  
be arranged in November for members of Council to tour the water  
treatment plant, the sewer lagoon and the Education Centre, as well as, an  
opportunity for a review of the Town’s strategic plan with department  
heads.

Staff will organize this and report back.

No. R.0093/23  
Request for Staff Report

Moved: Councillor Frisby  
Seconded: Councillor Sandhu  
that staff be directed to provide a report requested from the Regular  
meeting of Council on July 25<sup>th</sup>, 2023 as follows:

- 75 South Shore Road which is currently on the market for  
sale and is advertising Air B&B;
- 71 South Shore Road with the recent renovations and the  
provision of 9 units for short term rentals; and
- additional details on the designation of short-term rental,  
Air B&B, and hotel.

CARRIED.

**10. MAYOR’S REPORT**

Mayor McGonigle provided his quarterly report on the following.

- He conveyed his condolences to the family of recent fallen  
RCMP officer, Rick O’Brien;
- Staff transitioning into the newly renovated municipal hall  
and the plans for an open house to allow a tour of the facility;
- The Our Health Our Community Health and Wellness survey  
will close on October 3<sup>rd</sup> and he encouraged residents to  
undertake the survey;
- The impact of historical lows of water supply in the Cowichan  
Lake and Cowichan River is impacting fish habitat, shoreline  
vegetation, cultural needs and effluent dilution;
- Council’s recent attendance at the Union of BC Municipalities  
Conference in Vancouver, BC;

- In closing, Mayor McGonigle conveyed his thanks to local organizations and volunteers for their tireless dedication and work.

**12. QUESTION PERIOD**

None.

**13. IN CAMERA**

No. R.0094/23  
Retire to In-Camera

**(b)** Moved: Councillor Vomacka  
Seconded: Councillor Austin  
that Council close the meeting to the public to deal with issues dealing with personnel and litigation or potential litigation which falls under s. 90(1) (c) and (g) of the Community Charter. (6:44 pm).

CARRIED.

**14. ADJOURNMENT**

No. R.0095/23  
Adjournment

Moved: Councillor Frisby  
Seconded: Councillor Austin  
that the meeting arise without a report and be adjourned. (7:42 pm ).

CARRIED.

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

Confirmed on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor