



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, February 28th, 2017 at 6:00 p.m. – Council Chambers

AGENDA

1. **CALL TO ORDER**

Page #

INTRODUCTION OF LATE ITEMS (if applicable)

2. **APPROVAL OF AGENDA**

3. **ADOPTION OF MINUTES**

(a) Minutes of the Regular Meeting of Council held on January 24th, 2017.

3

4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

5. **DELEGATIONS AND REPRESENTATIONS**

(a) Brian Carruthers, CAO, CVRD, re: Cowichan Watershed Service Establishment Bylaw

(b) Judy Stafford, Cowichan Green Community, re: presentation of year in review.

6. **CORRESPONDENCE**

(a) **Action Items**

(b) **Information or Consent Items**- (a member may ask that an item be dealt with separately)

(i) Jim Garlick, Mayor of District of Coldstream, re: Provincial Private Moorage Program

7

(ii) Michael Trickey, Chair, Community Safety Advisory Commission, re: Community Safety Advisory Commission Service.

10

7. **REPORTS**

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

(i) Finance & Administration Councillor McGonigle
• February 14th, 2017.

11

(ii) Public Works & Environmental Services Councillor Austin
• February 7th, 2017.

14

(iii) Parks, Recreation & Culture Councillor Vomacka
• February 7th, 2017.

17

(iv) Economic & Sustainable Development Councillor Day
• February 14th, 2017.

19

(v) Ohtaki Mayor Forrest
• February 14th, 2017.

21

(vi) Cowichan Lake Recreation Commission Mayor Forrest

- (vii) V.I.R.L Councillor Vomacka
- (viii) Advisory Planning Commission Councillor McGonigle
- (ix) Community Forest Co-op Councillor McGonigle

(b) **Other Reports**

- (i) Cowichan Valley Regional District Board Meeting – Councillor Day.
- (ii) Community Outreach Team Committee - Councillor Austin.
- (iii) Safety Advisory Committee - Councillor Austin.
- (iv) Seniors’ Care Facility Steering Committee – Councillor McGonigle.

(c) **Staff Reports**

- (i) CAO re: Municipal Hall Upgrades Tenders

23

8. BYLAWS

- (a) “Town of Lake Cowichan Fees and Charges for Services Bylaw No. 985-2016” may be reconsidered and adopted.
- (b) “Town of Lake Cowichan Zoning Amendment Bylaw No. 986-2017” may be given first and second readings.
- (c) “Town of Lake Cowichan Building Bylaw No. 987-2017” may be given first, second and third readings.

24
29
34

9. NEW BUSINESS

None.

10. MAYOR’S REPORT

11. NOTICES OF MOTION

**12. MEDIA / PUBLIC QUESTION PERIOD
- Limited to items on the agenda**

13. IN CAMERA

- (a) Section 92 of the *Community Charter* requires that before a meeting or part of a meeting is closed to the public, the council must state, by resolution, that the meeting is to be closed, and
- (b) The basis on which the meeting is to be closed falls under the following:
s.90 (1) (c) – labour relations or other employee relations and (e) 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.

14. ADJOURNMENT



TOWN OF LAKE COWICHAN
Minutes of a Regular meeting of Council
Tuesday, January 24th, 2017

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

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Kari Lingren, Recording Secretary

PUBLIC: 3

1. CALL TO ORDER

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

2. AGENDA

No. R.001/17

Moved: Councillor Austin
Seconded: Councillor Vomacka
that the agenda be with the following additions:
Correspondence (Action Item): 2017- Order of British
Columbia: Call for Nominations; and
New Business: Request for leave of absence.

CARRIED.

3. ADOPTION OF MINUTES

No. R.002/17

(a) Moved: Councillor Day
Seconded: Councillor McGonigle
that the minutes of the Regular Meeting of Council held on
December 20th, 2016 be adopted.

CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. DELEGATIONS AND REPRESENTATIONS

(a) Don Beldessi, attending on behalf of his father Sam Beldessi, addressed Council on his concerns on the snow and ice removal process within the Town during the recent snow falls. He was not satisfied with the length of time it took for the clearing of sidewalks and roads in and around the Evergreen Centre and the Seniors Centre. He mentioned that some seniors were forced to be housebound, while, some had fallen due to the icy conditions.

6. CORRESPONDENCE

(a) Action Items

(i) The correspondence item on local Government smoke-free bylaws is being dealt with by Cindy Lise, of Our Cowichan, and their Smoke Free Task Force.

No. R.003/17

(ii) Moved: Councillor McGonigle
Seconded: Councillor Day
that a letter of support be written for the Cowichan Lake

Chamber of Commerce for a funding application to Coastal Economic Trust.

CARRIED.

(iii) Mayor Forrest asked that the late addition of Call for Nominations item be moved to in-camera meeting for further discussion.

(b) **Information or Consent Items**
None.

7. REPORTS

No. R.004/17
Finance and Administration

Moved: Councillor McGonigle
Seconded: Councillor Day
that the minutes of the Finance and Administration Committee meeting held on January 10th, 2017 be approved as amended.
CARRIED.

Public Works and
Environmental Services

No meeting was held for the Public Works and Environmental Services Committee on January 3rd, 2017.

Parks, Recreation and Culture

No meeting was held for the Parks, Recreation and Culture Committee on January 3rd, 2017.

No. R.005/17
Economic and Sustainable
Development

Moved: Councillor Day
Seconded: Councillor Austin
that the minutes of the Economic and Sustainable Development Committee meeting held on January 10th, 2017 be approved as presented.
CARRIED.

Cowichan Lake Recreation

Mayor Forrest informed Council that the next Cowichan Lake Recreation Commission meeting will be held on January 26th, 2017. He mentioned that longtime commission member Bill Peters has sat on the Commission since 1979 and Dave Darling has sat on the Commission since 2004. Cowichan Lake Recreation Commission has appointed Thor Repstock and Terry Akiyama to replace the retiring members.

Vancouver Island Regional
Library

Councillor Vomacka informed Council that the Annual General Library meeting will take place on January 21st, 2017. She mentioned that adults make up 82% of the library users. She also said that 7 libraries will be getting upgrades or be under new construction.

Advisory Planning Commission

Councillor McGonigle advised that the next meeting of the Advisory Planning Commission will be January 26th, 2017 which will be the first meeting for the newly appointed members.

Community Forest Co-
operative

Councillor McGonigle informed Council the Community Forest Co-operative dinner will be held on Saturday January 28th, 2017.

(b) Other Reports

Cowichan Valley Regional
District Board

(i) Councillor Day gave a verbal report to Council on his attendance at the January, 2017 Cowichan Valley Regional District's Board meeting. He noted some of the highlights being the launch of Place Speak, where, one can register online. It also has an update on the new Cowichan District Hospital project.

- Community Outreach Team (ii) Councillor Austin informed Council that the Community Outreach Team's last meeting was held on January 19th, 2017. The meeting dealt with schizophrenia.
- Seniors' Care Facility (iii) Councillor McGonigle informed council that the next Senior Care Facility meeting that will be held on January 26th, 2016.
- Community Safety Advisory (iv) Councillor Austin mentioned to Council that she would like to step down from that committee. She hoped that someone else may want to attend the monthly meetings.

(c) Staff Reports

- No. R.006/17 (i) Moved: Councillor McGonigle
Seconded: Councillor Day
that Council re-appoint all of the incumbents and Kate Burrige and Robert Patterson to the Advisory Planning Commission for a two year term ending in 2018.

CARRIED.

- No. R.007/17 Strategic Wildfire Prevention Initiative (ii) Moved: Councillor Day
Seconded: Councillor McGonigle
that Council approve the making of two separate grant applications under the Strategic Wildfire Initiative for a grant of \$10,000 for FireSmart Planning and a grant of \$22,500 for a Community Wildfire Protection Plan and CWPP Update Program and Council further provides assurance that it would support all of the proposed activities under both plans and would undertake the overall management of the grants.

CARRIED.

- No. R.008/17 (iii) Moved: Councillor Day
Seconded: Councillor Austin
that Council move the approval of the issuance to the applicant of a Development Permit for Lot 1, Plan EPP29355 (181 South Shore) subject to the following conditions:
 1. A rainwater management plan completed to the satisfaction of Town staff and in compliance with Town Development Permit Guidelines and the Subdivision, Works & Servicing Bylaw.
 2. The permit will note that any new or replacement exterior light fixtures are to be shielded.

And Approve a Development Variance Permit for the same location in accordance with the following conditions:

 1. A variance of 2.65 m of the front lot line requirement of 3.0 m to permit a 0.35 m front lot line for that portion of the building encroaching in the setback as shown on the site plan, attached as an appendix.
 2. A variance of 0.05 m of the Southern interior lot line requirement of 3.0 m to permit a 2.95 m interior lot line.

CARRIED.

8. BYLAWS

- No. R.009/17 No. 985-2016 Fees and Charges for Services (a) Moved: Councillor Day
Seconded: Councillor Austin
that the "Town of Lake Cowichan Fees and Charges for Services Bylaw No. 985-2016" be given third reading.

CARRIED.

No. R.0010/17 **9. NEW BUSINESS**
(a) Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that Councillor Day be approved for a leave of absence from
the Committee meetings of February 7th, 2017. CARRIED.

10. MAYOR'S REPORT

The Mayor presented his report for January which highlighted:

- The many 2017 capital projects for the Town including Water Treatment Plant, Water main upgrades, and Centennial Park upgrades;
- Other projects include planned Duck Pond washrooms upgrades, new ramp at the boat ramp by the Weir, roofing upgrades at the Visitor Centre and the Saywell Park Pavilion, paving of Cowichan Ave from King George round-a-bout to South Shore Rd, Town Hall and Council Chambers upgrade to name a few;
- Stressed the importance of volunteer committees and organizations to planning and implementing projects that make our community a better place;
- Longtime residents Dave Darling and Bill Peters are stepping down from the Cowichan Lake Recreation after serving many years on that committee. A huge thank you to both of them for their dedication to our town; and
- Pleaded for use of extra caution when crossing at the light activated crosswalks in town by activating those lights, it can reduce the potential for unnecessary accidents and injuries.

11. NOTICES OF MOTION

None.

12. MEDIA/PUBLIC QUESTIONS

None.

13. IN CAMERA

No. R.0011/17 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 and
personal information about an identifiable individual who is
being considered for a municipal award or honour; under
Section 90(1) (b) and (c) of the Community Charter
respectively (6:59 p.m.). CARRIED.

14. ADJOURNMENT

No. R.0012/17 Moved: Councillor McGonigle
Adjournment Seconded: Councillor Day
that we adjourn (7:55 p.m.). CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Mayor



DISTRICT OF COLDSTREAM

9901 KALAMALKA ROAD, COLDSTREAM, BC V1B 1L6

Phone 250-545-5304 Fax 250-545-4733

Email: info@coldstream.ca Website: www.coldstream.ca

"Rural Living At Its Best"

February 22, 2017

File: 0230-20 SILGA 2017 Resolution

The Honourable Christy Clark, M.L.A.
Premier of British Columbia
PO BOX 9041 STN PROV GOVT
Victoria BC V8W 9E1

VIA EMAIL: premier@gov.bc.ca

Dear Premier Clark:

Re: Provincial Private Moorage Program

At their meeting held February 14, 2017, The District of Coldstream Council adopted the following resolution:

THAT the Ministry of Forest, Lands and Natural Resource Operations amend the Provincial General Permission for the Use of Crown Land for Private Moorage to explicitly require that a General Permission for private moorage requires compliance with any local government regulation pertaining to the construction, placement and use of private moorage;

AND THAT Front Counter BC reinstate its practice of referring Private Moorage applications to municipalities;

AND FURTHER THAT if the Ministry does not amend the Provincial General Permission for the Use of Crown Land for Private Moorage, that the Thompson Okanagan area be designated an "Application Only Area".

The District has forwarded this resolution to the Southern Interior Local Government Association to seek support at the 2017 Annual Convention with the intention of presenting this resolution at the 2017 UBCM Convention. The District hopes that you will support our efforts to ensure that local government requirements are protected as they relate to the construction of docks in our communities.

Yours truly,

Jim Garlick
Mayor

ENCL. 2017 SILGA Resolution and Background Information

Pc:

- Eric Foster M.L.A. Vernon-Monashee, via email eric.foster.MLA@leg.bc.ca
- Honourable Stéve Thomson, Minister of Forests, Lands and Natural Resource Operation, via email FLNR.Minister@gov.bc.ca
- Greg Kockx, Manager Land Tenures Branch, Ministry of Forests, Lands and Natural Resource Operations, via email Greg.Kockx@gov.bc.ca
- UBCM Member Municipalities

RESOLUTION TO THE
Southern Interior Local Government Association
(SILGA)

Provincial Private Moorage Program

District of Coldstream

WHEREAS the Ministry of Forests, Lands and Natural Resource Operations has amended the private moorage program permitting residential docks to be authorized under a "General Permission" rather than an application-driven Crown land tenure;

AND WHEREAS residential docks authorized under a "General Permission" will not require a referral to the local government for compliance with local government requirements;

THEREFORE BE IT RESOLVED that the Ministry of Forests, Lands and Natural Resource Operations amend the Provincial General Permission for the Use of Crown Land for Private Moorage to explicitly require that a General Permission for private moorage requires compliance with any local government regulation pertaining to the construction, placement and use of private moorage;

AND THAT Front Counter BC reinstate its practice of referring Private Moorage applications to municipalities;

AND FURTHER THAT if the Ministry does not amend the Provincial General Permission for the Use of Crown Land for Private Moorage, that the Thompson Okanagan area be designated an "Application Only Area".

BACKGROUND INFORMATION

Under the previous process applications for a dock approval included a form of tenure for the area of the waterbody where the dock was to be located. Previously a person would receive tenure over the area, usually for a ten-year period of time. Through that process the local government would receive a referral to confirm compliance with use and dock dimensions. If the local government's requirements were satisfied and the dock met provincial guidelines, tenure would be granted and the dock permitted.

Under the new General Permission standards, tenure is not granted; the property owner has the right to install a dock on the water provided it meets the provincial guidelines.

One of the conditions to comply with the General Permission is that the dock has to comply with any local government requirements. Unfortunately there is no check at the provincial level to see if it complies, nor is there a referral to the local government for comments.

When an application is submitted to the province, provided it meets provincial requirements and environmental criteria, the owner will be advised that they can construct the dock. That approval is conditional to the dock meeting local government requirements.

The onus is then on the property owner to check with the local government to make sure the local government requirements are met.

This creates a scenario where people will believe they have what they need once the province "signs off" and may not check with the local government for their requirements.

It would be better for all parties if the province were to continue to refer applications to the local government prior to allowing the General Permission.



175 Ingram Street
Duncan, BC V9L 1N8
www.cvrld.bc.ca

RECEIVED FEB 17 2017
Office: 250.746.2500
Fax: 250.746.2513
Toll Free: 1.800.665.3955

February 8, 2017

Councillor Carolyne Austin
39 South Shore Road
LAKE COWICHAN, BC V0R 2G0

Dear Councillor Austin:

Re: Community Safety Advisory Commission Service

On behalf of the Community Safety Advisory Commission, I would like to take this opportunity to convey my sincerest appreciation for your service over the past few years serving as a commission member.

We look forward to our continued association.

Sincerely,

Michael Trickey
Chair, Community Safety Advisory Commission

/ge

pc: Conrad Cowan, Manager, Public Safety



TOWN OF LAKE COWICHAN
Minutes of Finance & Administration Committee
Tuesday, February 14th, 2017

PRESENT: Councillor Tim McGonigle
Mayor Ross Forrest, Chair
Councillor Carolyne Austin
Councillor Bob K. Day
Councillor Lorna Vomacka

STAFF: Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Karl Lingren, Recording Secretary

PUBLIC: 3

1. CALL TO ORDER

The Chair called the meeting to order at 5:00 p.m.

2. AGENDA

No. FA.003/17

Moved: Councillor Austin

Seconded: Councillor Day

that the agenda be approved with the following additions:

1. **Business Arising and Unfinished Business-**
Pickleball update;
2. **New Business-** (c) email from Mid Island Co-op
Community Grant;
3. **New Business-** (d) email from Councillor Austin.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

Ongoing Items Still Being Addressed:

- (a) Mayor Forrest informed the Committee that the tender for the Town Hall upgrade closes on February 15th, 2017 at 3:00pm.
- (b) Mayor Forrest updated the committee that the pickleball players are very happy with their location on Cowichan Avenue but they are finding it inadequate on only having half the tennis courts. They are requesting to take over the entire court and changing the lines in order to accommodate more players.

The pickleball players are asking if there is a chance that their group would be able to ask for resurfacing to be done at that site to make it better to play on by using the remaining money from the Centennial Park project for pickleball at that premises.

Council asked that this matter be forwarded to the next Public Works meeting in March.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

- (a) The correspondence item from Micheal King, Fire Underwriters Survey, in regards to Fire Insurance Grade for #6 Hub Volvo 1994 Pumper was for information purposes only. The pumper truck will be out of commission by 2019 (for insurance purpose).
- (b) The open letter to BC Governments- Re: holding fossil companies responsible for climate change was received and filed.
- No. FA.004/17 (c) Moved: Councillor Austin
Seconded: Councillor Day
that a letter of support be written for the Cowichan Lake Community Garden Society for its grant application under Tree Canada program.

CARRIED.

6. REPORTS

- (a) The financial report for the period ending January 31st, 2017 was treated as information.
- (b) The Building Inspector's Service Report for January, 2017 was treated as information.
- No. FA.005/17 (c) Moved: Councillor Vomacka
Seconded: Councillor Day
that the Committee recommend approval of the Lake Cowichan Fire Department's incident report for December 2016 in the total amount totaling \$8,541.21.

CARRIED.

7. NEW BUSINESS

- (a) The committee asked to keep the policy on noise control on the agenda in order to get further clarification from the Chief Administrative Officer.
- (b) The committee asked to keep the policy on unsightly premises on the agenda in order to get further clarification from the Chief Administrative Officer.
- (c) Councillor McGonigle brought forward information on the Mid-Island Co-op community grant program. He suggested that these grant opportunities be paired with local non-profit groups in order to have new projects completed.
- No. FA.006/17 (d) Moved: Mayor Forrest
Seconded: Councillor Day
that the committee not deal with the traffic calming at the corner on South Shore and Stone Avenue request further.

DEFEATED.

- No. FA.007/17 Moved: Mayor Forrest
Seconded: Councillor Austin
that the committee is unable to entertain the private request for traffic calming measures at the corner of Stone Avenue and South Shore Road at this time.

CARRIED.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. FA.008/17
Adjournment

Moved: Councillor Vomacka
Seconded: Mayor Forrest
that we adjourn (6:23 p.m.).

CARRIED.

Certified correct _____ .

Confirmed on the _____ day of _____ , 2016.

Chair



TOWN OF LAKE COWICHAN
Minutes of Public Works and Environmental Services Committee
Tuesday, February 7th, 2017

PRESENT: Councillor Carolyne Austin, Chair
Mayor Ross Forrest
Councillor Bob K. Day
Councillor Tim McGonigle
Councillor Lorna Vomacka

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

1. **CALL TO ORDER**

The Chair called the meeting to order at 5:03 p.m.

2. **AGENDA**

No. PW.001/17 Moved: Councillor Vomacka
Seconded: Councillor McGonigle
that the agenda be approved.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

- (a) The Chief Administrative Officer requested direction from the
(i) Committee on how to proceed with the matter of on-street
parking with respect to time limits.

No. PW.002/17 Moved: Councillor Vomacka
Seconded: Mayor Forrest
that the committee recommend that 2 hour limits be
implemented for street parking except at the Post Office, which is
to remain as is, with appropriate signage to be posted at the
locations where parking is permitted.

CARRIED.

(b) **Ongoing Items Still Being Addressed:**

- (i) The Chief Administrative Officer said that the North Shore Road
sidewalk and trail plan would have require grant funding for that
project to be contemplated.
- (ii) The Superintendent, Public Works and Engineering Services
updated the committee that the Water Treatment Plant design is
75% complete. He noted that the pre-purchase of equipment
components directly from the supplier would be necessary in
order for cost savings to occur. The engineers were
recommending that approach and tenders would accordingly be
issued.

4. **DELEGATIONS**

- (a) David Work made a presentation on his request for traffic calming
measures at the corner of Stone Avenue and South Shore Road,
where his residence and business are located. He felt that traffic
speed through that zone affected his and others' safety and
wanted to see the implementation of bump-outs and cross walks.

Mayor Forrest asked staff to collect accident statistics for that

corner. Councillor McGonigle asked for the data that is collected from this speed reader.

5. CORRESPONDENCE

- (a) The correspondence from W.J. (Jack) Peake on snow removal at the Olson Manor was discussed. Staff is to thank him for his concerns and hoped that he could be referred to the snow removal policy once it is placed on the Town website.
- (b) Darlene Ector forwarded an email to Council with concerns that the street name sign on the corner of Quamichan Ave and Pine St. is missing.

The Superintendent, Public Works and Engineering Services said a new one will be purchased and installed.

6. REPORTS

None.

7. NEW BUSINESS

- (a) Council discussed the data on the organics collected from the Town in 2015/2016. Councillor McGonigle asked to look at the type of equipment needed to deal with approximately 140,000 kg's. He also asked that staff look into the cost for an in-house composter.
- (b) The Superintendent, Public Works and Engineering Services explained to council the order of priority of snow removal for roads and sidewalks adjacent to public properties; and the kinds of equipment that is used to deal with the removal of snow.
- (i)
- (ii)
- (c) Councillor Austin mentioned she was informed by residents of dumping that was going on at Greendale Rd. and she requested a 'no dumping' sign installed in that area.

The Superintendent, Public Works and Engineering Services did not believe a sign was necessary and that if dumping is still occurring, it is more of a bylaw infraction issue.

- No. PW.003/17 (d) Moved: Councillor Vomacka
Seconded: Councillor McGonigle
that the committee recommend an expenditure of up to \$20,000 inclusive of taxes for a further evaluation of the requirements for the Greendale Road water main upgrade project.

CARRIED.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PW.004/17
Adjournment

Moved: Councillor Vomacka

Seconded: Councillor McGonigle
that this meeting adjourn. (6:40 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair



TOWN OF LAKE COWICHAN

Minutes of Parks, Recreation and Culture Committee

Tuesday, February 7th, 2017

PRESENT: Councillor Lorna Vomacka, Chair
Mayor Ross Forrest
Councillor Carolyne Austin
Councillor Bob K. Day
Councillor Tim McGonigle

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

PUBLIC: 1

1. **CALL TO ORDER**

The Chair called the meeting to order at 6:48 p.m.

2. **AGENDA**

No. PR.001/17

Moved: Councillor Austin
Seconded: Councillor McGonigle
that the agenda be approved.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

- (i) The Superintendent, Public Works and Engineering Services updated the committee that there are a few changes to be made to the design aspects of the Centennial Park Upgrades.
- (ii) The Chief Administrative Officer informed the committee that re-zoning would have to take place before anything could begin at the Columbarium site. He referred to the handout in the agenda on the project tasks and time frames for implementation of project.
- (iii) The Chief Administrative Officer informed the committee that there has been no recent discussion with the Lake Cowichan School art teacher in regards to lamppost banners. Councillor Vomacka suggested a Canada 150 and 75th birthday theme for the upcoming banners.
- (b) **Ongoing Items:**
- (i) There is no update on the trail connection plans for the Riverfront Parkway and the matter is ongoing.
- (ii) The Chief Administrative Officer reported that once the tender has gone out for the Town Hall renovation, he will notify the Lady of the Lake Society when they will need to relocate the float from the storage bay.
- (iii) The Chief Administrative Officer informed the committee that the only item left to do at the community garden in to hook up water connections. Public works notify the group when they are available to install the water connection. He also mentioned

that the draft agreement is ready for the Cowichan Lake Garden Society.

- (iv) The water park proposal will remain on the agenda as a possible project for the future. The committee is hoping to have another meeting with Tara Bushby once she returns from maternity leave.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

None.

7. NEW BUSINESS

- (a) The committee discussed a possible retrofit for the Trans Canada Trail Kiosk. Councillor Austin asked if there was a budget for the upgrades and if there was a possibility to have volunteers help in this project.

The Superintendent, Public Works and Engineering Services welcomed the idea to have volunteers aid in repairing the kiosk as his crew is always busy.

- (b) The Town of Lake Cowichan's 75th birthday celebration will take place in 2019 and the committee directed staff to look into possible grants for the event.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PR.002/17
Adjournment

Moved: Councillor Austin
Seconded: Mayor Forrest
that the meeting be adjourned. (7:25 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

_____ Chair



TOWN OF LAKE COWICHAN

Minutes of Economic and Sustainable Development Committee

Tuesday, February 14th, 2017

PRESENT: Councillor Bob K. Day, Chair
Mayor Ross Forrest
Councillor Carolyne Austin
Councillor Tim McGonigle
Councillor Lorna Vomacka

STAFF: Nagi Rizk, Superintendent, Public Works and Engineering Services
Ronnie Gill, Director of Finance
Kari Lingren, Recording Secretary

OTHER: 3

1. CALL TO ORDER

The Chair called the meeting to order at 6:30 p.m.

2. AGENDA

No. SPD.003/17

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

CARRIED.

3. (a) BUSINESS ARISING AND UNFINISHED BUSINESS

(i) Councillor Day updated that invitations have gone out for a meeting for the Economic Readiness Assessment Project that will take place on February 24th, 2017.

(b) Ongoing Items Still Being Addressed:

(i) Councillor Day circulated information to the committee that showed the potential costs of purchasing an in-house composting vessel. Councillor McGonigle directed staff to look into the costs that includes operating expenses in having a composter in the Town of Lake Cowichan.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

(a) None.

7. NEW BUSINESS

(a) Councillor Day has looked at the Cowichan Lake area event calendar on the Chamber of Commerce website and it shows no Town events on the calendar. Councillor Day suggested that staff approach the Chamber of Commerce to look into this matter.

(b) Councillor Day asked Dalton Smith, Manager of the Cowichan Lake Education Centre, if there was a possibility that an expansion of Saywell floating dock could be a JCP project. Mr. Smith said that it is possible if that is what Council decides but the project would require a year of planning. The

Superintendent, Public Works and Engineering Services thinks there may not be enough room for the expansion. Staff was directed to investigate the matter further. The matter will remain on the agenda.

- (c) Council had a discussion on the revitalization of a trail from Lakeview campsite to Cowichan Lake Education Centre. The Manager of the Cowichan Lake Education Centre had brought information from previous investigations on that piece of land and how logging would affect it. He said that creating trails takes a long time, is very difficult and expensive to maintain. He noted that March 31st, 2017 is the deadline the logging companies had to make a decision on the logging of the crown lands.
- (d) The Manager of the Cowichan Lake Education Centre thought that upgrades to the CLEC website could entice more off-season users to the facility.
- (e) Council had a discussion on the marketing of the Centennial Park facility once the upgrades to it are completed. Councillor Day discussed the possibility of the Cowichan Lake Recreation managing the new ball fields and soccer pitch. Mayor Forrest suggested that a parent group may be more cost effective for managing programs.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

None.

No. SPD.004/17
Adjournment

11. ADJOURNMENT

Moved: Councillor Austin
Seconded: Councillor Vomacka.
that the meeting adjourn. (7:35 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair



PRESENT: Mayor Ross Forrest, Chair
Councillor Carolyne Austin
Councillor Bob K. Day
Councillor Tim McGonigle
Councillor Lorna Vomacka

ALSO
PRESENT: Joseph 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 7:39 p.m.

2. AGENDA

No. OC.1/17

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

CARRIED.

3. ADOPTION OF MINUTES

No. OC.2/17

Moved: Councillor McGonigle
Seconded: Councillor Day
that the minutes of the Ohtaki Twinning Committee meeting held
on October 4th, 2016 be approved.

CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. CORRESPONDENCE

- (a) The correspondence from Hideyoshi Kikuya, Mayor of Date City, was discussed and the job opportunity for a teaching position in Japan is to be posted on the Town website.

6. OTHER REPORTS

None.

7. NEW BUSINESS

- (a) Only four students have indicated interest in being a part of the next visit to Japan. Council directed staff to ask each of the students if they would still be interested ingoing this year or if they would still be interested if the trip was postponed to 2018.

Councillor McGonigle added that it may be very daunting for the students to gather up the funds for the trip to take place this year. Mayor Forrest agreed and felt that it might be too rushed to send a delegation this year.

Council will decide once it hears from staff on the level of intrest from students for a trip either this or next year.

8. NEXT MEETING

Tuesday, March 7th, 2017 at 7:00 pm.

9. ADJOURNMENT

No. OC.3/17

Moved: Laurie Johnson
Seconded: Councillor Vomacka
that the meeting be adjourned (8:20 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2016.

Chair



Memo

TO: Chair, Public Works Committee
SUBJECT: Municipal Hall Upgrades Tenders
DATE: February 24, 2017
FROM: Chief Administrative Officer

BACKGROUND

After a tender call was issued for the above, two proposals were received by closing time, February 15th, 2017, from:

1. CMF Construction Ltd.; and
2. ICE Development Ltd.

The lowest tender (\$2,395,655.00 excluding taxes) was submitted by ICE Development Ltd.

CMF Construction Ltd., the second tenderer's submission, was \$2,761,180.00.

In the opinion of staff, it would not be prudent with acceptance of either bid based on our inability to fund the project at the tender prices submitted.

RECOMMENDATION

It is recommended:

that both the tenders be rejected as there are no funds to legally complete the project as per the available budget for the project and that Council consider re-tendering of the project as soon as a materials survey is completed.

Joseph A. Fernandez

**TOWN OF LAKE COWICHAN
Bylaw No. 985-2016**

Fees and Charges for Services

WHEREAS the Council of the Town of Lake Cowichan is empowered to establish fees and charges for various services under Section 194 of the Community Charter;

AND WHEREAS Council deems the fees and charges useful and necessary to recover costs incurred in the provision of these services;

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

1. This bylaw may be cited for all purposes as "Town of Lake Cowichan Fees and Charges for Services Bylaw No. 985-2016".
2. Fees listed in Schedule "A" attached to and forming part of this bylaw shall apply for the use of the Lakeview Park Campground.

Notwithstanding the charges stipulated in the foregoing schedule, off-season rates and terms may be varied and approved by resolution of council.

3. Fees listed in Schedule "B" attached to and forming part of this bylaw shall apply for the use of the Cowichan Lake Outdoor Education Centre.

Notwithstanding the charges stipulated in the foregoing schedule, group rates may be varied through contract negotiations approved by Council.

4. Fees listed in Schedule "C" attached to and forming part of this bylaw shall apply to other goods and services provided by the municipality on a demand basis.

5. Fees listed in Schedule "D" attached to and forming part of this bylaw shall apply to miscellaneous development charges.

6. The fees and charges contained in this bylaw shall become effective on passage of this bylaw.

7. That the fees and charges contained in Bylaw 960-2015 being the "Town of Lake Cowichan Fees and Charges for Services Bylaw" and all amendments are hereby repealed.

READ A FIRST TIME on the 20th day of December, 2016.

READ A SECOND TIME on the 20th day of December, 2016.

READ A THIRD TIME on the 24th day of January, 2016.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___th day of _____, 2016.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer



TOWN OF LAKE COWICHAN**Schedule "A"**

(attached to and forming part of Bylaw No. 985-2016)

Lakeview Park Campground:

The following rates, inclusive of applicable taxes, apply to all rentals of camp sites in Lakeview Park:

• In-season site fee per night *	\$ 33.00
• Off-season site fee per night **	23.00
• Tenting site fee per night	20.00
• Serviced site fee - water and electrical services	9.00
Call-in Reservations booking fee (non-refundable) — per camp site per night to a maximum of 3 nights.	11.00
***Cancellations made at least 10 days prior to reservation date shall receive a refund of the campsite fee, less \$22 per site per reservation.	22.00
Additional person(s) 19 years and over in camp site per night	11.00
Additional vehicle per night	16.00
Moorage per night	16.00
Fire wood sales	6.00
Ice for resale	Cost plus \$ 1.00
Campsite clean-up fee	100.00
Daily rental of propane powered campfire unit (deposit required)	12.00

* a Site will accommodate the following:

- One to four persons 19 years of age or older. Additional fees for adults apply as set above.
- A maximum of eight persons including children (18 years of age and younger).
- Vehicles per Camp Site:
One vehicle and trailer. Either one (but not both) may be an RV.
A second vehicle (non-RV) may be allowed for the additional nightly charge of \$16.00. Additional Vehicle(s) and/or person(s) will be charged according to fees set above.
There will be NO exceptions to Camp Site size and vehicle numbers.

** Off-Season is from the end of the Labour Day long weekend in September, to prior to the May long weekend.

*** Cancellations made less than 10 (ten) days prior to reservation date will receive no refund.



TOWN OF LAKE COWICHAN**Schedule "B"**

(attached to and forming part of Bylaw No. 985-2016)

Cowichan Lake Outdoor Education Centre

The following rates, exclusive of applicable taxes, apply to all rentals of space at the Cowichan Lake Outdoor Education Centre:

		<u>Off-Season</u>	<u>In Season</u> July & August
Adult	per person, double occupancy, inclusive of 3 meals and overnight accommodation, minimum group size 20	\$ 111.00	\$ 120.00
School	per student, inclusive of 3 meals and shared dormitory-style accommodation, no bedding provided, two and one-half day package inclusive of all on-site programmes.	179.00	194.00
Youth / School	3 meals and shared overnight accommodation, no bedding provided	73.00	80.00
Exclusive Day Use	per day, meals not included	675.00	1,450.00
Other Uses	Small meeting room	87.00	100.00
	Programming charges will be levied on a cost recovery basis	132.00	155.00



TOWN OF LAKE COWICHAN**Schedule "C"**

(attached to and forming part of Bylaw No. 985-2016)

The following charges, inclusive of taxes where applicable, apply:

Photocopies	8 ½" X 11"	\$ 0.75/page
	8 ½" X 14"	1.50/page
	11" X 17"	2.00/page
	Town documents	.50/page
Faxes	Outgoing	1.50/page
Email	Locate and send digital copy	5.00/document
	Produce digital copy	2.00/page
Maps	Zoning Map – Large	28.00
	Official Community Plan Map	28.00
	Town Street Map	28.00
Tax Certificates	(Except for those making a request under Section 249(1) of the <i>Community Charter</i>)	25.00
Tax Certificates	Commissioned through BC Online	15.00
Building Permit Register	Per Monthly Report	15.00
Zoning Compliance	Confirmation	100.00
Non Sufficient Funds	Per returned cheque	20.00
Mortgage Lenders bank fees	Recovery of bank charges (wire transfer fees) on property tax payments by mortgage companies	up to \$4.00/folio
Digital Property Tax Information	Per request made	100.00
Replicate Town Document	To recreate an original document	10.00
Garbage/organics totes:	80L	At cost – minimum 70.00
	120L	At cost – minimum 90.00

TOWN OF LAKE COWICHAN

Schedule "D"

(attached to and forming part of Bylaw No. 985-2016)

Sign Fees

Sign fee	As per the sign bylaw	\$ 50.00
Portable sign fee	Sign placed in front of premises	25.00
Portable sign fee	Not fronting business or on public right of way	50.00
Wayfinding sign (Directional)	Business / company sign plate - cost varies depending on location	Max \$100 / year

Other Fees

Use of public facilities is as per Town Policies and Regulations, and fees are applicable for-profit entities.

Miscellaneous Development Fees

The following charges apply for all miscellaneous development applications:

Subdivision	Preliminary Subdivision – strata and fee simple lots (excludes parent lot if principal structures exist)	\$ 100.00 per lot
	Final Subdivision – strata and fee simple lots	250.00 per lot
Strata Conversion	Per unit	300.00



TOWN OF LAKE COWICHAN

BYLAW NO. 986-2017

A Bylaw to Amend Zoning Bylaw No. 935-2013

WHEREAS the Local Government Act authorizes a local government to enact bylaws, which would designate different zones pertaining to land use and development of the Town of Lake Cowichan;

AND WHEREAS the Council of the Town of Lake Cowichan deems it expedient to amend Bylaw 935-2013 to allow for changes with respect to land use and zoning regulations;

AND WHEREAS the passage of this bylaw has met all of the requirements pursuant to the Local Government Act;

NOW THEREFORE the Council of the Town of Lake Cowichan in open meeting assembled enacts the following:

1. TITLE

This bylaw may be cited for all purposes as the "Town of Lake Cowichan Zoning Amendment Bylaw No. 986-2017".

2. AMENDMENTS**2.1. Part 3 LAND USE DEFINITIONS is amended by adding the additional terms:**

"Columbarium" means a structure designed for the purpose of storing the ashes of human remains that have been cremated and which contains niches for cinerary urns; and

"Short-Term Vacation Rental" means a building that contains a room, or a set of rooms, which may have a kitchen; and that is offered for rent to the travelling public on a temporary basis of 31 days or less and is subject to all of the conditions listed in Section 5.1 Conditions for Short Term Vacation Rentals, under Part VI Special Provisions.

2.2. Section 5.11 C-3—Lakefront and Riverfront Commercial Zone, Subsection 5.11.2 Permitted Uses, is amended as follows:**(a) By revising regulation (i) under Principal Uses as follows:**

(i) Bed and Breakfast accessory to use in (h) only;

(b) By the addition of regulation (k) as follows:

(k) Principal Use of Short Term Vacation Rental and a Minimum Lot Size of 667 m², subject to the provisions of Part VI Special Provisions, Section 6.3 Conditions for Short Term Rental, only on the parcel described as Lot 1, Section 6, Renfrew District, Plan 5631; street address of 38 North Shore Drive; and

(c) By the addition of regulation (l) as follows:

- (l) Single Family residence permitted accessory to principal uses inclusive of (a) through (g) and (k), and a Minimum Lot size of 667m².

2.3. Part VI TRANSITION is renumbered as Part VII TRANSITION.

2.4. The Bylaw is amended with a new Part VI SPECIAL PROVISIONS with provisions for Short Term Vacation Rentals as follows:

6.1 CONDITIONS FOR SHORT TERM VACATION RENTALS

6.3.1 In any zone or property in which a Short Term Vacation Rental is permitted, the following conditions shall be satisfied:

- (a) Compliance with the licencing requirements of Bylaw No. 773-2003 Inter-municipal Business License Agreement;
- (b) Compliance with the parking requirements of the Schedule B Off-Street Parking Spaces; and
- (c) Subletting of units by tenants is not permitted.

2.5. Section 5.13 I-1 Light Industrial Zone is amended as follows:

- (a) In Subsection 5.13.2 Permitted Uses, the addition of a Principal Use, (p) Service Station, and the renumbering of subsequent listed uses that follow; and
- (b) In Subsection 5.13.3 Conditions of Use, the deletion of the maximum number of units in Regulation 5.13.3.1 Dimensions and Coverage Standards.

2.6. Section 5.15 P-1–Public Use Zone is amended by adding Columbarium as an additional Principal use listed in 5.15.2 Permitted Uses.

2.7. Schedule A Map is amended by rezoning the land described as Lots 2 and 3, Section 6, Renfrew District, Plan No. 16660 (Lot 2 PID: 004-016—050; Lot 3 PID: 004-016-068) and shown on Schedule A to this Bylaw, from Urban Residential (R-1) to Public Use (P-1).

2.8. Schedule C Permitted Land Use Table is amended as follows:

- (a) Adding Columbarium as an additional Principal use listed in the Institutional Use category within the P-1 Public Use zone; and
- (b) Adding Service Station as an additional Principal use listed in the Industrial category within the I-1 Light Industrial zone.

2.9. Schedule A Map is amended by rezoning the land described as Lot 6, Section 6, Renfrew District, Plan VIP86003 from and shown on Schedule B to this Bylaw, from Multi-Family Residential R3 to Suburban Residential R2.

3. **FORCE AND EFFECT**

That upon adoption of this bylaw, Bylaw No. 935-2013 being the “Town of Lake Cowichan Zoning Bylaw No. 935-2013” shall hereby be amended and take effect with the amendments hereto attached.

READ A FIRST TIME on the _____th day of, 2017.

READ A SECOND TIME on the _____th day of____, 2017.

PUBLIC HEARING held on the _____^d day of , 2017.

READ A THIRD TIME on the _____rd day of _____, 2017.

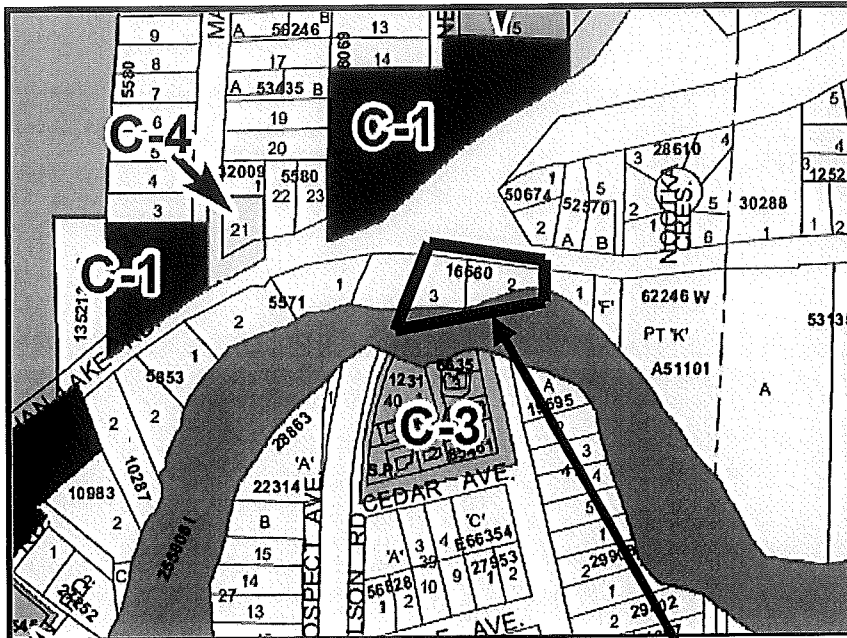
RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the _____rd day of 2017.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

SCHEDULE "A"

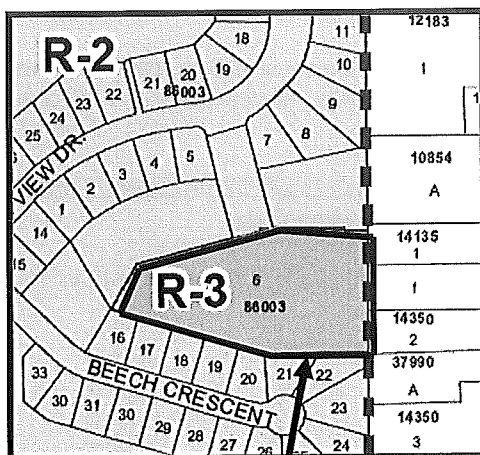
Attached to and Forming Part of Bylaw No. 986-2017
And amends Schedule "A" of Bylaw 935-2013



Land rezoned from Urban Residential (R-1) to Public Use (P-1)

SCHEDULE "B"

Attached to and Forming Part of Bylaw No. 986-2017
And amends Schedule "A" of Bylaw 935-2013



Rezone from R-3 Multi-Family
to R-2 Suburban Residential

TOWN OF LAKE COWICHAN

BYLAW NO. 987-2017

A BYLAW to provide for the administration of the British Columbia Building Code and to provide certain additional building regulations

WHEREAS the Community Charter authorizes the Town, for health, safety and protection of persons and property, to regulate the construction, alteration, repair or demolition of buildings and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a Building Code to govern standards in respect of the construction, alteration, repair and demolition of buildings and structures in cities, municipalities and regional districts in the Province;

AND WHEREAS It is deemed necessary in the general public interest to provide for the administration of the Building Code;

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

1. **Title**

This bylaw shall be cited as "The Town of Lake Cowichan Building Bylaw No. 987-2017".

2. **Definitions**

Unless otherwise defined herein, words and terms used in this Bylaw shall have the same meanings as set out in the Building Code.

BUILDING means any structure used or intended for supporting any use or occupancy permitted under the Zoning Bylaw;

BUILDING CODE means the British Columbia Building Code;

BUILDING INSPECTOR means the person duly appointed to that office;

BUILDING PERMIT means a permit for construction required or issued pursuant to this Bylaw;

COUNCIL means the Council of the Town;

CONSTRUCTION includes reconstruction, installation, erection, repair, alteration, addition, demolition, removal, excavation or shoring with respect to a building or structure;

FEE means the fee prescribed in Schedule "A" to this Bylaw;

OCCUPANCY CERTIFICATE means an Occupancy Certificate issued pursuant to this Bylaw;

OWNER in respect to real property means the registered owner of an estate in fee simple and includes:

- (a) the registered holder of the last registered agreement for sale; and
- (b) the holder or occupier of land held in the manner mentioned in sections 228 and 228 of the *Community Charter*;



- (c) a tenant for life under a registered life state; and
- (d) a lessee with authority to build on land;

PARCEL means a lot, block or other area in which land is held, or into which land is legally subdivided;

PERMIT means a permit required or issued pursuant to this Bylaw and includes a Building Permit, a Plumbing Permit, a Demolition Permit, a Chimney Permit, a Fireplace Permit, and a Moving Permit;

REGISTERED PROFESSIONAL includes a qualified professional as defined in section 55(1) of the *Community Charter*;

STRUCTURE means a construction or portion thereof of any kind, whether fixed to, supported by, sunk into or located in, land, water or airspace, and includes foundations or supporting framework for exterior signs, equipment and machinery, interior storage racking greater than 2.6 m in height and swimming pools but specifically excludes paving, fences, retaining walls and landscaping;

SWIMMING POOL means any structure or construction, intended primarily for recreation that is, or is capable of being, filled with water to a depth of 0.6 metres or more and for the purpose of this definition, a hot tub shall not be considered a swimming pool; and

TOWN means the Town of Lake Cowichan.

3. Purpose

- (1) This Bylaw must, despite any other provision it contains, be interpreted in accordance with this section.
- (2) This Bylaw's purpose is to regulate construction in the Town in the public interest.
- (3) Activities carried out under this bylaw by or on behalf of the Town are solely to provide a limited and interim spot-checking function for health, safety, and the protection of persons and property.
- (4) This Bylaw neither contemplates nor intends doing any of the following and this Bylaw's purpose does not extend to any of the following:
 - (a) protecting any owner, owner/builder, or constructor, from economic loss;
 - (b) the Town or the Building Inspector's assuming any responsibility for ensuring that an owner, owner's agent, or employee, constructor, or designer, employed by an owner, complies with the Building Code, this Bylaw, and other applicable codes, standards, and enactments;
 - (c) warranting design or quality of work respecting a building, structure, or work, for which a permit is issued under this Bylaw; and



- (d) warranting or assuring that work done under a permit issued by the Town is free from defects, whether patent or latent.

4. **Application**

- (1) This Bylaw applies to the
 - (a) design and construction of new buildings or structures;
 - (b) alteration, reconstruction, demolition, deconstruction, removal and relocation of existing buildings and structures; and
 - (c) change in class of occupancy of existing buildings and structures.
- (2) This Bylaw does not apply to
 - (a) buildings and structures exempted by Part 1 of the British Columbia Building Code, except as this Bylaw expressly provides; or
 - (b) retaining structures, fences, paving or landscaping.

5. **Permit Conditions**

- (1) A Permit is required to do work regulated by this Bylaw.
- (2) Complying with the Building Code, this Bylaw, and other applicable codes, standards, and enactments, in doing work for which a permit is issued, is the sole responsibility of the owner and, where the owner acts through an agent, the agent.
- (3) The following do not relieve owners in any way from sole responsibility for complying with the Building Code, this Bylaw, and other applicable codes, standards, and enactments:
 - (a) the issuance of a permit under this Bylaw;
 - (b) the acceptance or review of drawings or specifications, or supporting documents;
 - (c) an inspection by or on behalf of the Town.
- (4) None of the following warrant, assure, or represent, in any way, that the Building Code, this Bylaw, and other applicable codes, standards, and enactments, have been complied with:
 - (a) the issuance of a permit under this Bylaw;
 - (b) the acceptance or review of drawings or specifications, or supporting documents;
 - (c) an inspection by or on behalf of the Town.
- (5) The Building Inspector may order work to be stopped if it is being done contrary to the permit authorizing it, a document submitted with the application for the permit, the Building Code, this bylaw, and other applicable codes, standards, and enactments.

- (6) A Permit shall not be issued for the construction of any residential, commercial, institutional or Industrial building until the following essential services are provided:
- (a) Water: A municipal water service connected to the water main distribution that is under the control of the Town;
 - (b) Sanitary Sewer: Connected to the Town sewer system;
 - (c) Storm drainage: Method of storm drainage system must be approved by the Town;
 - (d) Access: A driveway of sufficient strength, grade and width for access and egress to all principal buildings by fire and emergency vehicles is provided.
- (7) A permit expires, and an owner's rights under the permit terminate, if the work authorized by the permit
- (a) does not start within six (6) months,
 - (b) stops for longer than one (1) year, or
 - (c) is not completed within two (2) years.

6. **Permits**

- (1) The Building Inspector must issue a permit applied for if
- (a) a completed application complying with this Bylaw and including all supporting documents is submitted;
 - (b) the owner or owner's agent pays the permit fee prescribed by Schedule "A"; and
 - (c) the owner or owner's agent pays all fees and charges and meets all requirements imposed by a statute or another Bylaw, and
- (2) An applicant must pay double the permit fee prescribed by Schedule "A" if work for which this Bylaw requires a permit is begun before a permit is issued.
- (3) Permit fees are refundable to the extent prescribed by Schedule "A" if
- (a) reviewing drawings and specifications has not started, or
 - (b) work has not begun and inspection by or on behalf of the Town has not occurred.
- (4) A permit may be renewed, once, and for the same period as the original permit, if renewal is applied for before the original permit expires.

7. **Building Inspector**

- (1) The Building Inspector may



- (a) administer this Bylaw;
- (b) keep record of permit applications received, permits issued, notices and orders issued, inspections and tests made, and copies of documents related to the administration of this Bylaw;
- (c) establish, or direct the owner to establish, by tests, at the owner's expense, whether methods or types of construction, and types of materials, devices or assemblies used in the construction of a building or structure substantially conform to the requirements of the Building Code and WorkSafe guidelines established for buildings constructed prior to 1990;
- (d) require that tests be carried out in accordance with recognized standard test methods with copies of such tests provided to the Building Inspector and be available on-site during the construction of the building or structure;
- (e) require the owner to uncover and replace at the owner's expense any construction that has been covered without inspection contrary to this Bylaw or an order issued by the Building Inspector;
- (f) enter land, buildings, and premises, at any reasonable time, to administer this Bylaw, but must, if a residence is occupied, obtain the occupant's consent to enter it or give written notice to the occupant at least twenty-four (24) hours before entering it; and
- (g) order correcting work done or being done contrary to the requirements of this Bylaw or another other legislation or enactment.

8. Permit Applications

- (1) A permit application must relate to one building, structure, or work.
- (2) Drawings and specifications submitted with permit applications must bear the names and business addresses of buildings, structures, and works' designers.
- (3) Permit applications and the documents submitted with them become the Town's property.

9. Building Permit Applications

- (1) A person must apply for, and obtain, a building permit before constructing, altering, or reconstructing a building, structure or canopy.
- (2) An application for a building permit must
 - (a) be made in the form prescribed by the Town and signed by the owner, or a signing officer if the owner is a corporation.

- (b) be accompanied by the owner's signed release and indemnity, and acknowledgment of responsibility and undertakings, in the form prescribed by the Building Inspector,
- (c) state the building or structure's intended use and, if the Building Inspector requires, provide a professionally prepared appraisal of the proposed building or structure's value,
- (d) include, as exhibits, copies in duplicate of
 - (i) scale drawings of and specifications for the building or structure respecting which work is to be done, showing
 - (A) the building or structure's dimensions,
 - (B) each room or floor area's proposed use,
 - (C) the dimensions of the land on which the building or structure is, or is to be, situated,
 - (D) building grades,
 - (E) the grades, and elevations, of streets, and sewers, abutting the land on which the building or structure is, or is to be, situated, and
 - (F) the position, height, and horizontal dimensions, of all existing and proposed buildings and structures on the land on which the building or structure is, or is to be, situated,
 - (ii) a plan showing the location and size of every driveway, water service line, building drain, storm sewer, sanitary sewer, trap, and inspection piece, and
 - (iii) a sectional drawing showing the size and location of every soil or waste pipe, trap, and vent pipe.
- (3) The exhibits referred to in the last paragraph of the previous subsection must bear their designers' names and business addresses.

10. Water Conservation

- (1) Despite any other provision in this Bylaw, a permit is not required to repair or replace a valve, faucet, fixture, or water heater, clear stoppages, or repair leaks, if doing so does not involve replacing or rearranging pipes.
- (2) An application for a building or plumbing permit shall indicate on or with the permit application that the low consumption plumbing fixtures are in compliance with this bylaw will be installed. The letter "LC" must be placed beside each drawing of a water closet urinal lavatory sink, kitchen sink or shower which is submitted in support of the plumbing permit application.



- (3) No person shall install a water closet, urinal, lavatory faucet, kitchen faucet or shower head except in accordance with the following:
- (a) all water closets, whether tank type or direct flush, shall use no more than 6.0 litres of water per flush cycle without the aid of any add-on or retrofit device and marked as follow, *6 litres per flush (LPF) or where it is equal to or less than 6;*
 - (b) direct flush urinals shall use no more than 3.8 litres of water per flush cycle, without the aid of any add-on or retrofit device, and shall be marked as 3.8 LPF;
 - (c) the water supply to urinal flush tanks equipped for automatic flushing must be controlled with a timing device in order to limit operation during normal working hours;
 - (d) all lavatory faucets and kitchen faucets shall have a maximum flow rate of 8.3 litres of water per minute at a test pressure 415 kPa; and
 - (e) all shower heads shall have a maximum flow rate of 9.5 litres of water per minute at a test pressure of 550 kPa.

11. Prohibitions

No person may

- (a) start or continue constructing, altering, demolishing, reconstructing, relocating, or removing a building, structure, or work without a valid permit from the Building Inspector,
- (b) continue, after the Building Inspector orders work to stop, constructing, altering, demolishing, reconstructing, relocating, or removing a building, structure, or work, without the Building Inspector's written permission,
- (c) submit false or misleading information in an application for a permit under this Bylaw,
- (d) interfere with the Building Inspector or other authorized person's administration of this Bylaw,
- (e) substantially vary, in constructing a building, structure, or work, for which a permit is issued, from the drawings or specifications, or supporting documents, for the building, structure, or work, without the Building Inspector's written permission,
- (f) reverse, alter, deface, cover, remove, or tamper in any way, with a notice, permit, or certificate, posted on, or affixed to, a building or structure, or
- (g) occupy or use a building or structure
 - (i) before the Building Inspector issues an occupancy certificate for it,

- (ii) after a change in the building or structure's occupancy classification, until the Building Inspector issues an occupancy permit for it, or
- (iii) contrary to a permit issued, or notice given, by the Building Inspector.

Building Permit Applications for Standard (Part 9) Buildings

12.

The Building Inspector may require submitting one or more of the following with a building permit application respecting a standard (part 9) building if the Building Inspector considers that the building's size or complexity, or site conditions, warrant:

- (a) structural, electrical, mechanical, or fire suppression drawings prepared and sealed by a registered professional;
- (b) letters of assurance, in the form of Schedules B-1 and B-2 to the *British Columbia Building Code*, signed by a registered professional.

13. Building Permit Applications for Complex (Part 3) Buildings

In addition to meeting the requirements of section 9, an application for permit respecting a complex (Part 3) building must

- (a) be signed by the coordinating registered professional, and
- (b) include
 - (i) a letter of assurance in the form of Schedule A to the *British Columbia Building Code*, signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional, and
 - (ii) letters of assurance in the form of Schedules B-1 and B-2 to the *British Columbia Building Code*, signed by the registered professional required by the Building Code or Building Inspector to design and conduct field reviews of the building or structure's construction.

14. Professional Plan Certification

- (1) The Town and its Building Inspectors rely on the letter of assurance provided under this Bylaw as certification that the designs to which the letters relate comply with the Building Code and other applicable codes, standards, and enactments.
- (2) A building permit issued for
 - (a) a complex (Part 3) building, or
 - (b) a standard (Part 9) building for which a Building Inspector requires professional design and letters of assurance

must notify the owner that the permit is issued in reliance on the registered professional's certifying that the designs and plans



submitted in support of the permit application comply with the Building Code and other applicable codes, standards, and enactments.

- (3) The fee for a building permit referred to in the previous subsection must be reduced by ten percent (10%) of the fees prescribed by Schedule "A" – Permit Fees.

15. Professional Design and Field Review

- (1) If the Building Inspector considers that a project's size or complexity, or a site condition, warrants, the Building Inspector may require a registered professional's design and plan certification, and field review, supported by letters of assurance in the form of Schedules

(a) A, B-1, B-2, and C-a, or

(b) B-1, B-2, and C-b

to the *British Columbia Building Code*.

- (2) An owner must provide the Town with letters of assurance in the form of Schedules C-a or C-b to the *British Columbia Building Code* before an occupancy permit is issued for a

(a) complex (Part 3) building, or

(b) standard (Part 9) building where letters of assurance are required.

16. Owner's Responsibilities

- (1) Before construction commences, the owner shall:

(a) determine that the building site is safe and will not be affected by flooding waters caused by surface run-off or otherwise, or by other hazards;

(b) if applicable, obtain elevation and construction requirements relative to Provincial Flood Plain restrictions from the Ministry responsible for regulating these; and

(c) obtain from the Town, or other authority having jurisdiction where applicable all necessary permits relating to demolition, excavation, building, repair of buildings, relocation of buildings, zoning, change in classification of occupancy, swimming pools, plumbing, canopies, awnings, marquees, blasting, water service, sanitary sewer service and plumbing, access, electrical installations and all other permits required in connection with the proposed work prior to the commencement of any construction work.

- (2) An owner must ensure that all construction complies with the Building Code, this Bylaw, and other applicable codes, standards, and provincial enactments.

-
- (3) An owner to whom a permit is issued under this Bylaw is responsible for the cost of repairing damage to Town property occurring in the course of the work authorized by the permit.
 - (4) An owner to whom a permit is issued under this Bylaw is required to leave with the Town a security in the amount prescribed in Schedule "A" to repair and replace municipal property damaged during the course of construction.
 - (5) An owner to whom a permit is issued must,
 - (a) during construction, post in a conspicuous place, on the real property respecting which a permit is issued, the street address of the building or structure to be constructed,
 - (b) before occupying a building, structure, or part of a building or structure, or after a change in the occupancy classification of a building, structure, or part of a building or structure, obtain an occupancy certificate from the Building Inspector,
 - (c) before occupying the building or structure, permanently in accordance with the street numbering guidelines of the Town:
 - (i) affix its street address to it, or
 - (ii) post its street address at the entrance to the driveway serving the real property on which the building or structure is located,
 - (d) if conducting the waste from plumbing fixtures, trade waste, or surface or roof water, to a public sewer, is proposed,
 - (i) make certain that the sewer's depth and capacity are sufficient to receive the waste, and
 - (ii) arrange plumbing to suit the location of the sewer connection provided for the lot, and
 - (e) if connecting a building or storm sewer is proposed, supply the Municipal Engineer with drawings and specifications showing that the proposed sewer will be laid at the depth and position necessary to connect the property with the building or storm sewer extension.
 - (6) An owner must have completed by a registered British Columbia Land Surveyor, at the stage described in section 15 (5) (b), a survey of non-encroachment that shows the location of the building or structure's foundation relative to lot lines.

17. Inspections

- (1) If a registered professional provides letters of assurance, the Town relies solely on the field reviews undertaken by the registered



professional and the letters of assurance submitted under section 14 (2) as assurance that construction

- (a) substantially conforms to the design, and
- (b) substantially complies with the Building Code, this Bylaw, and other applicable codes, standards, and enactments,

although the Building Inspector may attend at a construction site from time to time to determine if field reviews are occurring and to monitor them.

- (2) The Building Inspector may attend at a standard (Part 9) building or structure's construction site to determine whether design and construction are being carried out in substantial conformance to the Building Code, this Bylaw, and other applicable codes, standards, and enactments.
- (3) The owner, or the owner's agent, must notify the Building Inspector at least 24 hours before work is ready to be inspected and ensure that the Building Inspector inspects and accepts work
 - (a) after completing the foundation and footing forms, before pouring concrete in them,
 - (b) after removing the forms from the foundation, installing perimeter drain tiles and roof drains, and damp-proofing, before backfilling against the foundation,
 - (c) when framing and sheathing the building or structure, before insulating, lathing, or applying an interior or exterior finish, that would hide the building or structure's framing and sheathing,
 - (d) after completing the plumbing rough-in
 - (i) under slab,
 - (ii) for the water supply system under test, and
 - (iii) for the drainage system under test,
 - (e) after insulating and installing the vapour barrier, before applying drywall,
 - (f) before covering water service, or a building drain or sanitary or storm sewer,
 - (g) while constructing a masonry fireplace, before completing the smoke chamber,
 - (h) after completing the rough-in of new
 - (i) prefabricated fireplaces and chimneys, and
 - (ii) solid fuel-burning appliances, before covering clearances to combustibles in them, and chimneys, and

- (l) after completing the building or structure, but before occupying it.
- (4) The previous subsection does not apply to work that is the subject of a registered professional's letter of assurance regarding field reviews.

18. Occupancy Certificates

- (1) No person may occupy a building or structure, or part of a building or structure, until the Building Inspector issues an occupancy certificate in the form prescribed by the Town.
- (2) An occupancy certificate must not be issued unless
 - (a) all required letters of assurance have been submitted, or
 - (b) all aspects of the work requiring inspection and acceptance under section 16 (3) have been inspected and accepted.
- (3) A Building Inspector may issue an occupancy certificate for part of a building or structure if the part is self-contained, supplied with water and sanitary sewer services and storm drainage, and meets the requirements of the previous subsection.

19. Relocation of Buildings

- (1) No person shall:
 - (a) move or cause to be moved any building or structure from one parcel of land to another without first obtaining a moving permit; and
 - (b) move or cause to be moved any building or structure unless it has been certified by a professional engineer or architect as meeting the requirements of the Building Code, or the applicant provides detailed plans and specifications certified by a professional engineer or architect showing any and all upgrading necessary to meet the requirements of this bylaw;
 - (c) move or cause to be moved a residential building or part of it to a parcel of land within the Town, unless it can be shown by a qualified appraiser that the appraised value after relocation will be at least equal to the average assessed value of all residential buildings within 61 meters (200 feet) of the parcel of land to which the building is to be moved. For comparative purposes, the assessed values of surrounding residential buildings will be those values given by the British Columbia Assessment Authority;
 - (d) move or cause to be moved any building that was constructed prior to 1990;
 - (e) move or cause to be moved a building or structure unless the Town has been provided proof of liability insurance of not less than five million dollars (\$5,000,000) with the Town endorsed as an added insured and a security in the amount



prescribed in Schedule "A" to insure against damage or injury arising out of the building, structure or part thereof.

- (2) A person who applies for a permit to move a building or structure either within or into the Town shall deposit with the Town an Irrevocable Letter of Credit, money order or bank draft in favour of the town in an amount equal to five percent (5%) of the appraised value of the rehabilitated building. This is to ensure that the building or structure shall be completely re-erected on the new parcel of land within six (6) months of the date of issuance of the permit. If the building or structure, or part thereof, is not completed within six (6) months of the issuance of the permit, the Town may send a written notice to the owner stating that the building does not comply with this bylaw, and direct the owner to remedy the non-compliance within thirty (30) days from the date of service of the notice. If the non-compliance is not remedied within thirty (30) days, the security shall be forfeited to the Town.
- (3) Every person relocating a building or structure from a parcel of land within the Town shall ensure that the site shall be left in a neat, clean, and safe condition after the removal.
- (4) The provisions of the "*Motor Vehicle Act*", R.S.B.C. c.288, and the "*Commercial Transport Act*", R.S.B.C. C.55, and any amendments thereto

pertaining to the movement of buildings and large structures shall apply on all roads within the Town".

20. **Demolishing Buildings and Structures**

- (1) A person must apply for, and obtain, a demolition permit before demolishing a building or structure.
- (2)
- (3) A demolition permit application must be made in the form prescribed by the Building Inspector.
- (4) As a condition of issuing a demolition permit, an applicant must provide a security in the amount prescribed in Schedule "A" to repair and replace town property as provided in Section 694.1(3) of the *Local Government Act*.

21. **Swimming Pools and Fences**

- (1) No person shall commence or continue any work related to the installation, construction and alteration of a swimming pool or related ancillary equipment unless a valid permit has been obtained pursuant to this Bylaw.
- (2) (a) Fences shall be constructed around the perimeter of swimming pools and shall not be less than 1.5 metres (4.92 feet) high. The base of every fence shall be not more than 100 millimetres (4 inches) above ground or adjacent grade.
- (c) No horizontal or angled framing member shall be located on the outside of the fence between 200 millimetres (8 inches)

and 900 millimetres (36 inches) above ground level or adjacent finished grade. Fences composed of vertical members shall have no openings of a size, which will permit the passage of a spherical object having a diameter of 100 millimetres (4 inches). Fences composed of angle members shall have no openings between adjacent members greater than 13 millimetres (1/2 inch).

- (d) Notwithstanding the provisions of this Section, standard chain link wire mesh may be acceptable provided that such fence is a minimum of 1.5 metres (4.921 feet) in height.
- (e) Access through required fences shall be by means of self-closing gates so designed as to cause the gates to become secured with self-latching devices located on the swimming pool side of the fence and at a height of at least 1 metre (3.281 feet) above grade at the outside of the fence, or on the outside of the fence at 1.5 metres (4.921 feet) above grade.

22. Penalty

- (1) A person who violates a provision of this Bylaw is guilty of an offence and liable on conviction to
 - (a) a fine not exceeding two thousand dollars (\$2,000) plus the cost of prosecution
- (2) A separate offence is considered to be committed on each day during which a violation continues.

23. Repeal

"Town of Lake Cowichan Bylaw No. 758-2003" being the Building Bylaw and all amending bylaws thereto are hereby repealed.

READ A FIRST TIME this _____th day of _____, 2017.

READ A SECOND TIME this _____th day of _____, 2017.

READ A THIRD TIME this _____th day of _____, 2017.

ADOPTED this _____ day of _____, 2017.

Mayor

Clerk



**Attached to and forming part of Bylaw No. 987-2017
SCHEDULE OF PERMIT FEES AND DEPOSITS
APPLICABLE TO ALL CONSTRUCTION AND INSPECTION**

ALL CONSTRUCTION

PERMIT FEE

The Building Department may require the applicant, at his/her own expense, to provide a professionally prepared appraisal of the value of the construction prior to issuing a permit or the value of the proposed residential construction can be based on the valuation as provided in Schedule "B".

Value not exceeding \$5,000	\$ 50.00
Value exceeding \$5,000 but not exceeding \$100,000	\$ 50.00 for first \$5,000 Plus \$ 8.00 for each additional \$1,000
Value over \$100,000	\$ 800.00 for first \$ 100,000 Plus \$ 5.00 for each additional \$ 1,000
Construction without a valid permit	DOUBLE FEE

PLUMBING

PERMIT FEE

(a) Number of Fixtures

Minimum fee (One or two fixtures)	\$ 24.00
Three to 100 fixtures	\$ 12.00 per fixture
Over 100 fixtures	\$ 1,000

(b) Inspection

Water lines on private property	\$ 10.00
Sewer lines on private property	\$ 10.00
Fire sprinkler system (per sprinkler head)	\$ 2.00
Lawn sprinkler system (residential or commercial) (per zone).....	\$ 25.00
Fire protection system (per standpipe hydrant or hose connection)....	\$ 25.00
Sanitary or storm sewer (connection to or alteration of)	\$ 30.00
Connection of water service	\$ 30.00
Maintenance holes, interceptors and catch basins	\$ 30.00
Storm drain or sanitary sewer larger than four inches or longer than 250 feet (per 100 feet)	\$ 30.00
Callback inspection.....	\$ 30.00

OTHER

PERMIT FEE

Reviewing plans before inspection	\$ 100.00
Building permit fee reduction for plans certified by an Architect and provided with Schedule A, B-1, B-2	10 percent (10 %)
Demolition of building or structure	\$ 100.00
Permit to move building	\$500.00
Re-inspection	\$ 50.00
Building permit application refund if no work has begun.....	70 percent (70 %)
Building file review	\$ 50.00
Security for moving building or structure	\$ 10,000
Security for demolishing building or structure	\$ 5,000
Security for Damage to Town Property	\$ 5,000
Any construction without a valid permit	DOUBLE FEE

SCHEDULE "B"
Attached to and forming part of Bylaw No. 987-2017

CONSTRUCTION VALUATION SCHEDULE

**Valuation Rate –
 Expressed in Dollars per Square Foot (ft²) of Gross Floor Area**

	<u>CONSTRUCTION VALUE</u>
Main floor with full basement	150.00
Main floor with crawlspace	120.00
Main floor slab on grade	120.00
Second floor	70.00
Garage (finished) (attached or detached)	40.00
Garage (unfinished) (attached or detached)	25.00
Carport (attached or detached)	20.00
Deck	20.00
Finished basement	22.00

