



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, January 30th, 2018 at 6:15 p.m. – Council Chambers

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1. AGENDA	
<u>CALL TO ORDER</u>	3
<u>INTRODUCTION OF LATE ITEMS</u> (if applicable)	
2. <u>APPROVAL OF AGENDA</u>	
3. <u>ADOPTION OF MINUTES</u>	
(a) Minutes of the Regular Meeting of Council held on December 19 th , 2017.	3
4. <u>BUSINESS ARISING AND UNFINISHED BUSINESS</u>	
None.	
5. <u>DELEGATIONS AND REPRESENTATIONS</u>	
(a) Jen Woike and Mona Kaiser, re: Cowichan 2018 BC Summer Games.	
(b) Brian Carruthers, Chief Administrative Officer and Jon Lefebure, Chair, Cowichan Valley Regional District, re: Proposed Watershed Service Establishment Bylaw.	
6. <u>CORRESPONDENCE</u>	
(a) Action Items	
(b) Information or Consent Items- (a member may ask that an item be dealt with separately)	
(i)	
7. <u>REPORTS</u>	
(a) <u>Council and Other Committee Reports</u>	
(i) Finance & Administration • January 16 th , 2018.	Councillor McGonigle 8
(ii) Public Works & Environmental Services • January 9 th , 2018.	Councillor Austin 10
(iii) Parks, Recreation & Culture • January 9 th , 2018.	Councillor Vomacka 12
(iv) Economic & Sustainable Development • January 16 th , 2018.	Councillor Day 14
(v) Cowichan Lake Recreation Commission	Mayor Forrest
(vi) V.I.R.L	Councillor Vomacka
(vii) Advisory Planning Commission	Councillor McGonigle
(viii) Community Forest Co-op	Councillor McGonigle
(b) <u>Other Reports</u>	
(i) Cowichan Valley Regional District Board Meeting – Councillor Day.	
(ii) Community Outreach Team Committee - Councillor Austin.	
(iii) Community Safety Advisory Commission – Councillor Austin	
(iv) Cowichan Lake Elder Care Initiative.	16

(c)	Staff Reports	
(i)	CAO re: Required Remedial Action- Neva Road and MacDonald Road Nuisance Properties.	18
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(iii)	CAO re: Development Permit Application for 245 North Shore Road, Lot 19, Section 5, Plan 50930	26
(iv)	CAO re: Development Permit Application for 259 North Shore Road, Lot 16, Section 5, Plan 50930.	29

8. BYLAWS

(a)	"Town of Lake Cowichan Building Bylaw No. 998-2017" be reconsidered and adopted.	32
(b)	"Town of Lake Cowichan Fees and Charges for Services Bylaw No. 999-2017" be reconsidered and adopted.	48
(c)	"Town of Lake Cowichan OCP Amending Bylaw No. 1000-2017" be given third reading.	53
(d)	"Town of Lake Cowichan OCP Amending Bylaw No. 1000-2017" be reconsidered and adopted.	53
(e)	"Town of Lake Cowichan Zoning Amendment No. 1001-2017" be given third reading.	57
(f)	"Town of Lake Cowichan Zoning Amendment No. 1001-2017" be reconsidered and adopted.	57
(g)	"Town of Lake Cowichan Zoning Amendment No. 1002-2017" be given first and second readings.	F/C

9. NEW BUSINESS

None.

10. MAYOR'S REPORT

11. NOTICES OF MOTION

12. 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, s.90 (1) (e) the acquisition, disposition or expropriation of land or improvements , and s.90 (1) (f) law enforcement.

14. ADJOURNMENT



TOWN OF LAKE COWICHAN
Minutes of a Regular meeting of Council
Tuesday, January 30th, 2018

PRESENT: Councillor Lorna Vomacka (Deputy Mayor)
Councillor Carolyne Austin
Councillor Bob K. Day
Councillor Tim McGonigle

ABSENT: Mayor Ross Forrest

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

PUBLIC: 0

1. CALL TO ORDER

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

2. AGENDA

No. R.00176/17

Moved: Councillor Austin
Seconded: Councillor Day
that the agenda be approved with the following additions under:
Staff Reports:
7.(c) (i) Watermain River Crossings Bids; and

In Camera:

13. 90. (1) (b) personal information about an identifiable individual who is being considered for a municipal award or honour.

CARRIED.

3. ADOPTION OF MINUTES

No. R.00177/17

(a) Moved: Councillor Day
Seconded: Councillor McGonigle
that the minutes of the Regular Meeting of Council held on November 28th, 2017 be adopted.

CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

(a) The Chief Administrative Officer updated Council that work at the residence at 127 North Shore Rd is ongoing. He said the owner is getting closer to completing the remedial work and the Building Inspector and the Fire Chief will undertake inspections soon.

5. DELEGATIONS AND REPRESENTATIONS

None.

6. CORRESPONDENCE

(a) **Action Items**

(i) None.

(b) Information or Consent Items

- (i)** The correspondence item from Leo Facio, Mayor of Harrison Hot Springs, on prevention of Quagga and Zebra mussels was treated as information.

7. REPORTS

No. R.00178/17
Finance and Administration

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Finance and Administration Committee meeting held on December 12th, 2017 be approved with the following:

Lake Cowichan Fire Department-
that approval of the Lake Cowichan Fire Department's incident report expense for November 2017 in the total amount of \$7,875.20 be given; and

Request for Absence-
that Councillor McGonigle be excused from attending the next Economic and Sustainable Development meeting to be held on December 12th, 2017 at 6:00 pm.

CARRIED.

No. R.00179/17
Public Works and
Environmental Services

Moved: Councillor Austin
Seconded: Councillor McGonigle
that the minutes of the Public Works and Environmental Committee meeting held on December 5th, 2017, be approved with the following:

Request for absence-
that a leave of absence be approved for Mayor Forrest for meetings to be held on December 12th and 19th, 2017 and January 9th, 2018.

CARRIED.

No. R.00180/17
Parks, Recreation and
Culture

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Parks, Recreation and Culture Committee meeting held on December 5th, 2017 be approved as presented.

CARRIED.

No. R.00181/17
Economic and Sustainable
Development

Moved: Councillor Day
Seconded: Councillor McGonigle
that the minutes of the Economic and Sustainable Development Committee meeting held on December 12th, 2017 be approved as presented.

CARRIED.

Cowichan Lake Recreation

There was no report for the Cowichan Lake Recreation Commission meeting.

Vancouver Island Regional
Library

Councillor Vomacka informed Council that the Lake Cowichan Vancouver Island Regional Library branch has been offering new art programs at its location with instruction from members of the Kaatza Art Group. She said she attended a session on making ornaments with Loretta Puckrin. The local library will be offering 12 different types of these art programs. Councillor Vomacka also mentioned that Georgina Livingstone is now the Chief of the Lake Cowichan First Nations and she will be hosting 4 sessions to talk about their heritage.

Advisory Planning
Commission

Councillor Austin informed Council at the last Advisory Planning Commission meeting that there were discussions on the landscaping at the columbarium,

a possible cannabis bylaw, and that there has been interest from locals to gather a working group for updating the Official Community Plan.

Community Forest Co-operative

Councillor McGonigle said there was no update for the Community Forest Co-op.

(b) Other Reports

Cowichan Valley Regional District Board

(i) Councillor Day gave a verbal report to Council on his attendance at the last Cowichan Valley Regional District meetings. Highlights from the meetings included: Appointments to the committees, discussions for having earlier daytime starts for the meetings.

Community Outreach Team

(ii) Councillor Austin said there will be no meeting for the Community Outreach Team until January, 2018.

Community Safety Advisory

(iii) Councillor Austin attended the Community Safety Advisory meeting and reported on it. Highlights from that meeting included the need for youth members; examination of fire safety zones. She is going to invite the LCS students that made a presentation to council to a Community Safety Advisory meeting in the New Year.

Seniors Care Facility

(iv) Councillor Day gave an update from the Cowichan Lake Elder Care Initiative's last meeting which discussed a list of potential facilities to visit. He also mentioned that a meeting with the Lake Cowichan First Nations of a possible partnership was had. Don Beldessi had information from the BC non-profit housing society.

(c) Staff Reports

No. R.00182/17

(i) Moved: Councillor McGonigle
Seconded: Councillor Day
that all three bids be rejected on the two watermain river crossings as the bids exceed the budget estimates for the project; and that Council consider the re-tendering of this project in the next fiscal year upon approval of an amendment to the Clean Water and Wastewater Fund allowing for an extension of the deadline for completion to March 31st, 2019.

CARRIED.

8. BYLAWS

No. R.00183/17
Bylaw No. 997-2017
Advisory Planning
Commission

(a) Moved: Councillor McGonigle
Seconded: Councillor Day
that the "Town of Lake Cowichan Advisory Planning Commission Bylaw No. 997-2017" be reconsidered and adopted.

CARRIED.

No. R.00184/17
Bylaw No. 998-2017
Building

(b) Moved: Councillor Austin
Seconded: Councillor Day
that the "Town of Lake Cowichan Building Bylaw No. 998-2017" be given first, second and third readings.

CARRIED.

No. R.00185/17
Bylaw No. 999-2017
Fees and Charges for

(c) Moved: Councillor Day
Seconded: Councillor McGonigle
that the "Town of Lake Cowichan Fees and Charges for Services Bylaw No.

Services 999-2017" be given first, second and third readings. CARRIED.

No. R.00186/17 (d) Moved: Councillor McGonigle
Bylaw No. 1000-2017 Seconded: Councillor Austin
OCP Amending Bylaw that the "Town of Lake Cowichan OCP Amending Bylaw No. 1000-2017" be
given first and second readings. CARRIED.

No. R.00187/17 (e) Moved: Councillor Day
Bylaw No. 1001-2017 Seconded: Councillor McGonigle
Zoning Amendment that the "Town of Lake Cowichan Zoning Amendment Bylaw No. 1001-2017"
be given first and second readings. CARRIED.

9. NEW BUSINESS

(a)
No. R.00188/17 (b) Moved: Councillor McGonigle
Seconded: Councillor Austin
that Council approve the Regular meeting dates for 2018. CARRIED.

No. R.00189/17 (c) Moved: Councillor McGonigle
Seconded: Councillor Day
that Council approve the attendance of members of Council at the LGLA
Leadership Forum in 2018. CARRIED.

Council will advise to the Chief Administrative Officer of their interest in attending.

10. MAYOR'S REPORT

The Mayor presented his report for December 2017 which included the following:

- A re-cap of the capital projects that the town started in 2017, including the Water Treatment Plant, new Watermains at Park Road and Wilson Road, tender proposals for watermain upgrades for the two river crossings, and the completion of phase one for Centennial Park;
- Thanks to all staff, employees and committee members that do an amazing job to better our Community; and
- Wishing all a joyous holiday season and a very Happy New Year to everyone!

11. NOTICES OF MOTION

None.

12. PUBLIC RELATIONS

13. IN CAMERA

No. R.00190/17

Moved: Councillor McGonigle
Seconded: Councillor Austin

that pursuant to Section 90 of the Community Charter, Council closes the meeting to the public to deal with issues relating to the following relevant sections of the Community Charter: 90(1) (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity; 90(1) (c) on labor relations or other employee relations; and 90(1) (e) the acquisition, disposition or expropriation of land or improvements (7:02 p.m.).

CARRIED.

14. ADJOURNMENT

No. R.00191/17
Adjournment

Moved: Councillor Austin
Seconded: Councillor Day
that we arise and adjourn at 7:25 p.m. without report.

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2018.

Mayor



TOWN OF LAKE COWICHAN
 Minutes of Finance & Administration Committee
 Tuesday, January 16th, 2018

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

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

PUBLIC: 1

1. **CALL TO ORDER**
 The Chair called the meeting to order at 5:00 p.m.
2. **AGENDA**
 Moved: Councillor Vomacka
 Seconded: Councillor Day
 that the agenda be approved as with the following addition:
New Business:
 Youth Leadership Update; and

Notice of Motion:
 Assessing the needs for a Care Facility. CARRIED.
3. **BUSINESS ARISING AND UNFINISHED BUSINESS**
Ongoing Items Still Being Addressed:
 - (a) Mayor Forrest said that there is no update on the status of the Municipal Hall upgrades.
 - (b) The Director of Finance said that payment has been made for the license for the columbarium and that the new name, River's Edge Memorial Garden, has been updated on Facebook.
 - (c) The Director of Finance said the Employment Code of Ethics is being reviewed.
 - (d) Councillor Day requested additional background information on zoning designations at the next meeting.
4. **DELEGATIONS AND REPRESENTATIONS**
 None.
5. **CORRESPONDENCE**
 No. FA.002/18 (a) Moved: Councillor Day
 Seconded: Councillor Austin
 that it be recommended that approval be given for Mayor Forrest to attend the BC Spring Mayor's Caucus in March 2018 in Squamish, BC. CARRIED.
6. **REPORTS**
 - (a) The financial report for the year ending December 31st, 2017 was treated as information.

 A discussion was had on the year end financial status of the Cowichan Lake Education Centre and the managers attendance was requested for the next Finance and Administration. He is also asked for an update on the JCP programmes.
 - (b) The Building Inspector's Service Report for December, 2017 was treated as information.
 - (c) No. FA.003/18 Moved: Councillor Day
 Seconded: Councillor Austin
 that the Committee recommend approval of the Lake Cowichan Fire Department's incident report expense for December 2017 in the total amount of \$6,951.99. CARRIED.

7. NEW BUSINESS

- (a) Councillor Austin had attended the Leadership class at Lake Cowichan School and reported that five students would like to be on youth council. Councillor Austin said they will contact her to arrange a date for attending a meeting of Council.

8. NOTICES OF MOTION

- (a) Councillor McGonigle asked that the needs of seniors in the Lake Cowichan area be investigated and that this added to the next meeting agenda.

9. PUBLIC RELATIONS ITEMS

- (a) Mayor Forrest reminded council of the Roger's Hometown Hockey Events happening throughout the Cowichan Valley. There are events happening in Lake Cowichan on Friday night and in Duncan on Saturday January 20th, 2018 and Sunday January 21st, 2018.

Councillor McGonigle added that the Lake Cowichan Minor Hockey Association Jamboree Day will take place on Saturday January 20th, 2018 at the Lake Cowichan Arena.

- (b) The Superintendent, Public Works and Engineering Services said his crew have kept the Christmas lights up in town until the Hometown Hockey weekend concludes but added that the tree at Saywell Park was no longer lit up due to a short in the wire.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. FA.004/18
Adjournment

Moved: Councillor Austin
Seconded: Councillor Vomacka
that we adjourn (5:32 p.m.).

CARRIED.

Certified correct _____ .

Confirmed on the _____ day of _____ , 2018.

Chair



TOWN OF LAKE COWICHAN
Minutes of Public Works and Environmental Services Committee
Tuesday, January 9th, 2018

PRESENT: Councillor Carolyne Austin, Chair
Councillor Bob K. Day
Councillor Lorna Vomacka

STAFF: Ronnie Gill, Director of Finance
Kari McKinlay, Recording Secretary

PUBLIC: 2

No. PW.01/18
Agenda

1. **CALL TO ORDER**

The Chair called the meeting to order at 5:19 p.m.

2. **AGENDA**

Moved: Councillor Vomacka

Seconded: Councillor Day

that the agenda be approved as presented.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

(a) (i) The Director of Finance reported that the Greendale Road water main upgrades are on schedule. There has been an issue with the watermain on Rockland Road and the relocating fire hydrant impacting a residence. An extension on the completion of this project has also been granted.

(ii) The Director of Finance reported that an extension for the Ohtaki footbridge and Greendale Trestle water main projects has been tentatively approved.

(b) The Director of Finance reported that the Water Treatment Plant upgrades are a week behind schedule due to issues with rock removal and a sewer line crossing.

(c) The Director of Finance indicated that the deadline for the Infrastructure Planning grant was January 17th, 2018 and asked if Council had any ideas. Otherwise, the information for a stormwater study was provided by the Chief Administrative Officer.

Councillor Day asked if there is any opportunities to apply for the Greendale sewer line under the planning grant.

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

(i) There was no update on the boat ramp improvements at this time.

(ii) The Director of Finance reported the design work is underway on the CLEC water system. The Chief Administrative Officer's report has a budget that needs financial approval.

4. **DELEGATIONS**

None

5. **CORRESPONDENCE**

None.



TOWN OF LAKE COWICHAN
Minutes of Parks, Recreation and Culture Committee
Tuesday, January 9th, 2018

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

STAFF: Ronnie Gill, Director of Finance
Kari McKinlay, Recording Secretary

PUBLIC: 2

1. CALL TO ORDER

The Chair called the meeting to order at 5:45 p.m.

2. AGENDA

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

CARRIED.

No. PR.001/18

3. BUSINESS ARISING AND UNFINISHED BUSINESS

- (i) The Director of Finance reported that an extension has been given until March 2018 to complete the remainder of the work at Centennial Park.
- (ii) Planning for the Town of Lake Cowichan 75th Birthday celebration should begin soon. Councillor Austin suggested inviting the Heritage group as a delegation to be part of a planning committee.
- (iii) Red scarves and hockey sticks have been put up throughout town for the Hometown Hockey Paint the Town Red event.
- (b) **Ongoing Items:**
- (i) No update on the trail connection proposal for the Riverfront properties was available.
- (ii) The water park proposal will remain on the agenda for consideration as a possible future project.
- (iii) Councillor Austin advised that Ms. Sheer and the Grade 9 students from LCS may not have the lamppost banners complete and produced in time to have them put up throughout town this year. She suggested ordering enough additional banners in case the school does not complete the banner project.
- (iv) There was no update on the Single Track Trail Along South Shore.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

No. PR.002/18

(a)

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the committee recommend approval of River's Edge Columbarium as the named assigned to the site selected for the columbarium.

DEFEATED.

No. PR.003/18

Moved: Councillor Austin
Seconded: Councillor Day
that the committee recommend approval of River's Edge Memorial Garden as the name assigned to the site selected for the columbarium.

CARRIED.

No. PR.004/18

(b)

Moved: Councillor McGonigle
Seconded: Councillor Day
that the committee recommend approval of the outstanding improvements at Centennial Park prior to the adoption of the financial plan for an estimated total cost of \$400,000 so the Town may issue a proposal for the design and pricing of the remaining required upgrade components.

CARRIED.

7. NEW BUSINESS

None.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

(a)

Councillor Day mentioned the Hometown Hockey Paint the Town Red event that will take place on January 19th, 2018 at the Cowichan Lake Sports Arena.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PR.005/18
Adjournment

Moved: Councillor Austin
Seconded: Councillor Day
that the meeting be adjourned. (6:10 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2018.

Chair



TOWN OF LAKE COWICHAN
 Minutes of Economic and Sustainable Development Committee
 Tuesday, January 16th, 2018

- PRESENT:** Councillor Bob K. Day
 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 McKinlay, Recording Secretary
- PUBLIC:** 2

1. CALL TO ORDER
 The Chair called the meeting to order at 5:40 p.m.

2. AGENDA

No. SPD.001/18

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

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

(a) Recent Items:

(i) Councillor Day stated that regional representatives met recently to discuss partnership opportunities on sustainable waste and composting options.

This item will remain on the agenda.

(ii) Mayor Forrest doesn't feel there will be any weir upgrades until after the Cowichan Valley Regional District referendum takes place on the water usage plan.

(iii) A discussion was had on possible lake and river access enhancement opportunities. The committee felt that Little Beach would be a great asset for tourism in Lake Cowichan.

No. SPD.002/18

Moved: Councillor Vomacka
 Seconded: Councillor McGonigle
 that a letter be written to endorse the purchase of Little Beach by Cowichan Valley Regional District as a park acquisition.

CARRIED.

(iv) A discussion was had on homelessness in our community. Two people have been identified as being homeless within the town with marginally housed people not included in this statistic. An upcoming Community Outreach Program is to be held in Lake Cowichan.

(b) Ongoing Items Still Being Addressed:

(i) The business walkabout is an ongoing item and may be addressed in the spring when the weather improves.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

None.

6. STAFF REPORTS

None.

7. NEW BUSINESS

(a) There is no update on the crafting of a vision for downtown Lake Cowichan at this time.

(b) Councillor Day had a quick discussion on bike amenities within the Town of Lake Cowichan. He mentioned that the arena has a bike pump station near the front entrance.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

None.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. SPD.003/18
Adjournment

Moved: Councillor Vomacka
Seconded: Councillor McGonigle
that the meeting adjourn. (6:12 p.m.).

CARRIED.

Certified correct _____,

Confirmed on the _____ day of _____, 2018.

Chair

COWICHAN LAKE ELDER CARE INITIATIVE

Meeting Minutes

December 6, 2017

Call to order: 6:04 pm by Bob Day

Roll call: Jack Peake, Bob Day, Sheila Service, Marg McGillis,Carolyn Austin, Terry Hale, Ross Forrest, Don Beldessi, Wayne Stinchcombe

Approval of minutes from last meeting: Moved by Don B. 2nd Terry H. passed

Open issues

1. Practices and Policies document approved as previously presented.
2. Reminder of conduct expectations for committee members.
3. Approved minutes of committee meetings will be signed by acting chairperson and secretary and copy forwarded to Joe Fernandez.
4. Committee meeting schedule and approved minutes will be available in the town website after confirmation from Joe Fernandez. It was noted that a CLECI report will be given at each Town Council meeting by one of our members. The previous CLECI website is to be readdressed.
5. Our letter inviting partnering with our First Nation Band will delivered to the Chief on December 12, 2017 by Bob D. and Jack P. Response to follow.
6. Committee expressed great interest and opportunity in the Lake Cowichan First Nation development on the north shore of the lake which will include a café, a health centre, an independent living residence and a residence open for purchase by the public. Discussion was that this is a priority for us to explore being involved in.
7. Review of the 'Partnerships' and 'Property Inventory' sections of the CLECI Strategic Plan indicated no progress had been made in either area. Consensus reached on providing CVRD Directors with our meeting minutes sometime in the future. The owner of the Boyd School property has expressed to Jack P. a willingness to speak further. Bob D. identified a need to get our committee work known to the public and it was agreed that the time is not now but to be in the future. *members were encouraged to review the Strategic Plan which was previously emailed, please forward any items from the plan to Wayne S. that should be added to the next agenda.
8. Thank you to Terry H. for providing an extensive list of existing BC care facilities (some 1474). The website listing these to be shared via email. Another possible avenue is to explore a partnership with M'AKOLA through Michele Nault McIssac. As a sign of respect we will first meet with L.C. First Nation to share our vision and seek their support for our mission.

Seeing our Cowichan Lake residents living their entire lives in their homeland with health, safety, security and the support needs they require

9. Don B. shared his experience that a need assessment would be an early requirement of any potential lending institution. Our estimate that this may require some \$10,000.00 at some point.
10. The BCNPA may offer many resource, networking and support opportunities. An investment of \$450.00 membership may be a viable future investment.
11. Wayne S. reviewed the Better At Home program and general support for its work was expressed by the committee. Members are encouraged to be share possible volunteers and/or possible recipients of this service.

Added Agenda Item:

1. Wayne S. outlined previous discussions with David Darwin as a possible facilitator for finding funding and resources. It was clear there was some discomfort with his previous interactions with the past committee.

Adjournment: Bob D. adjourned the meeting at 7:35pm.

Next Meeting: Wednesday January 3, 2018.... 6:00pm, Town Hall

Minutes sign off: _____

Date: _____



Memo

TO: Mayor and Council

SUBJECT: Required Remedial Action – Neva and MacDonald Nuisance Properties

DATE: January 26, 2018

FROM: Chief Administrative Officer

BACKGROUND

With the public's concerns regarding vacant buildings, their dilapidated condition, as well as concerns about public safety, Council at various times have directed staff to work on resolving these issues. Staff generally makes a concerted effort at seeking voluntary compliance from the property owners that are the subject of remedial orders.

Remediation Action Requirement for building located at Neva and MacDonald Roads - Lot 24, Section 6, Plan 5580 (P.I.D. 005-991-633)

2030 INVESTMENTS LTD. INC. NO. 288620 is the registered Owner of the property at the address, above described.

The owner has been advised at various times over the years to undertake remedial action at this property. The last written notice was provided to the owner dated December 29th, 2017. Complaints have arisen on matters affecting the properties but the owner has proven recalcitrant and for that reason direct Council action is being sought.

It is incumbent on Council to act if public safety is to be protected.

Under Division 12 of the Community Charter, Council may impose remedial action requirements in relation to hazardous conditions and/or nuisance related to buildings:

Council may impose remedial action requirements

- 72.(1) A council may impose remedial action requirements in relation to
- (a) matters or things referred to in section 73 [*hazardous conditions*],
 - (b) matters or things referred to in section 74 [*declared nuisances*], or
 - (c) circumstances referred to in section 75 [*harm to drainage or dike*].
- (2) In the case of matters or things referred to in section 73 or 74, a remedial action requirement
- (a) may be imposed on one or more of
 - (i) the owner or lessee of the matter or thing, and
 - (ii) the owner or occupier of the land on which it is located, and
 - (b) may require the person to
 - (i) remove or demolish the matter or thing,
 - (ii) fill it in, cover it over or alter it,

-
- (iii) bring it up to a standard specified by bylaw, or
 - (iv) otherwise deal with it in accordance with the directions of council or a person authorized by council.
- (3) In the case of circumstances referred to in section 75, a remedial action requirement
- (a) may be imposed on the person referred to in that section, and
 - (b) may require the person to undertake restoration work in accordance with the directions of council or a person authorized by council.

2003-26-72.

Hazardous conditions

73. (1) Subject to subsection (2), a council may impose a remedial action requirement in relation to any of the following:
- (a) a building or other structure, an erection of any kind, or a similar matter or thing;
 - (b) a natural or artificial opening in the ground, or a similar matter or thing;
 - (c) a tree;
 - (d) wires, cables, or similar matters or things, that are on, in, over, under or along a highway;
 - (e) matters or things that are attached to a structure, erection or other matter or thing referred to in paragraph (a) that is on, in, over, under or along a highway.
- (2) A council may only impose the remedial action requirement if
- (a) the council considers that the matter or thing is in or creates an unsafe condition, or
 - (b) the matter or thing contravenes the Provincial building regulations or a bylaw under section 8 (3) (1) [*spheres of authority – buildings and other structures*] or Division 8 [*Building Regulation*] of this Part.

RECOMMENDATION

The Properties at the address, above stated and described, are not fit for human habitation at this time are so dilapidated and unsafe with accessibility to the public at large that it has the potential to create hazardous conditions for the safety of the general public that it is recommended that Council pass the following resolution:

WHEREAS Division 12 of Part 3 of the Community Charter (the "Charter") authorizes Council to impose a remedial action requirement on the owner or owners of a building including a requirement to remove or demolish the building where:

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

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

AND WHEREAS the buildings on the Property are in a state of disrepair and have been occupied or left vacant and unsecure for a considerable period of time and are a threat to public safety

and have not been repaired, secured or demolished, despite the Town's efforts to persuade the owner to take remedial action;

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

1. that Council hereby considers that the building or buildings and the property located at 220 Macdonald Road, Lake Cowichan, BC are in a hazardous condition, within the meaning of Section 73(2)(b) of the Community Charter in that it contravenes the building regulations for British Columbia and the Town of Lake Cowichan Building Bylaw No. 987-2017 (the Building Bylaw) and the Town of Lake Cowichan Fire Protection Bylaw 865-2009 ;
2. that Council hereby considers that the buildings on the Property are in and create an unsafe condition within the meaning of Section 73(2)(a) of the Community Charter, as a result of the buildings being vacant and insecure, the buildings continuing to deteriorate and/or the building contravening the Building Bylaw;
3. that Council hereby declares that the buildings on the Property are a nuisance, within the meaning of Section 74(2) of the Community Charter, as Council considers the buildings on the Properties to be so dilapidated as to be offensive to the community;
4. that Council hereby declares that the buildings on the Property are nuisances, within the meaning of Section 74(2) of the Community Charter, as Council has received community complaints about the unsightliness of the Properties;
5. that Council hereby requires pursuant to its remedial action powers under Part 3, Division 12 of the Community Charter that the Owner:
 - (a) demolish the buildings on the Property and remove all remnants of the demolished buildings no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Charter has been sent by the Town to the Owner;
 - (b) erect a strongly constructed fence at least 1.5 meters tall around the area where the building was formerly located immediately after the building is demolished and removed and maintain the fence until the requirement in s. 5(c) of this resolution has been complied with; and
 - (c) fill in and level any hole created by the removal of the building no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Community Charter has been sent by the Town to the Owner;
6. and that the Town advise the Owner that he may request that Council reconsider the Remedial Action Requirement by providing the Town written notice within 14 days of the date on which notice under s. 77 of the Community Charter was sent and that if any or all of the actions required by the Remedial Action Requirement is not completed by the date

specified for compliance, the Town may take action in accordance with section 17 of the Community Charter and undertake any or all of the actions required by the Remedial Action requirement without further notice to and at the expense of the Owner.

CONCLUSION

While staff can issue safety orders and remedial orders, it is quite apparent that the subject property owner has made no attempt to undertake repairs to any of the buildings or secure entry to the buildings despite various intercessions.

It is recommended that immediate enforcement actions as outlined in the proposed resolution above should be commenced to compel the owner to begin remediation work, failing which the Town will proceed to undertake any or all actions without further notice wholly at the expense of the Owner.



Joseph A. Fernandez



Memo

TO: Mayor and Council

SUBJECT: Required Remedial Action – 21 Oak Lane Property

DATE: January 26, 2018

FROM: Chief Administrative Officer

BACKGROUND

With the public's concerns regarding vacant buildings, their dilapidated condition, as well as concerns about public safety, Council at various times have directed staff to work on resolving these issues. Staff generally makes a concerted effort at seeking voluntary compliance from the property owners that are the subject of remedial orders.

Hazardous Conditions and Nuisance Property – 21 Oak Lane (Lot 1, Plan 15590)

ROYAL SELF STORAGE LTD., INC. BC0692286 is the registered Owner of the property at the address, above described.

The owner has been advised at various times to undertake remedial action at this property. The last written notice was provided to the owner dated December 29th, 2017. Complaints have arisen on matters affecting the property but the owner has proven recalcitrant and for that reason direct Council action is being sought.

It is incumbent on Council to act if public safety is to be protected.

Under Division 12 of the Community Charter, Council may impose remedial action requirements in relation to hazardous conditions and/or nuisance related to buildings:

Council may impose remedial action requirements

- 72.(1) A council may impose remedial action requirements in relation to
- (a) matters or things referred to in section 73 [*hazardous conditions*],
 - (b) matters or things referred to in section 74 [*declared nuisances*], or
 - (c) circumstances referred to in section 75 [*harm to drainage or dike*].
- (2) In the case of matters or things referred to in section 73 or 74, a remedial action requirement
- (a) may be imposed on one or more of
 - (i) the owner or lessee of the matter or thing, and
 - (ii) the owner or occupier of the land on which it is located, and
 - (b) may require the person to
 - (i) remove or demolish the matter or thing,
 - (ii) fill it in, cover it over or alter it,
 - (iii) bring it up to a standard specified by bylaw, or
 - (iv) otherwise deal with it in accordance with the directions of council or a person authorized by council.

-
- (3) In the case of circumstances referred to in section 75, a remedial action requirement
- (a) may be imposed on the person referred to in that section, and
 - (b) may require the person to undertake restoration work in accordance with the directions of council or a person authorized by council.

2003-26-72.

Hazardous conditions

73. (1) Subject to subsection (2), a council may impose a remedial action requirement in relation to any of the following:
- (a) a building or other structure, an erection of any kind, or a similar matter or thing;
 - (b) a natural or artificial opening in the ground, or a similar matter or thing;
 - (c) a tree;
 - (d) wires, cables, or similar matters or things, that are on, in, over, under or along a highway;
 - (e) matters or things that are attached to a structure, erection or other matter or thing referred to in paragraph (a) that is on, in, over, under or along a highway.
- (2) A council may only impose the remedial action requirement if
- (a) the council considers that the matter or thing is in or creates an unsafe condition, or
 - (b) the matter or thing contravenes the Provincial building regulations or a bylaw under section 8 (3) (1) [*spheres of authority – buildings and other structures*] or Division 8 [*Building Regulation*] of this Part.

RECOMMENDATION

The Property at the address, above stated and described, has been vacant for some time and at this time is so dilapidated and has been left accessible to the public at large that it has the potential to create hazardous conditions for the safety of the general public that it is recommended that Council pass the following resolution:

WHEREAS Division 12 of Part 3 of the Community Charter (the "Charter") authorizes Council to impose a remedial action requirement on the owner or owners of a building including a requirement to remove or demolish the building where:

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

AND WHEREAS ROYAL SELF STORAGE LTD., INC. BC0692286 is the registered owner (the "Owner") of the property at 21 Oak Lane, Lake Cowichan, British Columbia, PID # 004-534-956 (the Property);

AND WHEREAS the building on the Property are in a state of disrepair and have been left vacant and unsecured for a considerable period of time and are a threat to public safety and have not been repaired, secured or demolished, despite the Town's efforts to persuade the owner to take remedial action;

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

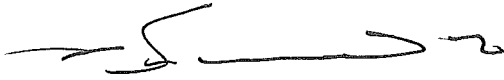
1. that Council hereby considers that the building or buildings and the property located at 21 Oak Lane, Lake Cowichan, BC are in a hazardous condition, within the meaning of Section 73(2)(b) of the Community Charter in that it contravenes the building regulations for British Columbia and the Town of Lake Cowichan Building Bylaw No. 987-2017 (the Building Bylaw) and the Town of Lake Cowichan Fire Protection Bylaw 865-2009 ;
2. that Council hereby considers that the buildings on the Property are in and create an unsafe condition within the meaning of Section 73(2)(a) of the Community Charter, as a result of the buildings being vacant and insecure, the buildings continuing to deteriorate and/or the building contravening the Building Bylaw;
3. that Council hereby declares that the buildings on the Property are a nuisance, within the meaning of Section 74(2) of the Community Charter, as Council considers the buildings on the Properties to be so dilapidated as to be offensive to the community;
4. that Council hereby declares that the buildings on the Property are nuisances, within the meaning of Section 74(2) of the Community Charter, as Council has received community complaints about the unsightliness of the Properties;
5. that Council hereby requires pursuant to its remedial action powers under Part 3, Division 12 of the Community Charter that the Owner:
 - (a) demolish the buildings on the Property and remove all remnants of the demolished buildings no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Charter has been sent by the Town to the Owner;
 - (b) erect a strongly constructed fence at least 1.5 meters tall around the area where the building was formerly located immediately after the building is demolished and removed and maintain the fence until the requirement in s. 5(c) of this resolution has been complied with; and
 - (c) fill in and level any hole created by the removal of the building no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Community Charter has been sent by the Town to the Owner;
6. and that the Town advise the Owner that he may request that Council reconsider the Remedial Action Requirement by providing the Town written notice within 14 days of the date on which notice under s. 77 of the Community Charter was sent and that if any or all of the actions required by the Remedial Action Requirement is not completed by the date specified for compliance, the Town may take action in accordance with section 17 of the

Community Charter and undertake any or all of the actions required by the Remedial Action requirement without further notice to and at the expense of the Owner.

CONCLUSION

While staff can issue safety orders and remedial orders, it is quite apparent that the subject property owner has made no attempt to undertake repairs to any of the buildings or secure entry to the buildings.

It is recommended that immediate enforcement actions as outlined in the proposed resolution above should be commenced to compel the owner to begin remediation work, failing which the Town will proceed to undertake any or all actions without further notice wholly at the expense of the Owner.



Joseph A. Fernandez

Memo

TO: Mayor and Council

FROM: Chief Administrative Officer

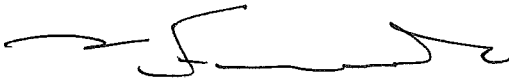
DATE: January 26, 2018

SUBJECT: Development Permit Application for 245 North Shore Road, Lot 19, Section 5, Plan 50930

It is recommended in addition to the attached recommendation on the above application, the following be added as a result of concerns raised by the neighbouring residents who otherwise are not opposed to the application:

Addition

3) that Council require the submission of a rainwater management plan by a qualified consultant that demonstrates that all rainwater and run-off will be managed on site and which will not impact the downstream and adjacent properties.



Joseph A. Fernandez
Chief Administrative Officer

Staff Report



Date: January 8, 2018
To: Chief Administrative Officer
From: James van Hemert, Consulting Planner
Re: Application for a Development Permit for 245 North Shore Road, Lot 19,
Section 5 Renfrew District Plan 50930

APPLICATION

The applicant requests a Development Permit to support construction of a side by side two family residence.

BACKGROUND

The subject property is zoned **R-1 Urban Residential** and is currently undeveloped. The character of the adjacent properties is single family residential.

RELEVANT TOWN BYLAWS

Official Community Plan .Development Permit Areas

The proposal is subject to Natural Hazard Lands DPA 2 guidelines.

Relevant guidelines are cited below, with a brief comment on the extent to which the proposal satisfies the guideline.

Guidelines for Natural Hazard Lands DPA 2

17.5.4.3

Steep slopes

a) Significant excavation or filling to accommodate buildings or structures or to alter existing slopes shall not be undertaken, nor shall any building or structure be erected, constructed or placed in areas subject to bank instability or potential damage from bank instability. To avoid areas subject to unstable slopes, buildings and structures shall be sited in accordance with building setbacks and other requirements as determined by a geotechnical engineer registered as a Professional Engineer in British Columbia.

b) All lands shown on Map 4 Natural Hazard Lands Development permit Area (DPA 2) with slopes of greater than 10% shall be subject to slope stability studies to determine where hazardous conditions exist prior to any development being permitted. These studies shall include but not be limited to identifying

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areas of slope equal to or greater than 30%, areas of springs and seepage and organic soils, the 200 year flood plain, and any areas with a high water table, and other studies as required. Reports shall be prepared, signed and sealed by a qualified practising engineer, licensed to practise in British Columbia. If fish habitat areas are potentially affected by proposed development, Council shall require a report prepared by a qualified fish biologist specifying how the proposal will meet all applicable Federal and Provincial regulations.

Comments:

The site is already subdivided for single family and side-by-side two-family residences and the majority of lots are already developed. The applicant notes that retaining walls will not be necessary and all grade will be taken up with the design of the residence and associated stairways.

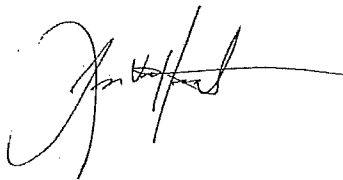
Soil test pits were analyzed by Lewkowich Engineering Associates. The report does not address the need for any retaining walls. In the event that retaining walls be are required to 'take up grade' on the property, an engineered design for walls over 1 metre in height shall be required.

The concern to be addressed with the issuance of a development permit is to ensure long term safety for future residents of the property. This can be accomplished by mitigation of the steep slope risks by appropriate grading or via professionally engineered retaining walls and structures in all proposed locations on the property.

RECOMMENDATION

Approval of the issuance to the applicant of a Development Permit with the following condition:

- 1) Prior to the issuance of a building permit, any retaining walls and structures higher than 1.0 metres in the rear, front, and side yards must be designed by a professional geoscientist or structural engineer to the satisfaction of the town's building inspector and must be located entirely on the parcel.
- 2) Prior to the issuance of a building permit, the driveway access point on North Shore Road and its slope and configuration must be approved by the Superintendent of Public Works.



James van Hemert, MCIP, RPP
Consulting Planner

Memo

TO: Mayor and Council

FROM: Chief Administrative Officer

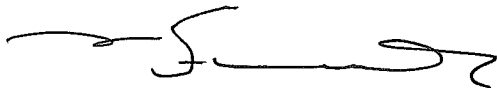
DATE: January 26, 2018

SUBJECT: Development Permit Application for 259 North Shore Road, Lot 16, Section 5, Plan 50930

It would be prudent to require the following for the above proposed development:

Addition

- 3) that Council require the submission of a rainwater management plan by a qualified consultant that demonstrates that all rainwater and run-off will be managed on site and which will not impact the downstream or adjacent properties;
- 4) that a professional geotech be retained to ensure that the construction is undertaken pursuant to the requirements of the building inspector..



Joseph A. Fernandez
Chief Administrative Officer

Staff Report



Date: January 8, 2018
To: Chief Administrative Officer
From: James van Hemert, Consulting Planner
Re: Application for a Development Permit for 259 North Shore Road, Lot 16,
Section 5, Renfrew District, Plan 50930

APPLICATION

The applicant requests a Development Permit to support construction of a single family residence.

BACKGROUND

The subject property is zoned **R-1 Urban Residential** and is currently undeveloped. The character of the adjacent properties is single family residential.

RELEVANT TOWN BYLAWS

Official Community Plan .Development Permit Areas

The proposal is subject to Natural Hazard Lands DPA 2 guidelines.

Relevant guidelines are cited below, with a brief comment on the extent to which the proposal satisfies the guideline.

Guidelines for Natural Hazard Lands DPA 2

17.5.4.3

Steep slopes

a) Significant excavation or filling to accommodate buildings or structures or to alter existing slopes shall not be undertaken, nor shall any building or structure be erected, constructed or placed in areas subject to bank instability or potential damage from bank instability. To avoid areas subject to unstable slopes, buildings and structures shall be sited in accordance with building setbacks and other requirements as determined by a geotechnical engineer registered as a Professional Engineer in British Columbia.

b) All lands shown on Map 4 Natural Hazard Lands Development permit Area (DPA 2) with slopes of greater than 10% shall be subject to slope stability studies to determine where hazardous conditions exist prior to any development being permitted. These studies shall include but not be limited to identifying

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areas of slope equal to or greater than 30%, areas of springs and seepage and organic soils, the 200 year flood plain, and any areas with a high water table, and other studies as required. Reports shall be prepared, signed and sealed by a qualified practising engineer, licensed to practise in British Columbia. If fish habitat areas are potentially affected by proposed development, Council shall require a report prepared by a qualified fish biologist specifying how the proposal will meet all applicable Federal and Provincial regulations.

Comments:

The site is already subdivided for single family and side-by-side two-family residences and the majority of lots are already developed. It may necessary to construct retaining walls to address steep slopes.

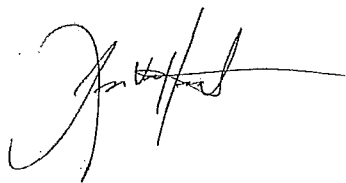
Soil test pits were analyzed by Lewkowich Engineering Associates The report does not address the need for any retaining walls. Should retaining walls be required to 'take up grade' on the property, an engineered design for walls over 1 metre in height shall be required.

The concern to be addressed with the issuance of a development permit is to ensure long term safety for future residents of the property. This can be accomplished by mitigation of the steep slope risks by appropriate grading or via professionally engineered retaining walls and structures in all proposed locations on the property.

RECOMMENDATION

Approval of the issuance to the applicant of a Development Permit with the following condition:

- 1) Prior to the issuance of a building permit, any required retaining walls and structures higher than 1.0 metres in the rear, front, and side yards must be designed by a professional geoscientist or structural engineer to the satisfaction of the town's building inspector and must be located entirely on the parcel.
- 2) Prior to the issuance of a building permit, the driveway access point on North Shore Road and its slope and configuration must be approved by the Superintendent of Public Works.



James van Hemert, MCIP, RPP
Consulting Planner

TOWN OF LAKE COWICHAN

BYLAW NO. 998-2017

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 the 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 the 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;
- (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 the 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 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 the sole responsibility for complying with the Building Code, this Bylaw, and other applicable codes, standards, and enactments because of:
 - (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) 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.
- (5) 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; and



- (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.
- (6) 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 other fees and charges and meets all requirements imposed by a statute or another Bylaw.
- (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.
- (5) The building permit fees specified in Schedule "A" must again be paid where work has started but cannot be completed within two (2) years.

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 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,
- (e) a plan showing the location and size of every driveway, water service line, building drain, storm sewer, sanitary sewer, trap, and inspection piece; and
- (f) 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.

12. Building Permit Applications for Standard (Part 9) Buildings

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;

of 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
 - (i) 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 17 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 providing a detailed hazardous materials report in compliance with WorkSafe guidelines; 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) A hazardous materials declaration must be provided in the format prescribed by the Building Inspector.
- (3) A demolition permit application must be made in the form prescribed by the Town.
- (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 Building Bylaw No. 987-2017" being the Building Bylaw is hereby repealed.

READ A FIRST TIME this 19th day of December, 2017.

READ A SECOND TIME this 19th day of December, 2017.

READ A THIRD TIME this 19th day of December, 2017.

RECONSIDERED, FINALLY PASSED AND ADOPTED by the Municipal Council of the Municipal Council of the Town of Lake Cowichan on the ____ day of _____, 2018.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

SCHEDULE "A"
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
Each re-inspection, each woodstove installation	\$ 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	\$ 2,000
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
Suite in a principal residence	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

**TOWN OF LAKE COWICHAN
Bylaw No. 999-2017**

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. 999-2017".
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 992-2017 being the "Town of Lake Cowichan Fees and Charges for Services Bylaw" and all amendments are hereby repealed.

READ A FIRST TIME on the 19th day of December, 2017.

READ A SECOND TIME on the 19th day of December, 2017.

READ A THIRD TIME on the 19th day of December, 2017.

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

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer



TOWN OF LAKE COWICHAN

Schedule "A"

(attached to and forming part of Bylaw No. 999-2017)

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	\$ 23.00
• 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. 999-2017)

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 – (standard meal plan)	\$ 111.00	\$ 125.00
Adult	Per person, double occupancy, inclusive of 3 meals and overnight accommodation, minimum group size 20 – (specialized meal plan)	\$ 116.00	\$ 130.00
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 programs.	\$ 179.00	\$ 194.00
Youth / School	3 meals and shared overnight accommodation, no bedding provided	\$ 80.00	\$ 80.00
Exclusive Day Use	per day, meals not included	\$ 675.00	\$ 1,450.00
Other Uses	Small meeting room	\$ 87.00	\$ 100.00
	Wedding and other programming charges will be levied on a cost recovery basis		



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

(attached to and forming part of Bylaw No. 999-2017)

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	Letter of comfort	200.00
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. 999-2017)

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.

Permits and Development Fees

The following charges apply for all miscellaneous development applications:

Subdivision	Preliminary Subdivision – strata and fee simple lots (excludes parent lot if principal structure exists)	\$100.00 per lot
Damage deposit	Final Subdivision – strata and fee simple lots For works and services relating to subdivision	250.00 per lot \$10,000 or 5% of construction costs
Form P	Phased strata development	250.00
Strata Conversion	Per unit	300.00
Rezoning amendment	Bed and breakfast All other rezoning amendments	750.00 2,500.00
OCP Amendment	Application	1,000.00
Development Permit	Less than \$50,000 commercial value or up to 4 residential units More than \$50,000 commercial value or 5 or more residential units	500.00 1,000.00
Variance Permit	Application	300.00
Development Variance	Application	400.00
Plan Examination fees	For subdivisions	50.00



TOWN OF LAKE COWICHAN**BYLAW NO. 1000-2017****A Bylaw to Amend Official Community Plan Bylaw No. 910-2011 in order to implement changes to land use**

WHEREAS the *Local Government Act* provides that a local government may adopt and amend one or more official community plans to guide decisions on planning and land use management;

AND WHEREAS the Council of the Town of Lake Cowichan has adopted an Official Community Plan cited as the 'Town of Lake Cowichan Official Community Plan Bylaw No. 910-2011';

AND WHEREAS the Council of the Town of Lake Cowichan deems it necessary to amend Bylaw 910-2011 to allow for changes with respect to land use and zoning requirements;

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

1. TITLE

This bylaw may be cited for all purposes as the 'Town of Lake Cowichan Official Community Plan Amendment Bylaw No. 1000-2017'.

2. AMENDMENTS

- 1) The Official Community Plan Bylaw, cited as the "Town of Lake Cowichan Community Plan Bylaw No. 910-2011" is hereby amended through revisions to Map 1 – Land Use by replacing the Tourist Commercial designation for the property described as Lot 1, District Lot 12, Cowichan Lake District, Plan VIP85461, Except Part in Plan VIS6635 (Phases 1 to 5) with the "Urban Neighbourhood, Compact" land use designation as shown in Schedule "A", attached and forming part of this bylaw
- 2) The Official Community Plan Bylaw, cited as the "Town of Lake Cowichan Community Plan Bylaw No. 910-2011" is hereby amended through revisions to Map 5 – "Development Permit Areas 4,5,6 and 7" by removing the "DPA-5 Highway Commercial, Neighbourhood Centre, and Tourism" development permit area designation for the property described as Lot 1, District Lot 12, Cowichan Lake District, Plan VIP85461, Except Part in Plan VIS6635 (Phases 1 to 5) as shown in Schedule "B", attached and forming part of this bylaw

3. FORCE AND EFFECT

That upon adoption of this bylaw, the 'Town of Lake Cowichan Official Community Plan Amendment Bylaw No. 1000-2017', the "Town of Lake Cowichan Official Community Plan Bylaw No. 910-2011", shall hereby be amended and take effect.



READ A FIRST TIME on the 19th day of December, 2017.

READ A SECOND TIME on 19th day of December, 2017

PUBLIC HEARING held on the _____ day of _____, _____.

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

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

Ross Forrest
Mayor

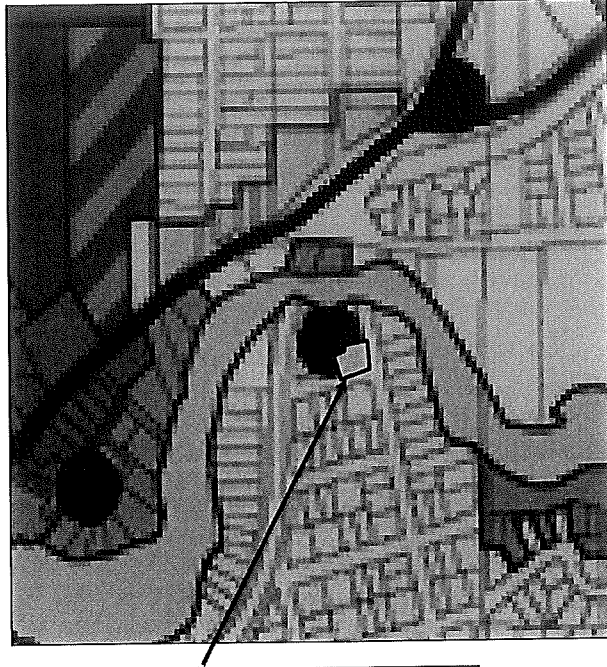
Joseph A. Fernandez
Corporate Officer



Schedule A

Attached to and forming Bylaw No. 1000-2017

Amendment to Map 1 – Land Use



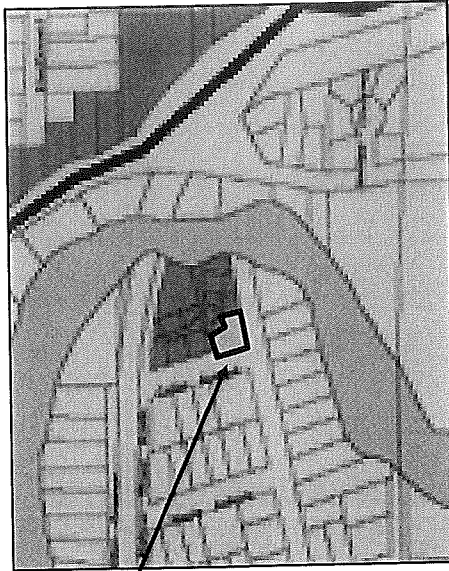
Amend land use designation
from "Tourist Commercial" to
"Urban Residential, Compact"



Schedule B

Attached to and forming Bylaw No. 1000-2017

Amendment to Map 5—Development Permit Areas 4,5,6, and 7



Remove DPA-5 Highway
Commercial, Neighbourhood
Centre, and Tourism from
property outlined in bold black.



TOWN OF LAKE COWICHAN

Bylaw No. 1001-2017

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 rezone land comprising Lot 1, District Lot 12, Cowichan Lake District, Plan VIP85461, Except Part in Plan VIS6635 (Phases 1 to 5), from C-3 Lakefront and Riverfront Commercial Zone to CD-2 Tiny House Comprehensive Development in accordance with Official Community Plan;

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.1001-2017".

2. AMENDMENTS

- 1) Schedule "A" to Zoning Bylaw No. 935-2013 is amended by rezoning a property described as Lot 1, District Lot 12, Cowichan Lake District, Plan VIP85461, Except Part in Plan VIS6635 (Phases 1 to 5) from C-3 Lakefront and Riverfront Commercial Zone to CD-2 Tiny House Residential Comprehensive Development Zone), which is outlined in bold black ink and identified on Schedule "A" to this Bylaw.

- 2) Part III "Land Use Definitions" is amended with the addition of the following terms:

TINY HOUSE is a small single residential dwelling of at least 29 square metres (312 square feet) and no more than 90 square metres (969 square feet) which is designed to fit on a small lot and within a neighbourhood of similarly proportioned dwellings

ZERO-LOT LINE SETBACK is a setback of zero metres which permits a building or structure to be set on one of its interior side lot lines.

- 3) Part V "Regulations for Each Zone, Zoning Categories" is amended with the addition of Section 5.18 "CD-2 Tiny House Residential Comprehensive Development Zone", of which the text is as follows:

5.18 CD-2 Tiny House Residential (THR) Comprehensive Development Zone**.1 Intent**

Accommodate and support the development of tiny house neighbourhoods.

.2 Permitted Uses

Principal Use

- a) Single family dwelling

Accessory Uses

- a) Home-based business, accessory to the principal use

.3 Conditions of Use

Dimensional and Coverage Standards

- a) The maximum density of a tiny house neighbourhood shall be one dwelling unit per 183 square meters (1,970 square feet).
- b) The minimum individual home lot size shall be 97 square metres (1,044 square feet).
- c) The minimum size of a tiny house shall be 29 square meters (312 square feet).
- d) The maximum size of a tiny house shall be 60 square metres (650 square feet) on the ground floor and a maximum of 90 square metres (969 square feet) for the combined ground floor and second storey.
- e) The maximum lot coverage for the tiny house and any accessory structures shall be 50%.

Building Height and Roof Pitch

- a) The height limit permitted for structures shall be 5.5 metres (18 feet).
- b) The ridge of pitched roofs with a minimum slope of six to 12 may extend up to 7.6 metres (24.9 feet).
- c) All parts of the roof above 5.5 metres (18 feet) shall be pitched.

Building Setbacks

- a) a *principal* building shall not be sited less than:
 - i) 1.5 meters (4.9 feet) from the front property line;
 - ii) 1.5 meters (4.9 feet) from the rear property line; and
 - iii) 1.2 meters (3.9 feet) from the side property line.
- b) Notwithstanding the provisions of Article a), a *principal* building may be constructed with a zero-lot line setback from an interior property line adjacent to another tiny house lot, provided the following:
 - i) A minimum distance of 3 (three) meters (9.8 feet) is maintained between buildings on adjacent lots;
 - ii) A maintenance and construction easement shall be executed between the owners of the adjacent zero lot line lots and shall establish a minimum 2 (two) meters width extending in all directions from all zero setback walls.

3. FORCE AND EFFECT

That upon adoption of this bylaw, Bylaw No. 1001-2017, the Town of Lake Cowichan Zoning Bylaw No. 935-2013 shall hereby be amended and take effect.

READ A FIRST TIME on the 19th day of January, 2017.

READ A SECOND TIME on the 19th day of January, 2017.

PUBLIC HEARING held on the --th day of ____, 2018.

READ A THIRD TIME on the ___ day of ____, 2018.

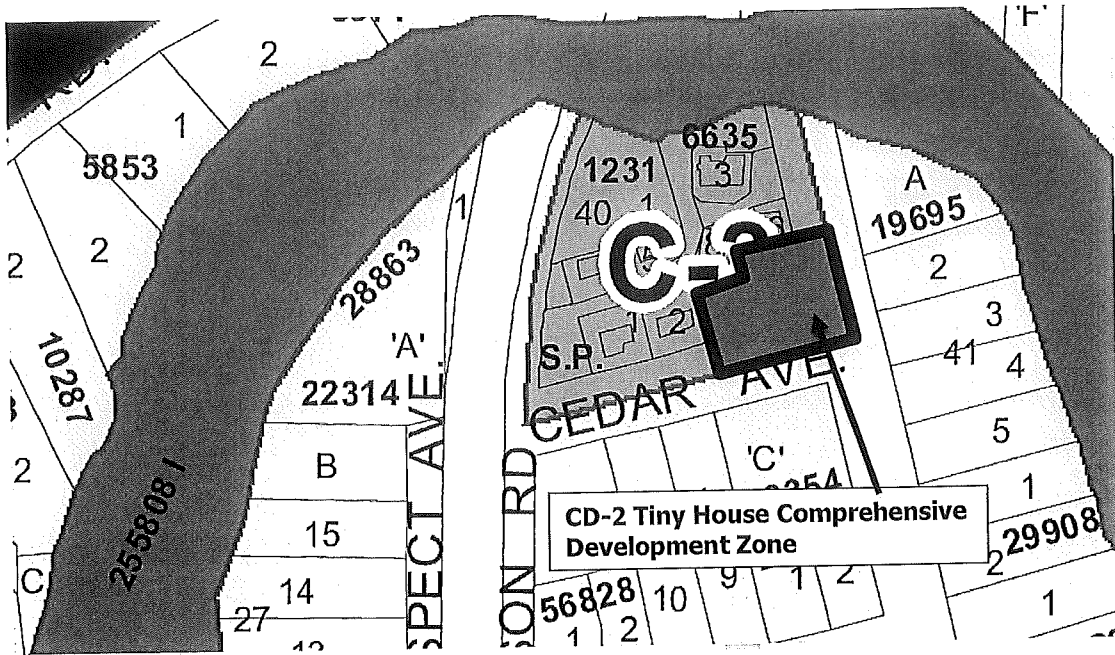
RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___ day of ____, 2018.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

Schedule A

Attached to and forming Bylaw No. 1001-2017



TOWN OF LAKE COWICHAN

Bylaw No. 1002-2018

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 Council is desirous of amending uses for a particular parcel;

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.1002-2018".

2. **AMENDMENTS**

1. Section 5.15.2 of Bylaw 935-2013 is amended by adding:

- | |
|---|
| Accessory Use |
| (i) Storage container, accessory to principal use in Lot B, Plan VIP61171 |

The requirement is that the accessory use be entirely enclosed or wholly screened.

2. Minimum Building Setbacks under section 5.15.3.2 is amended thus:

A setback of zero metres which permits a building or structure to be set on one of its interior side lot lines is permitted only on Lot B, Section 6, Renfrew District (situated in Cowichan Lake District), Plan VIP61171 with other setbacks to remain unchanged.

Use / Structure	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line
Principal/Accessory	6.0 metres	3.0 metres	3.0 metres	0.0 metres

3. Notwithstanding section 4.8 of Bylaw 935-2013 the accessory use permitted by this amendment may be accessed by the property located on lot A, Plan VIP78011 from time to time as required in the event of a power failure so that the public good may be served.

3. **FORCE AND EFFECT**

That upon adoption of this bylaw, Bylaw No. 1002-2018, the Town of Lake Cowichan Zoning Bylaw No. 935-2013 shall hereby be amended and take effect.

READ A FIRST TIME on the _____day of January, 2018.

READ A SECOND TIME on the _____ day of January, 2018.

PUBLIC HEARING held on the _____ day of _____, 2018.

READ A THIRD TIME on the _____ day of _____, 2018.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___ day of _____, 2018.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer