



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, August 28th, 2018 at 6:15 p.m. – Council Chambers

	Page #
1. AGENDA	
<u>CALL TO ORDER</u>	
<u>INTRODUCTION OF LATE ITEMS</u> (if applicable)	
2. APPROVAL OF AGENDA	
3. ADOPTION OF MINUTES	
(a) Minutes of the Regular Meeting of Council held on July 24 th , 2018.	3
4. BUSINESS ARISING AND UNFINISHED BUSINESS	
None.	
5. DELEGATIONS AND REPRESENTATIONS	
(a) D. Peters, Cowichan Lake Pickle Ball Society re: Certificate Presentation.	
6. CORRESPONDENCE	
(a) Action Items	
(i) Daryl Slater, Water Manager, Ministry of Forests, Lands, Natural Resource Operations and Rural Development re: Town of Lake Cowichan's objection to Catalyst Paper's application for 10 year water license.	7
(b) Information or Consent Items- (a member may ask that an item be dealt with separately)	
(i) Tara Faganello, Assistant Deputy Minister, Local Government Division, Ministry of Municipal Affairs and Housing re: Climate Action Recognition Program.	10
(ii) Cowichan Valley Regional District re: Solid Waste Management Plan.	13
7. REPORTS	
(a) <u>Council and Committee Reports</u>	
(i) Finance & Administration • August 14th, 2018.	Councillor McGonigle 15
(ii) Public Works & Environmental Services • August 7th, 2018.	Councillor Austin 17
(iii) Parks, Recreation & Culture • August 7th, 2018.	Councillor Vomacka 19
(iv) Economic & Sustainable Development • August 14th, 2018.	Councillor Day 21
(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	22a

(c) **Staff Reports**

- (i) Chief Administrative Officer re: Demolition of Certain Nuisance Buildings.

23

8. BYLAWS

- (a) "Town of Lake Cowichan Council Procedure Bylaw No.1006-2018" may be reconsidered and adopted.

25

- (b) "Town of Lake Cowichan Zoning Amendment Bylaw No.1007-2018" may be given third reading.

45

- (c) "Town of Lake Cowichan Zoning Amendment Bylaw No.1007-2018" be reconsidered and adopted.

45

- (d) "Town of Lake Cowichan Columbarium Bylaw No. 1008-2018" be given first, second and third reading.

50

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, s.90 (1) (e) the acquisition, disposition, expropriation of land or improvements, and 90(1) (g) on litigation or potential litigation affecting the municipality**14. ADJOURNMENT**



TOWN OF LAKE COWICHAN
Minutes of a Regular meeting of Council
Tuesday, July 24th, 2018

PRESENT: Mayor Ross Forrest
Councillor Carlyne Austin
Councillor Tim McGonigle
Councillor Lorna Vomacka

ABSENT: Councillor Bob K. Day

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

PUBLIC: 6

1. CALL TO ORDER

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

2. AGENDA

No. R.0089/18

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

New Business

(a) Elections-Cost sharing agreements with Cowichan Valley Regional District and School District #79.

CARRIED.

3. ADOPTION OF MINUTES

No. R.0090/18

(a) Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that the minutes of the Regular Meeting of Council held on June 26th, 2018 be adopted.

CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. DELEGATIONS AND REPRESENTATIONS

Todd Carnahan, WildSafeBC along with Conservation Officer Steve Norris gave a presentation on the WildSafeBC program and the need to promote education regarding Black bears in the Town.

No. R.0091/18

Moved: Councillor McGonigle
Seconded: Austin
that the Committee review the WildSafe BC Program at the next Finance and Administration Meeting.

CARRIED.

6. CORRESPONDENCE

(a) Action Items

(i) Patricia Thomson, Notary Public letter on Homeowner Grant Claim referral was treated as information.

(b) Information or Consent Items

- (i) Bill Miller, Chair, R.D. Bulkley-Nechako the correspondence item on BC's Caribou Recovery Program was treated as information.

7. REPORTS

(a) Council and other Committee Reports

No. R.0092/18
Finance and
Administration

- (i) Moved: Councillor McGonigle
Seconded: Councillor Austin
that the minutes of the Finance and Administration Committee meeting held on July 17th, 2018 be approved with the following:

- 1- Lake Cowichan Fire Department
that the Lake Cowichan Fire Department's incident expense report for June 2018 in the total amount of \$7,434.74 be authorized;
- 2- that at council and committee meetings delegations are to be limited to two unless extenuating circumstances warrant exceeding this number; and also, two public input opportunities are to be provided with the first to allow comment on an agenda item and the second to allow questions to be raised on the business of the day with the Procedure Bylaw incorporating these changes;
- 3- that two members of Council attend the Vancouver Island Economic Summit October 23-24, 2018 in Nanaimo;
- 4- that Councillor Day's absence be approved from the July 24th, 2018 Regular Meeting.

CARRIED.

No. R.0093/18
Public Works and
Environmental
Services

- (ii) Moved: Councillor Austin
Seconded: Councillor Vomacka
that the minutes of the Public Works and Environmental Committee meeting held on July 10th, 2018, be approved with the following recommendations.

that all of the bids for the Ohtaki water main river crossing be rejected as the bids far exceeded the budget estimates for the project;
and that the Committee recommend acceptance of TGK's bid for the Greendale water main crossing in the total amount of \$285,178.75 which includes GST.

CARRIED.

No. R.0094/18
Parks, Recreation
and Culture

- (iii) Moved: Councillor Vomacka
Seconded: Councillor McGonigle
that the minutes of the Parks, Recreation and Culture Committee meeting held on July 10th, 2018 be approved as presented.

CARRIED.

No. R.0095/18
Economic and
Sustainable
Development

- (iv) Moved: Councillor Austin
Seconded: Councillor Vomacka
that the minutes of the Economic and Sustainable Development Committee meeting held on July 17th, 2018 be approved as presented.

CARRIED.

Cowichan Lake
Recreation

- (v) There was no report for Cowichan Lake Recreation.

- Vancouver Island Regional Library (vi) Councillor Vomacka reported that:
- The Summer Reading Program is doing well.
 - The Raptor Centre Participated in the opening of the Summer Reading Program; and
 - The next meeting will occur in September.
- Advisory Planning Commission (vii) Councillor Austin reported that the Advisory Planning Council reviewed the property list to present to Cowichan Lake Elder Care Initiative.
- Community Forest Co-op (viii) Councillor McGonigle reported that:
- A Community Forest License had been awarded to Qaly?it; and
 - The Forest Co-op will hold a second retreat to discuss changes within the entity.
- (b) **Other Reports**
- Cowichan Valley Regional District Board (i) There was no report for the Cowichan Valley Regional District.
- Community Outreach Team (ii) The Community Outreach team conducted no meeting in June with the next meeting to occur in September 2018.
- Community Safety Advisory (iii) Councillor Austin gave a verbal report on her attendance at the recent Community Safety Advisory Commission special meeting held July 4th, 2018. She highlighted the following:
- the CVRD Board is to be requested to repeal Bylaw 3622 and dissolve the Community Safety Advisory Commission; and
 - Safer Futures will consult with community and community safety stakeholders in determining current community safety priorities and a framework for addressing these priorities including a process for regional collaboration and monitoring.
- Seniors Care Facility (iv) Mayor Forrest reported that Cowichan Lake Elder Care Initiative was still reviewing potential properties for locations of a care facility. It is also considering incorporation as a society.
- (c) **Staff Reports**
- No. R. 0096/18 (i) Moved: Councillor McGonigle
 Seconded: Councillor Austin
 that Council endorse the three-part Cowichan 2050 Regional Planning Framework, with the caveat that no new additional taxes are imposed on the residents of Lake Cowichan through a Regional District service tax or other means.
 CARRIED.
- No. R. 0097/18 (ii) Moved: Councillor Vomacka
 Seconded: Councillor McGonigle
 that Council appoint Diane Cook as the alternate Deputy Chief Election Officer for the local government elections to be held October, 2018.
 CARRIED.

No. R.0098/18 **8. BYLAWS**
(a) Moved: Councillor McGonigle
 Seconded: Councillor Austin
 "Town of Lake Cowichan Procedure Bylaw No. 1006-2018" be given third reading.
CARRIED.

No. R.0099/18 Moved: Councillor McGonigle
 Seconded: Councillor Vomacka
 "Town of Lake Cowichan Zoning Amendment Bylaw No. 1007-2018" be given first and second readings.
CARRIED.

No. R.0100/18 **9. NEW BUSINESS**
 Motioned: Councillor McGonigle
 Seconded: Councillor Austin
 that the agreement on election cost appropriations with the Cowichan Valley Regional District and School Board Elections be approved.
CARRIED.

10. MAYOR'S REPORT

The Mayor presented his report for July 2018 highlights included:

- The success of the BC Summer Games;
- Town Councils Business Walkabout;
- Canada Day Celebrations;
- The Announcement of the new Cowichan District Hospital;
- Resignation of Nagi Rizk, Superintendent, Public Works and Engineering Services; and
- Need for Traffic Safety in the Summer Months.

11. NOTICES OF MOTION

None.

12. QUESTION PERIOD

13. IN CAMERA

No. R.00101/18 Moved: Councillor Vomacka
 Seconded: Councillor McGonigle
 that Council close the meeting to the public to deal with issues relating to s.90 (1)(c) labour relations or other employee relations, and s.90(1)(f) law enforcement affecting the municipality.(7:05 p.m.)
CARRIED.

14. ADJOURNMENT

Adjournment Moved: Councillor McGonigle
 No. R.00102/18 Seconded: Councillor Austin
 that we arise and adjourn at 7:45 p.m., without report.
CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2018.

Mayor



August 23, 2018

File: 1003936

Town of Lake Cowichan
39 South Shore Road
Lake Cowichan BC V0R 2G0

Dear : Joseph Fernandez (CAO)

Re: Town of Lake Cowichan's objection to Catalyst Paper's application for a 10 year water licence to pump water from dead storage in Cowichan Lake.

Thank you for your August 21, 2018 email response regarding Catalyst Paper's proposed mitigation measures as they relate to potential impacts to your licenced water intake.

I am aware that Catalyst and the Town of Lake Cowichan (TLC) have engaged in discussions, including numerous emails, letters and meetings in an effort to work towards addressing the TLC's objections/concerns as they relate to potential impacts to its licenced waterworks intake in Cowichan Lake. The following is a summary of the concerns TLC has expressed to my office, the mitigation measures proposed by Catalyst, and my preliminary assessment of the impact of the proposed mitigation measures on TLC's licensed waterworks intake.

Concern that reduced lake levels would cause the TLC water intake to become inoperable.

I understand that the TLC first expressed concerns with respect to this application in the referral response to Catalyst's application, which was received by my office on November 2, 2017. In that response, the TLC stated that the current intake elevation must remain submerged at all times, which requires the lake level to be no lower than 161.15m GSC (Geodetic Survey of Canada). Permanent modifications would necessitate lowering the intake, which could be permitted as long as this solution is acceptable to TLC and all of the relevant approving authorities. I note that the TLC expressed further concerns in their August 21, 2017 email and in response to Catalyst's proposed engineered design, related to the inability of the proposed system to operate at and below 160m GSC.

In response to TLC's concerns regarding the ability of the intake to properly function at 160m GSC, Catalyst provided an engineered solution to avoid impacting the water intake. Catalyst proposed an Island Health approved infrastructure upgrade (refer to construction permit September 25, 2016) that employs an installed drop siphon system. According to the

Page 1 of 2

the Koers & Associates Engineering Ltd. (Koers) August 17, 2018 letter, this system would allow the intake to operate down to a lake elevation of 160.0m GSC.

I note that Catalyst's water licence application includes managing lake levels between 161.4m and 160.8m GSC, the lower limit of which is 80cm above the lower operating limit of the proposed drop siphon system. In light of this fact, and in the absence of any information that casts reasonable doubt on the ability of this system to operate as proposed, I find that the design of the proposed works would reasonably and satisfactorily address the TLC's concerns related to a lowered water level impacting the water intake.

Concern regarding the adequacy/effectiveness of the proposed drop siphon system and the use of a fire hydrant to prime the system.

I understand that the TLC relayed concerns to Catalyst regarding the adequacy/effectiveness and reliability of the proposed drop syphon system. I also note this concern was shared with this office in your August 21, 2018 email. In addition, I am aware that the TLC expressed concerns over utilizing a hydrant to prime the system, should the siphon lose prime.

In response to these concerns, Catalyst requested Koers to provide clarification on the proposed siphon design. In the August 17, 2018 cover letter, Chris Downey, P. Eng, Project Manager at Koers, highlights the redundancy in the proposed works that would address the loss of prime, including an air pump and a 65mm connection, which would allow for the system to be charged by a fire hydrant. Chris Downey explains that the proposed design is utilized by other municipalities and that the design is consistent with good engineering principles. He notes that such systems are utilized on Bainbridge Lake and on Arrowsmith Lake.

In the absence of evidence or advice that contradicts the feasibility of the proposed system, which has been signed and sealed by a Professional Engineer, I preliminarily assess that the system is reasonably adequate and effective to operate as proposed.

Concerns related to responsibility for the construction and maintenance of the proposed works.

According to our records, the TLC council passed a motion on October 4, 2016 under which the TLC accepts no responsibility for the operation and maintenance of the installed equipment. It is my understanding that this responsibility would include costs related to the construction, maintenance and removal of the proposed works.

In response to this concern and according to Graham Kissack, Vice President of Corporate Social Responsibility, Catalyst Paper, Catalyst has agreed to cover the TLC's costs associated with the installation, maintenance and monitoring and removal (if desired) for the proposed works.

Because the responsibility for the operation of municipal water systems is under the jurisdiction of Island Health and is covered under the *Drinking Water Protection Act*, I

Town of Lake Cowichan

cannot consider assigning Catalyst with the overall responsibility for TLC's waterworks intake; however, I note that Catalyst has agreed to cover associated costs. In light of this and the fact that the design of the system has been approved by Island Health and designed by a qualified professional, I have preliminarily considered the above-noted concern to be adequately and reasonably addressed.

In response to the above noted concerns, I would like to share the below water licence condition that I propose would be included in an authorization that would allow Catalyst to access dead storage in Cowichan Lake between the elevations of 161.4m and 160.8m GSC:

"The licensee must install works substantially the same as the Koers & Associates Engineering Ltd designed drop siphon system within design drawing 1644-1 Revision 1 dated September 23, 2016 that is approved by Island Health construction permit WS-1897 dated September 25, 2016, consisting of a drop siphon system to ensure the continuing operation of the Town of Lake Cowichan water supply, prior to the water elevation in Cowichan Lake reaching 161.3m GSC."

I believe, on a preliminary assessment of the information presented to me, that Catalyst has reasonably addressed the TLC's concerns. I intend to make a decision on Catalyst's application to pump water from dead storage in Cowichan Lake by August 31, 2018.

Should you wish to share further information or concerns related to this application, please do so before August 31, 2018. I note that Catalyst is currently projecting to exhaust the storage volume in Cowichan Lake by mid to late September and I intend to make a decision on their application in a timely manner.

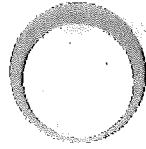
Sincerely,



Darryl Slater
Water Manager

PC: Graham Kissack, Vice President of Corporate Social Responsibility, Catalyst Paper
David Skarbo, Water Authorizations Specialist, West Coast Natural Resource
Region, MFLNRORD

Attachments



GREEN COMMUNITIES
COMMITTEE

Ref: 238245

August 15, 2018

His Worship Mayor Ross Forrest and Councillors
Town of Lake Cowichan
PO Box 860
Lake Cowichan BC V0R 2G0

Dear Mayor Forrest and Councillors:

On behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for your efforts to reduce greenhouse gas emissions in your corporate operations and community over the 2017 reporting year.

As a signatory to the Climate Action Charter (Charter) you have demonstrated your commitment to work with the Province and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

The work that local governments are undertaking to reduce their corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in the community. Your leadership and commitment continues to be essential to ensuring the achievement of our collective climate action goals.

The GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is enclosed for your reference.

As a Charter signatory who has demonstrated progress on the fulfillment of one of more of your commitments, the GCC is pleased to acknowledge your achievement of Level 1 recognition – 'Demonstrating Progress on Charter Commitments.'

.../2


Mayor Forrest and Councillors
Page 2

Congratulations again on your progress. We wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality and your efforts to reduce emissions in the broader community.

Sincerely,



Tara Faganello
Assistant Deputy Minister
Local Government Division
Ministry of Municipal Affairs and Housing



Gary MacIsaac
Executive Director
Union of British Columbia Municipalities

Enclosure



GCC Communiqué on the Climate Action Recognition Program

B.C. local governments continue to play a critical role in reducing GHG emissions across the province. In acknowledgment of the ongoing efforts of B.C. local government leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to continue the Climate Action Recognition Program (*Recognition Program*) for the 2017 reporting year. This multi-level program provides the GCC with an opportunity to review and publicly recognize, on an annual basis, the progress and achievements of each Climate Action Charter (*Charter*) signatory on their *Charter* commitments. Recognition is provided according to the following:

Level 1: Demonstrating Progress on Charter Commitments

Local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments receive a letter from the GCC acknowledging their accomplishments.

Level 2: Measuring GHG Emissions

Local governments that achieve level 1, have completed a corporate carbon inventory for the reporting year and demonstrate that they are familiar with their community's community energy and emissions inventory receive a letter from the GCC and a 'BC Climate Action Community 2017' logo, for use on websites, letterhead, etc.

Level 3: Accelerating Progress on Charter Commitments

Local governments that achieve levels 1 and 2 and demonstrate significant corporate or community-wide climate action to reduce GHG emissions in the reporting year receive a letter from the GCC and a 'BC Climate Action Community 2017 – Climate Leader' logo, for use on websites, letterhead, etc.

Level 4: Achievement of Carbon Neutrality

Local governments that achieve carbon neutrality in the reporting year receive a letter from the GCC and a 'BC Climate Action Community 2017 – Climate Leader - Carbon Neutral' logo, for use on websites, letterhead, etc.

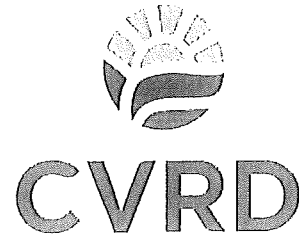
To be eligible for the *Recognition Program*, local governments must fulfill the public reporting requirements (including reporting progress to carbon neutrality) of the Climate Action Revenue Incentive Program (CARIP). Recognition levels for the *Recognition Program* are based on the information included in each local government's annual CARIP public report. For more information on CARIP and the public reporting requirements go to:

<https://www2.gov.bc.ca/gov/content/governments/local-governments/grants-transfers/climate-action-revenue-incentive-program-carip>

News Release

FOR IMMEDIATE RELEASE

August 22, 2018



Public comment sought for new regional Solid Waste Management Plan

Duncan, BC – The Cowichan Valley Regional District recently completed a new draft Solid Waste Management Plan and will be seeking community input in the coming weeks. The Plan sets out new waste reduction targets for the region and proposes strategies for managing municipal solid waste over the next 10 years, with a long-term vision of 25 years. Residents will have opportunities to provide input at a series of community open houses, an online survey and on PlaceSpeak. CVRD staff will also be attending community events in coming weeks to raise awareness and receive feedback on the draft Plan.

“We can be proud that the Cowichan Valley has one of the lowest waste per capita ratios in British Columbia, and we will continue efforts to lessen our environmental footprint whenever possible,” said Jon Lefebure, Chair of the Cowichan Valley Regional District. “This public consultation process will allow residents to learn more about the existing system, and to influence the region’s vision for managing waste and recycling.”

A Plan Advisory Committee (PAC), composed of representatives from the public, industry, businesses, the non-profit sector, Cowichan Tribes and government, has met numerous times since March to discuss gaps within the current waste management system and ways to improve the region’s waste diversion. Strategies recommended by the PAC look at ways to reduce the amount of waste sent to landfill focusing on key areas such as reducing food waste, and important initiatives like combating illegal dumping.

“Public input is important to ensuring that the Solid Waste Management Plan reflects the goals and needs of the region over the next two decades,” said Tauseef Waraich, Manager of the Recycling and Waste Management Division at CVRD. “We look forward to hearing from residents as we create a long-term vision for how waste and recyclables should be managed on a regional basis.”

Open houses will be held across the region on the following dates and times:

- **Lake Cowichan** – Wednesday, August 29 from 1:00 p.m. to 4:00 p.m. at the Cowichan Lake Recreation Centre Multi-Purpose Hall (311 S Shore Road)
- **Cobble Hill** – Tuesday, September 11 from 5:00 p.m. to 8:00 p.m. at the Cobble Hill Farmer’s Institute Hall (3550 Watson Avenue)
- **Saltair** – Wednesday, September 12 from 12:00 p.m. to 3:00 p.m. at the Saltair Community Centre (3850 South Oyster School Road)

To learn more about the Solid Waste Management Plan process, review existing documents and engage online visit: <http://www.cvrld.bc.ca/swmp> or <http://www.placespeak.com/swmp>

For more information, please contact:

Harmony Huffman
Senior Environmental Technologist
Recycling & Waste Management Division
(250) 746-2544
hhuffman@cprd.bc.ca



TOWN OF LAKE COWICHAN
 Minutes of Finance & Administration Committee
 Tuesday, August 14th, 2018

PRESENT: Councillor Tim McGonigle
 Mayor Ross Forrest
 Councillor Carlyne Austin
 Councillor Lorna Vomacka
 Councillor Bob Day

STAFF: Joseph A. Fernandez, Chief Administrative Officer
 Jill Walters, Recording Secretary

PUBLIC: 2

1. CALL TO ORDER

The Chair called the meeting to order at 5:50 p.m.

2. AGENDA

No. FA.0043/18

Moved: Councillor Day
 Seconded: Mayor Forrest
 that the agenda be approved with the following additions under:

Reports:

(e) Bylaw Officer Report.

Business Arising:

(b) ICBC Grant.

New Business:

(d) Railing/Ramp Forest Worker Memorial Park.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

Ongoing Items Still Being Addressed:

(a) The three bays along with the Loggers Hut building will be slated for demolition in the fall. Stanley Gordon school is available to use as an alternate office while construction is underway.

(b) The bases for the Columbariums have been poured. Two units will arrive Thursday August 16th, 2018.

No. FA.0044/18

(c) Motioned: Councillor Day
 Seconded: Councillor Austin
 that the committee recommend in principal the Employment Code of Ethics.

CARRIED.

(d) ICBC has approved a grant in the amount of \$2500. This will go towards the purchase of a Speed Reader Board.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

None.

6. REPORTS

(a) The Financial Report for the period ending July 30th, 2018 was treated as information.

(b) The Building Inspector's Service Report for July, 2018 was treated as information.

(c) The Fire Department report for July, 2018 was unavailable.

No. FA.0045/18 (d) Motioned: Councillor Vomacka
Seconded: Councillor Day
that the committee recommend that the toilet rebate programme
be discontinued after 2018.
CARRIED.

(e) The Bylaw Officer Report for the period from May, 2018 to July,
2018 was treated as information.

7. NEW BUSINESS

No. FA.0046/18 (a) Motioned: Councillor Austin
Seconded: Councillor Day
that the committee recommend approval of the Cowichan Lake
and River Stewardship Society's request for establishment of the
Gerald Thom Memorial Garden.
CARRIED.

No. FA.0047/18 (b) Motioned: Councillor Day
Seconded: Mayor Forrest
that the committee recommend the expenditure of \$33,750
excluding tax towards the upgrades of the existing well at CLEC.
CARRIED.

(c) A discussion was had on the Local Governments role in Cannabis
licensing.

No. FA.0048/18 (d) Motioned: Mayor Forrest
Seconded: Councillor Vomacka
that the committee recommend approve of the installation of a
railing at the Forest Workers Memorial Park and a ramp for facility
access to the stage at Town square.
CARRIED.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. FA.0049/18 Moved: Councillor Austin
Adjournment Seconded: Councillor Vomacka
that we adjourn (6:40 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, August 7th, 2018

PRESENT: Councillor Carlyne Austin, Chair
Mayor Ross Forrest
Councillor Lorna Vomacka
Councillor Day
Councillor McGonigle

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Jill Walters, Recording Secretary

PUBLIC: 1

- No. PW.021/18
Agenda
1. **CALL TO ORDER**
The Chair called the meeting to order at 5:04 p.m.
 2. **AGENDA**
Moved: Councillor Vomacka
Seconded: Councillor Day
that the agenda be approved with the following additions.

New Business

- (d) Sani Dump Access;and
(e) Continuation of Street Signs.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

- (a) The Ohtaki Footbridge Watermain Upgrades are on hold. The Greendale Trestle Upgrades have been awarded.
- (b) The Water Treatment Plant is on schedule. A report is being issued outlining any cost over runs. Additional funding may be required from the 2019 Budget.
- (c) **Ongoing Items Still Being Addressed:**
 - (i) The Chief Administrative Officer reported that work will continue on the Boat Ramp in the fall.
 - (ii) The Chief Administrative Officer reported that there is sufficient flow to support a well system. A report from the Engineers is forthcoming.

4. **DELEGATIONS**

None.

5. **CORRESPONDENCE**

None.

6. **REPORTS**

None.

7. **NEW BUSINESS**

- (a) No action has been taken regarding posting the hours of operations at the Public Washrooms. Public Works will look into it after the busy summer season.
- (b) Alternative sites for public parking may be considered as well as 2-hour parking at Saywell.
- (c) The Town is now at Stage 2 with respect to watering restrictions.

Minutes of Public Works & Environmental Services Committee held on August 7th, 2018

The Town has received some complaints about the watering at Centennial Park. The Ball fields need to be watered due to the new grass not being established.

- (d) A discussion was had on access to the Sani Dump. Road markings for the access route to sani dump is a possibility.
- (e) Councillor McGonigle would like to see the street sign program continue into the residential neighborhoods.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

- (a) Community Forest Workers Forest License was awarded 31,498 cubic meters of wood.
- (b) On Saturday August 11th, 2018 Pickle Ball Tournament- Women Against Violence along with the Pickle Ball Association will be having a 50/50 draw.
- (c) Jaxon Zalinko will be the honorary Mayor for the day August 11th, 2018. He will be attending the Cops for Cancer Car Rally at the Arena, handing out awards at the Pickle Ball Tournament and attending the Youbou Regatta with Mayor Forrest.

10. MEDIA/PUBLIC QUESTION PERIOD.

11. ADJOURNMENT

No. PW.022/18
Adjournment

Moved: Councillor McGonigle
Seconded: Councillor Vomacka
that this meeting adjourn. (5:40 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2018.

Chair



TOWN OF LAKE COWICHAN
Minutes of Parks, Recreation and Culture Committee
Tuesday, August 7th, 2018

PRESENT: Councillor Lorna Vomacka, Chair
Mayor Ross Forrest
Councillor Carolyne Austin
Councillor Day
Councillor McGonigle

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Jill Walters, Recording Secretary

PUBLIC: 5

1. CALL TO ORDER

The Chair called the meeting to order at 5:52 p.m.

2. AGENDA

Moved: Councillor Austin

Seconded: Councillor Day

that the agenda be approved with the following additions under:

No. PR.0024/18

Delegations

Cowichan Lake and River Stewardship Society;

New Business

7(b) Sunfest;

Business Arising and Unfinished Business

3(iv) Columbarium; and

Correspondence

Caroll Bonenfant re: Outdoor Gym Equipment.

CARRIED.

3.(a) BUSINESS ARISING AND UNFINISHED BUSINESS

(i) The Town's 75th Birthday Celebration meeting will be held August 21st, 2018 at 5 p.m.

(ii) No update on River access at Prospect was available.

(iii) The Towns contract planner will be asked to look at some locations for disc golf.

(iv) The bases for the Columbarium will be completed August 8th, 2018. The Geotech will be on site during the excavation. The Columbarium units are to arrive next week.

(b) Ongoing Items:

(i) There was no update on River Front Walkway and Trail Connections.

(ii) No update on Single Track Trail along South Shore of Lake on Town Property was given.

4. DELEGATIONS AND REPRESENTATIONS

Bee Greenway, Cowichan Lake and River Stewardship Society proposed a Gerald Thom Memorial Native Plant Garden at Saywell Park. The Society has requested that the Town remove some damaged trees from the area, incorporate watering the garden to the regular maintenance at Saywell Park and pay for signage near the parking area and directional signage to the

Gerald Thom Memorial Plant Garden.

No. PR.0025/18

Motioned: Councillor McGonigle
Seconded: Mayor Forrest
that the committee discuss the Cowichan Lake and River
Stewardship Society request at the Finance meeting August
14th, 2018. CARRIED.

5. CORRESPONDENCE

Caroll Bonenfant request to the Town to purchase outdoor gym
equipment for parks was treated as Information.

6. REPORTS

None.

7. NEW BUSINESS

(a) Dalton Smith, CLEC/Lakeview Manager had some issues for the
committee to consider including:

- Campsite Block Bookings;
- Propane Fire pits only;
- Marijuana affecting camping; and
- Security issues, noise and fight complaints.

(b) A discussion was had on this year's Sunfest festival.

8. NOTICES OF MOTION

None.

9. PUBLIC RELATIONS ITEMS

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. PR.0026/18
Adjournment

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the meeting be adjourned. (7:02 p.m.)

CARRIED.

Certified correct _____

Confirmed on the _____ day of _____, 2018.

Chair



TOWN OF LAKE COWICHAN

Minutes of Economic and Sustainable Development Committee
Tuesday, August 14th, 2018

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

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Jill Walters, Recording Secretary

PUBLIC: 2

1. **CALL TO ORDER**
The Chair called the meeting to order at 5:00 p.m.
2. **AGENDA**
Moved: Councillor Austin
Seconded: Councillor Vomacka
that the agenda be approved as presented.
CARRIED.
3. **BUSINESS ARISING AND UNFINISHED BUSINESS**
 - (a) **Recent Items:**
 - (i) The issue of Attainable Housing was referred to a similar item under New Business
 - (ii) Timberwest announced they are teaming up with Island Timberlands to increase public access to private lands.
 - (b) **Ongoing Items Still Being Addressed:**
 - (i) The Sustainable Waste and Composting meetings will have to be attended by the new Superintendent, Public Works and Engineering Services when that position is filled.
4. **DELEGATIONS AND REPRESENTATIONS**
None.
5. **CORRESPONDENCE**
None.
6. **STAFF REPORTS**
None.
7. **NEW BUSINESS**
 - (a) A discussion was had on the presentation done by Avi Friedman. Some of the issues taken into consideration are the Official Community Plan now being worked on, working with the contract planner, bylaws, zoning and developers. Mr. Friedman will be doing another presentation in Duncan on September 20th, 2018.
8. **NOTICES OF MOTION**
None.
9. **PUBLIC RELATIONS ITEMS**
 - (a) The Vancouver Island Pickle Ball Championship held August 10-12th, 2018 was a huge success.
 - (b) The Cops for Cancer Car Rally August 10-12th, 2018 was a success. This may be an annual event.

- (c) BC Transit is holding an Open House at the Main Bus Stop In Lake Cowichan September 20th, 2018 from 4-6:00 pm.

10. MEDIA/PUBLIC QUESTION PERIOD

11. ADJOURNMENT

No. SPD.0018/18
Adjournment

Moved: Councillor McGonigle
Seconded: Councillor Austin
that the meeting adjourns. (5:45 p.m.).

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2018.

Chair

COWICHAN LAKE ELDER CARE INITIATIVE

Meeting Minutes

July 4, 2018

Call to order: 6:05pm – Chair – Bob Day

Roll call: Bob Day, Ross Forrest, Marg McGillis, Sheila Service, Terry Hale, Wayne Stinchcombe

Approval of minutes from last meeting: moved by Sheila, 2nd Terry, carried

Open issues:

1. No updates on Committee business as it has to do with LC First Nations.
2. Wayne reviewed the process to apply for Society status. A hard copy handout was provided and will accompany the minutes. A Motion was made to proceed to create a CLECI society, moved by Marg, 2nd Terry.. carried with one no vote (Sheila). Agreement that Sheila and Wayne will begin to draft a Constitution and Bylaws for the new Society. We will apply to register a Society name. We are required to submit 3 names from which one will be approved. Our priority list is a) Cowichan Lake Elder Care Society. b) Cowichan Lake Elder Care Initiative Society. c) Cowichan Lake Senior Care Initiative Society. It was agreed that the cost \$131.50 for registration will be covered by the Committee members.
3. Follow up from the June meeting:
 - a) Property procurement: The APC provided a list of 4 properties in Lake Cowichan for consideration. A copy will accompany the minutes. Committee visited and had keen interest in #1.
 - b) Facility vision/concept: Sheila presented a draft floor plan which she, Marg and Carolyne created which was enthusiastically welcomed by the Committee as a strong starting concept. Terry will share with Steve Dunton for his input.
 - c) Needs Assessment: Wayne is still to complete a more final assessment. A brief summary document was presented. A copy will accompany the minutes. Work shall continue.
 - d) Funding: Yet to be determined

New business

4. We await to hear if Lynn Budding wishes to seek membership to the Committee

Added Agenda Item:

Adjournment: 7:15pm

Next Meeting: Wednesday August 1, 2018, 6:00pm Town Hall

Meeting Minutes Sign Off:

Date:

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

Memo



TO: Mayor and Council

SUBJECT: Demolition of Certain Nuisance Buildings

DATE: August 24, 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 has directed staff at various times to seek voluntary compliance from the property owners that are the subject of remedial orders.

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

The owner or owners of the buildings have ignored directives from this office on remedying unsafe and hazardous conditions on the property arising from infractions under section 72 and 73 of the Community Charter and these despite the Town's compliance with process requirements spelled out under sections 76, 77 and 78 of the Community Charter.

There is one vacant building (civic address 226 Neva Road) that is unstable and which must be removed promptly. With council's approval, a hazardous material assessment will be conducted on the building with a call for proposals to have the building removed, issued. All attendant costs relating to the remedial action will be assessed against the owners of the property as provided for under section 80 of the Community Charter.

2. Remediation Action Requirement for building located at 182 Neva Road - Lot 7, Plan 8069 (P.I.D. 005-641-667)

The Property at the above civic address above stated and is 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 general public and particularly the neighbours. The back of the house has caved in and a large tree has grown through the back of the house. It is a major eyesore. Staff has directed that a hazardous material assessment be conducted on the building.

The owner of the "residence" has ignored directives from this office on remedying unsafe and hazardous conditions on the property arising from infractions under section 72 and 73 of the

Remedial Action that involves the Demolition of Certain Nuisance Properties

Community Charter and these despite the Town's compliance with process requirements spelled out under sections 76, 77 and 78 of the Community Charter.

Council authorization is required to issue a call for proposals to demolish and remove the building.

3. Remediation Action Requirement for building located at 250 Neva Road - Lot 2, Plan 8069 (P.I.D. 003-395-723)

The above property will require a hazard material assessment with demolition to occur soon after. In the meantime, the building will have to be boarded.

CONCLUSION

As time is of the essence, it would be prudent for council to authorize staff to award the contracts for the demolition of the stated buildings on the above properties.

The following will need to occur in each instance:

(a) a strongly constructed fence of at least 1.5 meters tall must be erected 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 (b) has been complied with; and

(b) any hole created by the removal of the building must be filled

It is recommended that immediate enforcement actions as recommended herein be proceeded with and that any or all actions would be wholly at the expense of the Owner.



Joseph A. Fernandez

TOWN OF LAKE COWICHAN

BYLAW NO. 1006-2018

The purpose of this Bylaw is to establish the general procedures to be followed by Council and Council committees in conducting their business.

COUNCIL PROCEDURE BYLAW
Contents

	<u>Page</u>
PART 1 – INTRODUCTION	4
Title	4
Definitions	4
Application of rules of procedure	6
 PART 2 – COUNCIL MEETINGS.....	 6
Inaugural Meeting	6
Time and location of meetings	6
Notice of Council Meetings	6
Notice of special meetings	6
Electronic Meetings.....	6
 PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR	 7
 PART 4 – COUNCIL PROCEEDINGS	 7
<i>Community Charter</i> Provisions	7
Minutes of meetings to be maintained and available to public	8
Calling meeting to order	8
Adjourning meeting where no quorum.....	8



Agenda	8
Order of proceedings and business.....	9
Late Items.....	10
Voting at meetings	10
Points of order	11
Conduct and debate	12
Motions generally	13
Motion to commit	13
Motion for the main question.....	13
Amendments generally.....	14
Reconsideration Requested by Mayor	14
Privilege	15
Reports from committees	15
Adjournment.....	15
PART 5 – BYLAWS.....	15
Copies of proposed bylaws to Council members.....	15
Form of bylaws	15
Bylaws to be considered separately or jointly.....	16
Reading and adopting bylaws	16
Bylaws must be signed.....	16
PART 6 - COMMITTEE OF THE WHOLE	16
Going into Committee of the Whole.....	16
Notice for Committee of the Whole meetings.....	17



Minutes of Committee of the Whole meetings to be maintained and available to public 17

Presiding members at Committee of the Whole meetings and Quorum..... 17

Points of order at meetings 17

Conduct and debate 17

Voting at meetings 18

Reports 18

Rising without reporting 18

PART 7 – COMMITTEES..... 18

Duties of standing committees..... 18

Duties of select committees..... 19

Schedule of committee meetings..... 19

Notice of committee meetings..... 19

Attendance at Committee meetings..... 19

Minutes of committee meetings to be maintained and available to public 19

Quorum..... 19

Conduct and debate 19

Voting at meetings 20

PART 8 – GENERAL 20



TOWN OF LAKE COWICHAN

BYLAW NO. 1006-2018

COUNCIL PROCEDURE BYLAW

WHEREAS Section 124 of the *Community Charter* requires the establishment of procedures to be followed for meetings of council and council committees and in particular, must by bylaw do the following:

- (a) establish rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted;
- (b) establish rules of procedure for meetings of council committees;
- (c) provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;
- (d) provide for advance public notice respecting the time, place and date of council committee meetings and establish the procedures for giving that notice;
- (e) identify places that are to be public notice posting places for the purposes of Section 94;
- (f) establish the procedure for designating a person under Section 130 to have a member of council to act in place of the mayor;
- (g) establish the first regular council meeting date referred to in Section 125 (1) following a general local election.

NOW THEREFORE, Council of the Town of Lake Cowichan in open meeting the Municipal Council of The Town of Lake Cowichan enacts the following provisions:

PART 1 – INTRODUCTION**1. Title**

- 1.1 This Bylaw may be cited as the "Town of Lake Cowichan Council Procedure Bylaw No. 1006-2018".

2. Definitions

In this Bylaw,

CHAIR means the mayor, acting mayor, or presiding officer appointed under the community charter or this bylaw, who is chairing a meeting;

CLOSED MEETING means an in-camera meeting to consider subject matter that is included in section 90 of the community charter;

COMMITTEE means standing, select, or other Committee of Council, but does not include Committee of the Whole;

CORPORATE OFFICER means the Chief Administrative Officer for the Town;

COUNCIL means the Council of the Town of Lake Cowichan;

MAYOR means the Mayor of the Town;

PUBLIC NOTICE POSTING PLACES means the notice board at the Town Office and *the Town Web site* unless having made reasonable efforts the Town is unable to effect such posting to the website;



Question means the subject matter of a motion;

Quorum means:

- (i) In the case of Council, a majority of the number of members of which the *Council consists under the Community Charter*; and
- (ii) In the case of a committee or other body, a majority of the voting members appointed;

TOWN means the Town of Lake Cowichan;

TOWN WEB SITE means the information resource found at an internet address provided by the Town;

UNANIMOUS means all members of Council currently elected and serving as Council members and does not mean only those members present to vote.

3. Application of Rules of Procedure

- 3.1 The provisions of this Bylaw govern the proceedings of Council, Committee of the Whole and all standing and select committees of Council, as applicable.
- 3.2 In cases not provided for under this Bylaw, *Roberts Rules of Order* shall apply to the proceedings of Council, Committee of the Whole, and Council committees to the extent that those Rules are:
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.
- 3.3 The rules of procedure contained in this bylaw, except those that are governed by statutory provisions of the *Community Charter* or the *Local Government Act*, may be temporarily suspended by unanimous vote of the members present.

PART 2 – COUNCIL MEETINGS

4. Inaugural Meeting

- 4.1 Following a general local election, the first Council meeting must be held on the first Tuesday in November in accordance with Section 124(2)(g) of the *Community Charter* in the year of the election. Such a meeting may be conducted in other than the municipal council chambers as long as notice of such location is posted at the Public Notice Posting Places.
- 4.2 If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

5. Time and location of meetings

- 5.1 All Council meetings, after the statutory meeting of the Council, must take place within the Municipal Council Chambers except when Council resolves to hold meetings elsewhere and in such instances a notice of the change must be posted at the Public Notice Posting Places.
- 5.2 Regular Council meetings must:
 - (a) be held on the fourth Tuesday of each month, and



- (b) begin at 6:00 p.m.;
- (c) be adjourned at 8:30 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 27 of this bylaw; and
- (d) when such meeting falls on a statutory holiday, be held on the next day the Town municipal office is open.

5.3 Regular Council meetings may:

- (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; or
- (b) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least 2 days written notice; or
- (c) occur as given in a schedule of the dates, times, and places approved by a resolution of Council.

6. Notice of Council Meetings

- 6.1 As required under Section 127 of the *Community Charter*, Council must prepare at least once a year, a schedule of the dates, times and places of regular Council meetings. It must make the schedule available to the public by posting it at the Public Notice Posting Places and by publishing it in accordance with Section 94 of the *Community Charter*.
- 6.2 Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

7. Notice of Special meetings

- 7.1 Except where notice of a special meeting is waived by unanimous vote of all council members under Section 127(4) of the *Community Charter* a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by:
- (a) posting a copy of the notice at each of the Public Notice Posting Places, and
 - (b) leaving one copy of the notice for each Council member in the Council member's mailbox at the Town Office.
- 7.2 The notice under subsection 7.1 must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

8. Electronic Meetings

- 8.1 Provided the conditions set out in subsection 128(2) of the *Community Charter* are met a regular meeting, special meeting or a council committee meeting may allow participation by visual and audio or audio electronic or other communication facilities if a member of Council or a Council Committee member is unable to attend in person.
- 8.2 Except for any part of the meeting that is closed to the public, there must be provision made for the public present at a meeting to hear, or watch and hear, the participation of the member who is unable to attend the meeting in person;



- 8.3 The member presiding at a regular or special meeting or council committee meeting cannot participate electronically; and
- 8.4 Not more than 2 members of council at any one time may participate at council, special or council committee meeting under section 8.1.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

- 9.1 Council must designate a Councillor to serve as the member responsible for acting in the place of the Mayor when the Mayor or the Deputy Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- 9.2 The Deputy Mayor must fulfill the responsibilities of the Mayor in his or her absence.
- 9.3 If both the Mayor and the Deputy Mayor are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- 9.4 The member chosen under section 9.3 has the same powers and duties as the Mayor in relation to the applicable matters.

PART 4 – COUNCIL PROCEEDINGS

10. Community Charter Provisions

- 10.1 Matters pertaining to Council proceedings are governed by the Community Charter including those provisions found in Division 3 of Part 4 [Open Meetings] and Division 2 of Part 5 [*Council Proceedings*].

11. Attendance of Public at Meetings

- 11.1 Except where the provisions of Section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- 11.2 Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* which requires Council to state:
- (a) the fact that the meeting or part is to be closed, and
 - (b) the basis under the applicable subsection of Section 90 on which the meeting or part is to be closed.
- 11.3 This section applies to all meetings of the bodies referred to in Section 93 of the *Community Charter*, including without limitation:
- (a) Committee of the Whole,
 - (b) standing and select committees,
 - (c) parcel tax review panel,
 - (d) board of variance,
 - (e) advisory bodies such as advisory planning commission
- 11.4 Despite section 11.1, the Mayor, the Deputy Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 21.8.



12. Minutes of meetings to be maintained and available to public

12.1 Minutes of the proceedings of Council must be

- (a) legibly recorded,
- (b) certified as correct by the Corporate Officer, and
- (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

12.2 Subject to subsection 11.3 and in accordance with Section 97(1)(b) of the *Community Charter* minutes of the proceedings of Council must be open for public inspection at Town Office during its regular office hours.

12.3 Subsection 12.2 does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter* and were closed to the public.

13. Calling meeting to order

13.1 As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order. However, where the Mayor is absent, the designated Deputy Mayor must take the Chair and call such meeting to order.

13.2 If a quorum of Council is present but the Mayor or the Deputy Mayor designated as the member responsible for acting in the place of the Mayor do not attend within 15 minutes of the scheduled time for a Council meeting:

- (a) the Corporate Officer must call to order the members present, and
- (b) the members present must choose a member to preside at the meeting.

14. Adjourning meeting where no quorum

14.1 If there is no quorum of Council present within 30 minutes of the scheduled time for a Council meeting, the Corporate Officer must

- (a) record the names of the members present, and those absent, and
- (b) adjourn the meeting until the next scheduled meeting.

15. Agenda

15.1 Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

15.2 The deadline for submissions by the public to the Corporate Officer of Items for inclusion on the Council meeting Agenda is no later than 4.30 p.m. on the Thursday prior to the meeting. This would include requests to appear before Council.

15.3 The Corporate Officer must make the agenda available to the members of Council and the public on the Friday afternoon prior to the meeting.

15.4 Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 17.



16. Order of Proceedings and Business

16.1 The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:

- (a) Call to Order;
- (b) Introduction of late items;
- (c) Approval of Agenda;
- (d) Adoption of minutes;
- (e) Business Arising and Unfinished Business;
- (f) Delegations and Representations;
- (g) Verbal Comment from the Public on a Subsequent Item on the Agenda;
- (h) Correspondence (Action and Information or Consent Items);
- (i) Council and Committee Reports;
- (j) Other Reports;
- (k) Staff Reports;
- (l) Bylaws;
- (m) New Business;
- (n) Mayor's Report;
- (o) Notices of Motion;
- (p) Question Period – limited to the business conducted at the meeting;
- (q) Adjournment.

16.2 Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

16.3 The following guidelines apply to the *Verbal Comment from Public on a Subsequent Agenda Item* for all Council Meetings, including all Council Committee Meetings:

- Maximum time allowed is fifteen minutes;
- A speaker is limited to a maximum of 3 minutes;
- A speaker may only speak once during the Public Input Period;
- A speaker must restrict their remarks to items that are listed on the open meeting agenda (excluding bylaws and matters which are or have been the subject of a Public Hearing); and
- A speaker must avoid personal references; insinuations; or make offensive, or disrespectful remarks about another person; and offensive language is not permitted.

16.4 The following guidelines apply to the *Question Period* for all Council Meetings, including all Council Committee Meetings:

- Maximum time of Question Period is fifteen minutes at the end of the meeting;
- Each person appearing before Council is limited to one question per person until all persons have had an opportunity, then if there is remaining time, a questioner who has already spoken can ask one additional question plus a follow-up question related to the answer;



- Questions must be truly questions and not statements of opinions and must be limited to the business conducted at the meeting. Questioners are not permitted to make a speech;
- Questions should stay within a time frame of 3 minutes, which includes time for a response from the Council;
- Questions will not be permitted on items on the agenda referred from a concluded Public Hearing;
- Those appearing before Council must state their full name and street address;
- Questions must be truly questions and not statements of opinions. Questioners are not permitted to make a speech or make derogatory remarks; and
- Those appearing before Council should direct their questions to the Mayor or Chair.

17. Late Items

- 17.1 An item of business not included on the Agenda must not be considered at a Council meeting unless Council approves introduction of the late item at the time allocated on the Agenda for such matters.
- 17.2 If the Council makes a resolution under section 17(1), information pertaining to late items must be distributed to the members.

18. Voting at meetings

- 18.1 The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
 - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:
"Those in favour." and then "Those opposed ";
 - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
 - (i) cross or leave the room,
 - (ii) make a noise or other disturbance, or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
 - (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
 - (e) the presiding member's decision about whether a question has been finally put is conclusive; and
 - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand at the Council meeting; and



- (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative;

19. Delegations

- 19.1 Notwithstanding section 15(2), the Council may, by resolution, allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application on a prescribed form has been received by the Corporate Officer by 12.00 p.m. on the day of the meeting. Each address must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of those members present.
- 19.2 Where written application has not been received by the Corporate Officer as prescribed in section 19(1) has not received application, an individual or delegation may address the meeting if approval by the unanimous vote of the members present is given.
- 19.3 Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
- 19.4 The Corporate Officer may schedule delegations to another Council meeting or

advisory body as deemed appropriate according to the subject matter of the delegation.
- 19.5 The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- 19.6 No more than two (2) delegations may be heard at a Regular Meeting of Council,

20. Points of Order

- 20.1 Without limiting the presiding member's duty under section 132(1) of the *Community Charter*, the presiding member must apply the correct procedure to a motion
 - (a) if the motion is contrary to the rules of procedure in this bylaw, and
 - (b) whether or not another Council member has raised a point of order in connection with the motion.
- 20.2 When the presiding member is required to decide a point of order
 - (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
 - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and
 - (c) the presiding member may reserve the decision until the next Council meeting.



21. Conduct and debate

- 21.1 A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- 21.2 Members must address the presiding member by that person's title of Mayor, Deputy Mayor, or Councillor.
- 21.3 Members must address other non-presiding members by the title Councillor.
- 21.4 No member must interrupt a member who is speaking except to raise a point of order.
- 21.5 If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- 21.6 Members who are called to order by the presiding member
- (a) must immediately stop speaking,
 - (b) may explain their position on the point of order, and
 - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
- 21.7 Members speaking at a Council meeting
- (a) must use respectful language,
 - (b) must not use offensive gestures or signs,
 - (c) must speak only in connection with the matter being debated,
 - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- 21.8 If a member does not adhere to subsection 21.7, the presiding member may order the member to leave the member's seat, and
- (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
 - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- 21.9 A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- 21.10 The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council, or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;



- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
- (d) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council.

22. Motions generally

- 22.1 Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- 22.2 A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- 22.3 A Council member may make only the following motions, when the Council is considering a question:
 - (a) to refer to committee;
 - (b) to amend;
 - (c) to lay on the table;
 - (d) to postpone indefinitely;
 - (e) to postpone to a certain time;
 - (f) to move the previous question;
 - (g) to adjourn.
- 22.4 A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- 22.5 Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

23. Motion to commit

- 23.1 Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

24. Motion for the main question

- 24.1 In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- 24.2 At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
 - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.



25. Amendments generally

- 25.1 A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- 25.2 An amendment may propose removing, substituting for, or adding to the words of an original motion.
- 25.3 The mover must reproduce a proposed amendment in writing if requested by the presiding member.
- 25.4 A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- 25.5 An amendment may be amended once only.
- 25.6 An amendment that has been negated by a vote of Council cannot be proposed again.
- 25.7 A Council member may propose an amendment to an adopted amendment.
- 25.8 The presiding member must put the main question and its amendments in the following order for the vote of Council:
- (a) a motion to amend a motion amending the main question;
 - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive;
 - (c) the main question.

26. Reconsideration Required by Mayor

- 26.1 Subject to subsection (5), a Council member may, at the request of the Mayor at the next Council meeting,
- (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- 26.2 A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- 26.3 Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- 26.4 A vote to reconsider must not be reconsidered.
- 26.5 Council may only reconsider a matter that has not
- (a) had the approval or assent of the electors and been adopted,
 - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter* where the mayor may require Council reconsideration of a matter,
 - (c) been acted on by an officer, employee, or agent of the Town.
- 26.6 The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.



26.7 A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or Section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

27. Privilege

27.1 In this section, a matter of privilege refers to any of the following motions:

- (a) fix the time to adjourn;
- (b) adjourn;
- (c) recess;
- (d) raise a question of privilege of the Council;
- (e) raise a question of privilege of a member of Council.

27.2 A matter of privilege must be immediately considered when it arises at a Council meeting.

27.3 For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

28. Reports from committees

28.1 Council may take any of the following actions in connection with a resolution it receives from the Committee of the Whole:

- (a) agree or disagree with the resolution;
- (b) amend the resolution;
- (c) refer the resolution back to the Committee of the Whole;
- (d) postpone its consideration of the resolution.

29. Adjournment

29.1 A Council may continue a Council meeting after 8.30 p.m. only by an affirmative vote of the Council members present.

29.2 A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.

29.3 Subsection (2) does not apply to either of the following motions:

- (a) a motion to adjourn to a specific day;
- (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 – BYLAWS

30. Copies of proposed bylaws to Council members

30.1 A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

31. Form of bylaws



31.1 A bylaw introduced at a Council meeting must:

- (a) be printed;
- (b) have a distinguishing name;
- (c) have a distinguishing number;
- (d) contain an introductory statement of purpose; and
- (e) be divided into sections;

32. Bylaws to be considered separately or jointly

32.1 Council must consider a proposed bylaw at a Council meeting either:

- (a) separately when directed by the presiding member or requested by another Council member, or
- (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

33. Reading and adopting bylaws

33.1 The presiding member of a Council meeting may

- (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
- (b) request a motion that the proposed bylaw or group of bylaws be read;

33.2 The readings of the bylaw may be given by stating its title and object.

33.3 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

33.4 Each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.

33.5 In accordance with section 135 of the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.

33.6 Despite section 135(3) of the *Community Charter*, and in accordance with section 890(9) of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

34. Bylaws must be signed

34.1 After a bylaw is adopted and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the Town's records for safekeeping after it has been properly executed.

PART 6 - COMMITTEE OF THE WHOLE

35. Going into Committee of the Whole

35.1 At any time during a council meeting, Council may by resolution go into Committee of the Whole.

35.2 In addition to subsection 32.1, a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider



but not to decide on matters of the Town's business, is a meeting of Committee of the Whole.

36. Notice for Committee of the Whole meetings

36.1 Subject to subsection (1) a notice of the day, hour and place of a Committee of the Whole meeting must be given at least 24 hours before the time of the meeting by:

- (a) posting a copy of the notice at the Public Notice Posting Places; and
- (b) leaving a copy of the notice for each Council member in the Council member's mailbox at Town Office.

36.2 Subsection 33.1 does not apply to a Committee of the Whole meeting that is called, in accordance with section 34, during a Council meeting for which public notice has been given under section 6 or 7.

37. Minutes of Committee of the Whole meetings to be maintained and available to public

37.1 Minutes of the proceedings of the Committee of the Whole must be

- (a) legibly recorded,
- (b) certified by the Corporate Officer,
- (c) signed by the member presiding at the meeting, and
- (d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

38. Presiding members at Committee of the Whole meetings and Quorum

38.1 In the absence of the Mayor, any Council member may preside in Committee of the Whole.

38.2 Where (1) applies, the members of Council attending a meeting of Committee of the Whole must appoint a presiding member for the Committee meeting.

38.3 The quorum of Committee of the Whole is the majority of Council members.

39. Points of order at meetings

39.1 The presiding member must preserve order at a Committee of the Whole meeting and, subject to an appeal to other members present, decide points of order that may arise.

40. Conduct and debate

36.1 The following rules apply to Committee of the Whole meetings:

- (a) a motion must be made and then seconded by another;
- (b) a motion for adjournment is not allowed;
- (c) a member may speak any number of times on the same question;
- (d) a member must not speak longer than a total of 10 minutes on any one question.



41. Voting at meetings

41.1 Votes at a Committee of the Whole meeting must be taken by a show of hands.

41.2 The presiding member must declare the results of voting.

42. Reports

42.1 Committee of the Whole may consider reports and bylaws only if

- (a) they are printed and the members each have a copy, or
- (b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.

42.2 A motion for the Committee of the Whole to rise and report to Council must be decided without debate.

42.3 The Corporate Officer must present the Committee of the Whole's reports to Council.

43. Rising without reporting

43.1 A motion made at a Committee of the Whole meeting to rise without reporting

- (a) is always in order and takes precedence over all other motions,
- (b) may be debated, and
- (c) may not be addressed more than once by any one member.

43.2 If a motion to rise without reporting is adopted by Committee of the Whole at a meeting constituted under section 38(1), the Council meeting must resume and proceed to the next order of business.

PART 7 – COMMITTEES**44. Duties of Standing Committees**

44.1 Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:

- (a) matters that are related to the general subject indicated by the name of the committee;
- (b) matters that are assigned by Council;
- (c) matters that are assigned by the Mayor.

44.2 Standing committees must report and make recommendations to Council at all of the following times:

- (a) in accordance with the schedule of the committee's meetings;
- (b) on matters that are assigned by Council or the Mayor,
 - (i) as required by Council or the Mayor, or
 - (ii) at the next Council meeting if the Council or Mayor does not specify a time.



45. Duties of Select Committees

45.1 Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.

45.2 Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

46. Schedule of Committee meetings

46.1 At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.

46.2 The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

47. Notice of Committee meetings

47.1 Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:

(a) posting a copy of the schedule at the Public Notice Posting Places; and

(b) providing a copy of the schedule to each member of the committee.

47.2 Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.

47.3 The chair of a committee must cause a notice of the day, time and place of a meeting called under section 49(2) to be given to all members of the committee at least 12 hours before the time of the meeting.

48. Attendance at Committee meetings

48.1 Council members who are not members of a committee may attend the meetings of the committee.

49. Minutes of Committee meetings to be maintained and available to public

49.1 Minutes of the proceedings of a committee must be

(a) legibly recorded,

(b) certified by the Corporate Officer, and

(c) signed by the chair or member presiding at the meeting, and

(d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

50. Quorum

50.1 The quorum for a committee is a majority of all of its members.

51. Conduct and debate

51.1 The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.



51.2 Council members attending a meeting of a committee, of which they are not a member may participate in the discussion only with the permission of a majority of the committee members present.

52. Voting at meetings

52.1 Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 8 – GENERAL

53. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

54. This bylaw may not be amended or repealed and substituted unless Council first gives public notice in accordance with section 94 of the *Community Charter*.

55. Those upon adoption of the bylaw, Bylaw No. 931-2013 being the "Town of Lake Cowichan Procedure Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 22nd of May, 2018.

READ A SECOND TIME on the 22nd of May, 2018.

READ A THIRD TIME on the 24th day of July, 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

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Council Procedure Bylaw No. 1006-2018" as adopted on the th day of ,2018.



TOWN OF LAKE COWICHAN

**Bylaw No. 1007-2018
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 rezone land comprising Remainder Lot A District Lot 13 Cowichan Lake District Plan VIP64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404 and VIP88405, from "R-1-A Single Family Residential Zone to a newly created "R-1—B Single Family and Duplex Residential Zone" 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.1007-2018".

2. AMENDMENTS

- 1) Schedule "A" to Zoning Bylaw No. 935-2013 is amended by rezoning a property described as Remainder Lot A District Lot 13 Cowichan Lake District Plan VIP64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404 and VIP88405 from "R-1-A Single Family Residential Zone to "R-1—B Single Family and Duplex Residential Zone", which is outlined in bold black ink and identified on Schedule "A" to this Bylaw.
- 2) Part V "Regulations for Each Zone, Zoning Categories" is amended with the addition of text and a concept plan comprising Section 5.3 "R-1—B Single Family and Duplex Residential Zone", as follows:

5.3 R-1 –B SINGLE FAMILY AND DUPLEX RESIDENTIAL ZONE

.1 Intent

The intent of the R-1-B -- Single Family and Duplex Residential Zone is to provide for single family dwellings, side by side duplexes and bed and breakfast facilities in a medium density environment.

.2 Permitted Uses

	Principal Use	Minimum Lot Size
(a)	Single family dwelling	350 m ²
(b)	Side by side duplex	600 m ²

	Accessory Use
(i)	Home-based business, accessory to principal use in (a);
	<u>OR</u>
(ii)	Bed and Breakfast, accessory to principal use in (a)

.3 Conditions of Use

.1 Dimensional and Coverage Standards

	Dimensions and Coverage	Principal building	All other buildings and structures
(a)	Maximum height (In metres)	9	7.5
(b)	Maximum lot coverage (as a %)	45	

.2 Minimum building setbacks

Use / Structure	Front Lot Line	Rear Lot Line	Exterior Side Lot Line	Interior Side Lot Line
(a) Single unit residential, structures and accessory buildings (In metres)	6.0 to garage face; 4.5 to front face of dwelling	4.5	1.5	1.5

- .3 The garage face shall in all cases be set back a minimum of 1.5 metres further than the home face.
- .4 Except in the case where a parcel of land abuts a street either in the side or in the rear, accessory buildings of a size less than 10 metres square shall be permitted a setback clearance of 0.6 metres for the interior side and rear.
- .5 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 R-1--B lot, provided the following
 - (i) A minimum distance of 3 (three) meters 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.
- .6 For the parcel of land with the legal description of Remainder Lot A District Lot 13 Cowichan Lake District Plan VIP64669, Except Part in Plans VIP66922, VIP68015, VIP72607, VIP78144, VIP88404, and VIP88405, and physically located on Point Ideal Drive, development shall be in accordance with the Concept Plan in Schedule 'B' to this Bylaw and titled as 'Schedule E' to Zoning Bylaw No. 935-2013 and shall provide the following amenities:
 - (i) A minimum 2.5 ha of public park land dedication, including a playground, walking trails and protected areas;
 - (ii) Public walking trails connecting to existing parks, adjacent neighbourhood, playground and viewpoint;
 - (iii) Environmental protection area; and
 - (iv) Protected riparian area.

3) All subsequent bylaw section numbers, beginning with Suburban Residential shall be renumbered consecutively.

- 4) Part IV Land Use Categories and Regulations is amended with the addition of the R-1-B Zone name and map symbol in the Residential Zone Category as shown below:

NAME OF ZONE	ZONE CATEGORY	MAP SYMBOL
RESIDENTIAL ZONES		
Single Family and Duplex Residential		R-1-B

3. FORCE AND EFFECT

That upon adoption of this bylaw, Bylaw No. 1007-2018, the Town of Lake Cowichan Zoning Bylaw No. 935-2013 shall hereby be amended and take effect.

READ A FIRST TIME on the 28th day of July, 2018.

READ A SECOND TIME on the 28th day of July, 2018.

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

READ A THIRD TIME on the 30th day of _____, 2018.

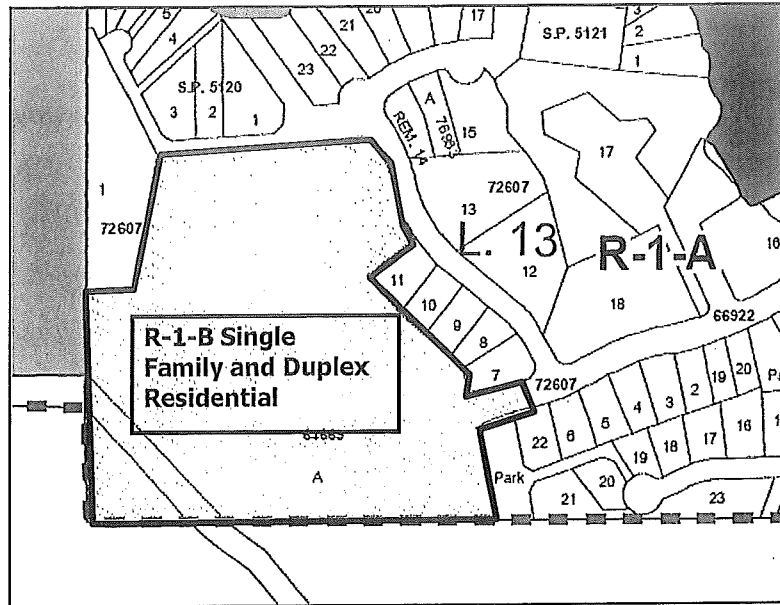
RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ___th day of _____, 2018.

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

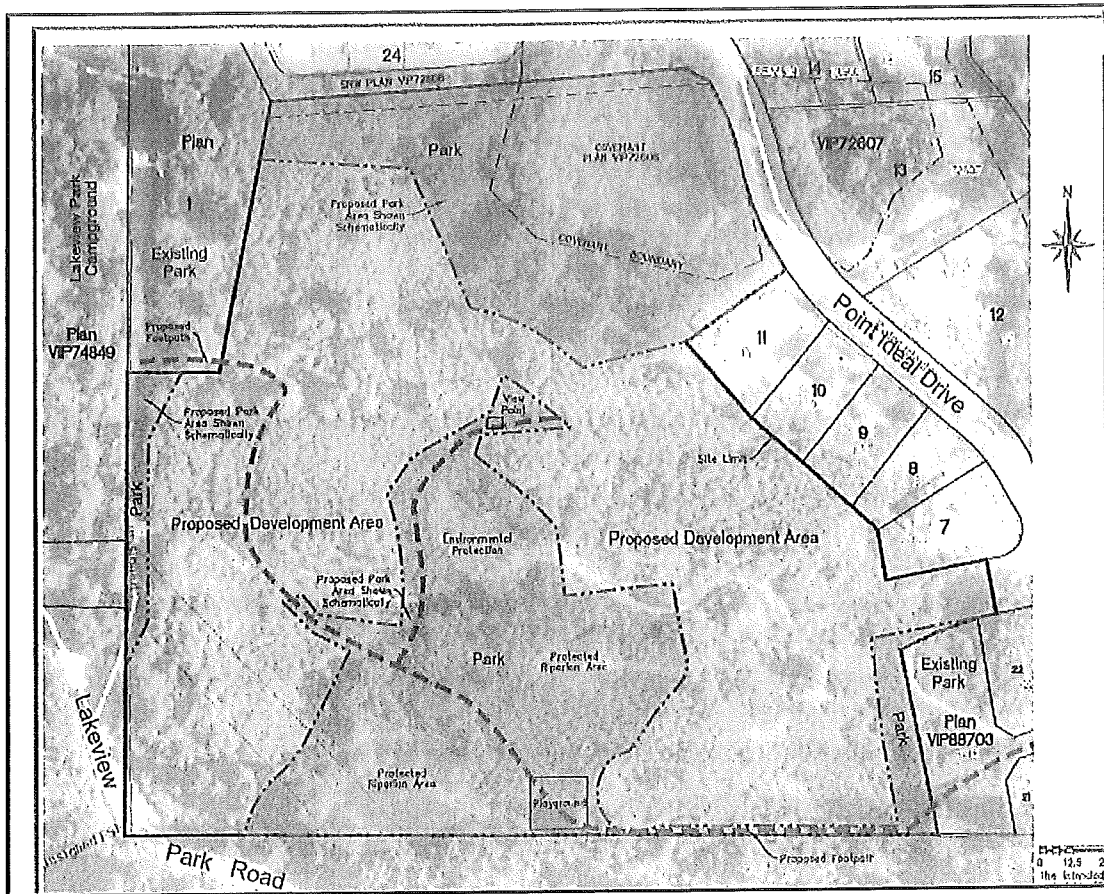
Schedule A –Zone Map Amendment

Attached to and forming Bylaw No. 1007-2018



**Schedule B –Concept Plan for Remainder Lot A District Lot 13
Cowichan Lake District Plan VIP64669, Except Part in Plans
VIP66922, VIP68015, VIP72607, VIP78144, VIP88404, and
VIP88405**

Attached to and forming Bylaw No. 1007-2018



TOWN OF LAKE COWICHAN COLUMBARIUM BYLAW NO. 1008-2018

A Bylaw to operate and maintain the Town of Lake Cowichan Columbarium Facility

WHEREAS the *Cremation, Interment and Funeral Services Act* states that Council may establish a bylaw to regulate, maintain, and operate municipal cemeteries and columbaria;

AND WHEREAS the *Cremation, Interment and Funeral Services Act* states that Council may, by bylaw establish an area to be used in perpetuity as a municipal cemetery and columbarium;

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 Columbarium Bylaw No. 1008-2018".

2. DEFINITIONS

- a) "AUTHORIZED PERSON" means the person appointed by the Chief Administrative Officer to carry out any act or function under this Bylaw;
- b) "CARE FACILITY" means an assisted living facility or community care facility as defined by the Community Care and Assisted Living Act, as may be amended from time to time;
- c) "CARE FUND" means "care fund" as defined in the Act and specifically for the Cemeteries operated by the Town of Lake Cowichan;
- d) "LOT" means a discrete space used, or intended to be used in a Cemetery, for the Interment of Cremated Remains and includes a *Niche*; and
- e) "NICHE" means one designated space in the columbarium.

3. ESTABLISHMENT OF CEMETERY

- a) The land described below is set aside in perpetuity for the Municipal Cemetery:
Lot A Plan VIP 16660, Renfrew District

4. ESTABLISHMENT OF BOARD OF TRUSTEES

- a) The Council of the Town of Lake Cowichan shall serve as the Board of Trustees for the Cemetery.

5. ESTABLISHMENT OF CEMETERY CARE FUND

- a) The Council of the Town of Lake Cowichan in its role as the Board of Trustees shall establish a care fund for the care and maintenance of the cemetery pursuant to the *Cremation, Interment and Funeral Services Act*, as may be amended from time to time.
- b) All specified fees and charges for the Cemetery Care Fund will be held by the municipality and invested in accordance with the *Cremation, Interment and Funeral Services Act*, as may be amended from time to time, and the regulations under the Act as they apply to Municipal Cemetery Care funds.
- c) The interest and dividend income earned by the Cemetery Care Fund will only be used for the purpose of paying liabilities of the municipality arising out of the care and maintenance services provided by any person for the cemetery.



- d) The Financial Officer for the Corporation shall be responsible to ensure
 - i. that funds are collected and deposited as prescribed by the Act;
 - ii. that accounting records identify balances pertaining to each Cemetery;
 - iii. any investment of monies in the Care Fund is permitted under the Act; and
 - iv. that the Care Fund is, at all times, maintained in accordance with the Act.

6. ORGANIZATION, OPERATION AND MANAGEMENT OF CEMETERY

- a) The Authorized Person will be responsible for the following:
 - i) maintaining all records and files of the cemetery necessary for the administration and management of the cemetery as required under this Bylaw and the *Cremation, Interment, and funeral Services Act*, as may be amended from time to time;
 - ii) reviewing and issuing Interment Permits and Exhumation Permits;
 - iii) upon issuing any Interment Permit or upon receiving authorization for exhumation from the proper authorities and issuing any Exhumation Permit, confirming and notifying Municipal Public Works employees of the time of the intended interment or exhumation, the name of the deceased, the number and location of the niche and any instructions of the Medical Health Officer, relative to the interment or exhumation; and
 - iv) maintaining an accounting of all monies received and expended under this Bylaw.
- b) The following duties and responsibilities will be performed by the Town of Lake Cowichan:
 - i) opening and sealing niches;
 - ii) directing all funerals in the cemetery to the correct columbarium niche;
 - iii) installing memorials on niches and constructing foundations and bases; and
 - iv) maintaining the cemetery in a neat and tidy condition, including maintaining fences, gates, paths, and other improvements.

7. FEES AND CHARGES

- a) The fees for niches, interment, exhumation, and all other applicable are set out in Schedule B of this Bylaw.

8. SALE OF NICHES

- a) Upon receipt of the applicable fees and charges, the Authorized person may sell an unsold niche and must issue an Interment Permit when the applicant completes the form in Schedule A' Interment and Exhumation Permit' of this Bylaw.
- b) A Interment Permit Holder for a niche which has not yet been used may return the niche to the Town of Lake Cowichan for the amount the Interment Permit Holder paid for the niche, less any perpetual care reserve fund fees paid, and the Interment Permit may then be sold to another person.

9. TRANSFER OF NICHES

- a) The Interment Permit Holder for a niche, which has not been used, may transfer the niche to another person, upon providing the Authorized Person the following:
 - i) full name and address to whom the Interment Permit is being transferred;
 - ii) the applicable perpetual care reserve fund contribution; and
 - iii) the Interment Permit issued for the niche space.

- b) Once the Authorized Person receives the necessary information and fees as described in Section 9 a) of this Bylaw, the Authorized person must cancel the original Interment Permit and issue a revised Interment Permit in the name of the transferee and record the transfer in the records of the cemetery.

10. PERMIT TO INTER

- a) No human cremated remains will be interred in the cemetery until an Interment Permit is obtained from the Town of Lake Cowichan and the applicable interment fees and charges are paid.
- b) All applications for an Interment Permit must be made to the authorized person at least two working days prior to the time of interment and must be made at the Municipal Office during regular municipal office hours.
- c) Any person making an application for an Interment Permit must complete Schedule A 'Interment Permit and Exhumation Permit' of this Bylaw.
- d) Upon the Authorized Person receiving a complete Schedule A and the applicable fees and charges being paid, the authorized Person may issue an Interment Permit.

11. PERMIT TO EXHUME

- a) No human cremated remains will be disinterred from the Cemetery unless:
 - i) the Authorized Person receives a written request to do so from the person who has the right to control the disposition of the cremated remains under the *Cremation Interment and Funeral Services Act*, as may be amended from time to time, and all applicable fees and charges are paid; and
 - ii) the Authorized Person issues an Exhumation Permit;
- b) The Town of Lake Cowichan is not responsible for damage to any urn or container sustained during exhumation.

12. INTERMENT

- a) No person may dispose of cremated remains within the boundaries of the municipality except in accordance with this Bylaw.
- b) No cremated remains of a deceased human body may be interred in the Cemetery and all interments shall be subject to and comply with this Bylaw.
- c) No Cemetery Interment Permit holder shall permit an interment to be made in a niche unless such interment is made pursuant to this Bylaw.
- d) No person shall inter any cremated remains in the Cemetery except between the hours of 8:00 a.m. and 4:00 p.m., Monday to Saturday, excluding Statutory Holidays, unless previous special arrangements have made with the Authorized Person.
- e) No person shall open a niche except authorized municipal employees.

13. COLUMBARIUM

- a) Each interment must be done in a niche in the columbarium in the cemetery.
- b) An urn to be placed in a niche must be made of metal, plastic, stone, porcelain, or wood and manufactured for the express purpose of containing cremated remains.
- c) All memorial plaques are supplied by the Town of Lake Cowichan and engraving is the responsibility of the Interment Permit holder.
- d) All memorials for niches must be installed by municipal employees once all associated fees and charges are paid.
- e) Each niche may contain the following:
 - i) one urn with maximum dimensions of 26.7 cm wide and 26.7 cm high x 30.0 cm



- deep; and
- ii) two urns with individual maximum dimensions of 26.7 cm wide x 13.2 cm high and a combined 30.0 cm deep.

14. GENERAL

- a) No person may disturb persons assembled for a memorial service or visit.
- b) No person shall play any game or sport in the cemetery, unless authorized by the operator.
- c) No person shall discharge firearms in the cemetery, unless at a military funeral.
- d) No person shall drive a motorized device of any kind over any lawns, gardens or flower beds in the cemetery, unless authorized by the operator.
- e) No person shall deposit any trash or other waste in the cemetery.
- f) No person is allowed in the cemetery outside of the normal operating hours of 7:00 a.m. to 9:00 p.m. every day of the week.

15. REPEAL

That upon adoption of this bylaw, Bylaw 991-2017, being the "Town of Lake Cowichan Cemetery Bylaw No. 991-2017" shall hereby be repealed.

READ A FIRST TIME on the ____ day of ____, 2018.

READ A SECOND TIME on the ____ day of ____, 2018.

AMENDED AND READ A THIRD TIME on the ____th day of ____, 2018.

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

Ross Forrest
Mayor

Joseph A. Fernandez
Corporate Officer

Schedule A

Interment Permit and Exhumation Permit

This Purchase Agreement is entered into between the Town of Lake Cowichan and the undersigned Purchaser, also known as the Interment Rights Holder, named herein;

Interment Rights Holder Information:

Last Name: _____
 First Name: _____
 Street Address: _____
 Street Address (2): _____
 City: _____
 Province: _____
 Postal Code: _____
 Phone: _____

Date: _____

Particulars:

Interment of cremated remains
 Exhumation of cremated remains
 Date of Interment or Exhumation: _____
 Location of Interment: Lot # _____

Fees as per Schedule B

Niche, inclusive of memorial plaque	\$
Care fund	\$
GST	\$
Total Paid	\$

Deceased Information:

Last Name: _____
 First Name: _____
 Street Address: _____
 Street Address (2): _____
 City: _____
 Province: _____
 Postal Code: _____
 Date of Birth: _____
 Date of Death: _____

Next of Kin Information:

Last Name: _____
 First Name: _____
 Street Address: _____
 Street Address (2): _____
 City: _____
 Province: _____
 Postal Code: _____
 Phone: _____

Death Certificate received

Payment Terms: For goods and services listed, payment in full is required at the time of entering into this agreement.

Payment method: Cash or Debit Cheque

In witness whereof, the parties executed this agreement on the ____ day of _____, 20__.

 Interment Rights Holder

 Relationship to the Deceased



Schedule B

Fees

Right of Interment	Right of Interment (\$)	Care Fund (\$)	Total Cost (\$)
Niche – top row	1,467	163	1,630
Niche	1,287	143	1,430
Cemetery Services	Preparation & Close		
Open and close niche wall	400	n/a	400
Exhume/disinter cremated remains	400	n/a	400
Memorial Installations	Installation		
Niche wall engraving	200	10	210
Removal & reinstallation	60	n/a	60
Other Fees (In Addition to Fees Above)			
Right of interment transfer or surrender	50	n/a	50
Niche wall installations after hours or late arrival fees – per quarter hour	15	n/a	15
Taxes will be added to all fees as applicable. Fees in effect as of August 2018			



