



TOWN OF LAKE COWICHAN

Regular Meeting of Council

Tuesday, June 25th, 2019 at 6:00 p.m. – Council Chambers

1. **AGENDA**

1. **CALL TO ORDER**

Page #

INTRODUCTION OF LATE ITEMS (if applicable)

2. **APPROVAL OF AGENDA**

3. **ADOPTION OF MINUTES**

- (a) Minutes of the Public Hearing held on May 28th, 2019.
- (b) Minutes of the Regular Meeting of Council held on May 28th, 2019.
- (c) Minutes of the Annual Public Meeting held on June 18th, 2019.

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4. **BUSINESS ARISING AND UNFINISHED BUSINESS**

None.

5. **DELEGATIONS AND REPRESENTATIONS**

- (a) Satdev Gill, 2030 INVESTMENTS LTD. INC. NO. 288620 re: Request for Council reconsideration of Motion R.069/19 that– requires remedial action on premises at 220 MacDonald Road, Lake Cowichan, BC.

6. **VERBAL COMMENT FROM THE PUBLIC ON A SUBSEQUENT ITEM ON THE AGENDA** – (maximum 3 minutes per speaker and maximum time allotted 15 minutes)

7. **CORRESPONDENCE**

- (a) **Action Items**
 - (i) None.
- (b) **Information or Consent Items-** (a member may ask that an item be dealt with separately)
 - (i) None.

8. **REPORTS**

(a) **Council and Committee Reports**

- (i) Finance & Administration Councillor McGonigle
 - June 11th, 2019.
- (ii) Public Works & Environmental Services Councillor Vomacka
 - June 18th, 2019.
- (iii) Parks, Recreation & Culture Councillor Austin
 - June 18th, 2019.
- (iv) Cowichan Lake Recreation Commission Mayor Peters
- (v) V.I.R.L. Councillor Vomacka

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TOWN OF LAKE COWICHAN
Minutes of a Public Hearing held on
Tuesday, May 28th, 2019



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

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

PUBLIC: 11

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

1. OPENING REMARKS

- (a) The Mayor explained the process for the public hearing. The purpose of the hearing was to give the public the opportunity to provide input on the proposed Town of Lake Cowichan Official Community Plan Bylaw No. 1022-2019.

The Mayor established the rules of conduct for the conduct of the hearing. Mayor Peters asked if there were questions on the process he had laid out for the public hearing. He added that the input should be strictly on the bylaw that is the subject of the public hearing.

Hearing none, Mayor Peters then called on the Chief Administrative Officer to introduce the bylaw.

2. BYLAW NO. 1022-2019

- (a) The Chief Administrative Officer advised that the Zoning Amendment Bylaw No. 1022-2019 has been given 1st and 2nd readings by Council on April 23rd, 2019.

The Chief Administrative Officer further advised the following:

The public notices as required under the Local Government Act had been issued and all statutory requirements have been met. One written submission had been received by the public as of the close of the business day.

The public has had the opportunity to review documentation relating to the bylaw amendments, in the meantime.

The Town Contract Planner gave a presentation on Bylaw 1022-2019 Official Community Plan highlighting the following:

- Population Increases;
- The addition of housing images to address density;
- A new section to honor the Lake Cowichan First Nation;

- A new section for the Cowichan Valley Regional Collaboration Framework;
- An additional land use inset for clarity;
- A new Wildfire map will be added at a later date;
- The addition of the Downtown/Uptown areas;
- Reduced Development Areas due to steep slopes/ecological reasons;
- Economic Development has been added;
- Expanded section on Affordable Housing;
- Increased community engagement thanks to the Advisory Planning Commission;
- 3 Working Groups were created Built Environment, Social Environment and Natural Environment; and
- 2 Public Open Houses were held.

Council was advised it may after the adjournment of the public hearing proceed to adopt Bylaw 1022-2019 which will effectively amend the Official Community Plan.

- (b)** The Mayor called for public input. Nigel Gray of MacDonald Gray Consulting representing Steven Yu, Block 200 submitted their concerns in writing. Nigel Gray also made a presentation on what Mr. Yu's plans are for the property. The proposed plan is to create a modular retirement community with the possibility of recreational vehicle spaces. They would like to see some of the wording changed in the new bylaw to avoid amendments at a later date.

Councillor McGonigle asked if it would be strata?

Nigel Gray responded that it didn't have to be strata.

Councillor Vomacka asked if residents leave 9 months of the year, would the sites be rented out?

Nigel Gray responded that RV's can be stored at the site.

Brent Clancy, President, Lake Cowichan Chamber of Commerce stated that the proposed development would be beneficial to the Community if done properly. He feels the Chamber of Commerce would support him.

Matt Kercher asked if it would be entirely lease/rental or would it be partial ownership.

Nigel Gray responded it could be both RV space rentals and residential use.

Matt Kercher asked if he had percentages for RV space vs. rental?

Councillor McGonigle thanked the APC and the 3 working groups for their work on the Official Community Plan.

- (c)** The Mayor issued a call for public input, a second time. No input was received.

The Mayor issued a third call for public input. No input was received.

Mayor Peters stated that no more submissions would be

accepted after the meeting and that the bylaw would be referred to the regular meeting following the public hearing.

4. ADJOURNMENT

Mayor Peters declared the public hearing for the proposed Bylaw No. 1022-2019 closed and advised that the bylaw would be returned to Council for further consideration (6:30pm.).

Certified correct _____.

Confirmed on the _____ day of _____, 2019.

Mayor



TOWN OF LAKE COWICHAN
Minutes of a Regular meeting of Council
Tuesday, May 28th, 2019

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

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

PUBLIC: 8

1. CALL TO ORDER

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

2. AGENDA

No. R.0061/19

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

CORRESPONDENCE:

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

IN CAMERA:

s.90(1)(e) Land Matters

CARRIED.

3. ADOPTION OF MINUTES

No. R.0062/19

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

CARRIED.

No. R.0063/19

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

CARRIED.

No. R.0064/19

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

CARRIED.

4. BUSINESS ARISING AND UNFINISHED BUSINESS

None.

5. DELEGATIONS AND REPRESENTATIONS

None.

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

7. CORRESPONDENCE

(a) Action Items

No. R.0065/19

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

CARRIED.

(b) Information or Consent Items

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

8. REPORTS

(a) Council and other Committee Reports

No. R.0066/19
Finance and
Administration

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

1-Fire Department March Incident Report

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

2-Animal Control Services Contract

that the Animal Control Services Contract be approved.

CARRIED.

No. R.0067/19

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

1-Greendale Road Sewer Main

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

CARRIED.

No. R.0068/19

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

1-Pickleball Shed

that the Lake Cowichan Pickleball Club be allowed to place a

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

CARRIED.

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

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

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

(c) **Staff Reports**

No. R.0069/19

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

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

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

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

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

1. that Council hereby considers that the building or buildings and the property located at 220 Macdonald Road, Lake Cowichan, BC are in a hazardous and unsafe condition, within the meaning of Section 73(2)(b) of the Community Charter in that it contravenes the building regulations for British Columbia and the Town of Lake Cowichan Building Bylaw No. 998-2017 (the Building

Bylaw) and the Town of Lake Cowichan Fire Protection Bylaw 865-2009 ;

- 2. that Council hereby considers that the buildings on the Property are in and create an unsafe condition within the meaning of Section 73(2)(a) of the Community Charter, as a result of the buildings being vacant and unsecure, the buildings continuing to deteriorate and/or the building contravening the Building Bylaw;
- 3. that Council hereby declares that the buildings on the Property are a nuisance, within the meaning of Section 74(2) of the Community Charter, as Council considers the buildings on the Properties to be so dilapidated as to be offensive to the community;
- 4. that Council hereby declares that the buildings on the Property are nuisances, within the meaning of Section 74(2) of the Community Charter, as Council has received community complaints about the unsightliness of the Properties;
- 5. that Council hereby requires pursuant to its remedial action powers under Part 3, Division 12 of the Community Charter that the Owner:
 - (a) demolish the buildings on the Property and remove all remnants of the demolished buildings no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Charter has been sent by the Town to the Owner;
 - (b) erect a strongly constructed fence at least 1.5 meters tall around the area where the building was formerly located immediately after the building is demolished and removed and maintain the fence until the requirement in s. 5(c) of this resolution has been complied with; and
 - (c) fill in and level any hole created by the removal of the building no later than thirty (30) days after notice of this remedial action requirement under s. 77 of the Community Charter has been sent by the Town to the Owner;
- 6. and that the Town advise the Owner that he may request that Council reconsider the Remedial Action Requirement by providing the Town written notice within 21 days of the date on which notice under s. 77 of the Community Charter was sent and that if any or all of the actions required by the Remedial Action Requirement is not completed by the date specified for compliance, the Town may take action in accordance with section 17 of the Community Charter and undertake any or all of the actions required by the Remedial Action requirement without further notice to and at the expense of the Owner.

CARRIED.

9. BYLAWS

No. R.0070/19

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

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

CARRIED.

No. R.0071/19

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

CARRIED.

10. NEW BUSINESS

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

11. MAYOR'S REPORT

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

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

12. NOTICES OF MOTION

13. QUESTION PERIOD

14. IN CAMERA

No. R.0072/19

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

15. ADJOURNMENT

No. R.0073/19

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

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2019.

Mayor

TOWN OF LAKE COWICHAN

Minutes of the Annual Public Meeting held on
Tuesday, June 18th, 2019



PRESENT: Councillor Tim McGonigle, Deputy Mayor
Councillor Carolyne Austin
Councillor Kristine Sandhu
Councillor Lorna Vomacka

REGRETS: Mayor Rod Peters
(with prior notice)

STAFF: Joseph A. Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Dalton Smith, Manager, Cowichan Lake Education Centre
Roni-Lee Roach, Executive Secretary

PUBLIC: 6

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

1. ANNUAL REPORT

Deputy Mayor McGonigle welcomed all those in attendance to the meeting.

2. INPUT FROM MAYOR AND COUNCIL

Deputy Mayor McGonigle noted that the property tax revenues reflects 84% residential base, 14% Commercial, and 2% Industrial.

The Chief Administrative Officer reported that the most monies were dispersed in 2018 than previous years as works had been undertaken on the water treatment plant, for the water main and upgrades. He reported also updates to the Official Community Plan were undertaken. He stated that 2018 was an excellent year financially.

Councillor McGonigle stated that in his 7th term of office he was most proud of the Town being able to supply safe drinking water to its residents.

3. INPUT FROM COUNCIL

Councillor Austin conveyed her thanks to office staff, public works and Education Centre staff for all their hard work and complimented the Fire Department on its training and recent works on the Fire Smart programme.

Councillor Sandhu spoke briefly and thanked staff and previous Councils for the Town being in a great financial position.

4. QUESTIONS FROM THE PUBLIC

Cara Smith thanks Council and staff for its dedication and hard work.

Matthew Kercher spoke on the accessibility of public meetings and reiterated the need to stream all meetings of

Council.

Lexi Baines, reporter, shared her opinion that when the council chamber table had been rearranged, it became easier for the public to hear Council, which was an improvement to the meeting format.

Cara Smith asked where the public could review the 2018 Annual Report. The report is available on the Town's website under the Finance tab.

Cara further spoke on the matter of irrigation on Town properties and parklands.

Cliff Sutjens stated that he has lived in the community for 11 years and has seen a great deal of changes in the community and felt that most changes were positive. There has been little impact on taxation or fees. He shared a concern that some properties are an eyesore. Deputy Mayor McGonigle advised that a process must be followed to address unsightly and derelict properties.

5. ADJOURNMENT

With there being no further input, Deputy Mayor McGonigle declared the meeting adjourned at 6:19 pm.

Certified correct _____.

Confirmed on the _____ day of _____, 2019.

Mayor



TOWN OF LAKE COWICHAN

Minutes of Finance & Administration Committee

Tuesday, June 11th, 2019

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

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

PUBLIC: 3

No. FA.0027/19

1. CALL TO ORDER

The Chair called the meeting to order at 6:02 p.m.

2. AGENDA

Moved: Councillor Sandhu

Seconded: Mayor Peters

that the agenda be approved with the following additions:

In Camera

90(1) c, e, k; and

Correspondence

(c) Roger Chin, Cowichan Pride re: Raising of the Pride Flag in Lake Cowichan.

CARRIED.

3. BUSINESS ARISING AND UNFINISHED BUSINESS

Ongoing Items Still Being Addressed:

- (a) Staff is currently awaiting tender packages for the roof of the Municipal Office.

4. DELEGATIONS AND REPRESENTATIONS

None.

5. CORRESPONDENCE

- (a) The letter from Amy Melmock, Manager, Economic Development Cowichan regarding the new proposed bypass route was treated as information.

- (b) Staff will respond to the letter from Nadine Reeves stating the reasons for the use of the fire siren.

- (c) The letter from Peter Ronald, Programs Officer, UBCM regarding the completion of the FireSmart program was treated as information.

- (d) The letter from Inder Litt, President, License Inspectors' and Bylaw Officers' Association of BC regarding the local government dangerous dog appeal was treated as information.

No. FA.0028/19

- (e) Moved: Councillor Vomacka

Seconded: Mayor Peters

that the Pride Flag be flown at the Town office for the remainder of the month of June.

CARRIED.

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

None.

7. REPORTS

- (a) The Financial Report for the period ending May 31st, 2019 was treated as information.
- (b) The Building Inspector's Service Report for May, 2019 was treated as information.

No. FA.0029/19

- (c) Moved: Councillor Austin
Seconded: Councillor Vomacka
that the Committee recommend approval of the Lake Cowichan Fire Department's incident report for April 2019 in the total amount of \$11,169.92

CARRIED.

- (d) The Bylaw Officers Report for May was treated as information.

No. FA.0030/19

- (e) Moved: Councillor Sandhu
Seconded: Mayor Peters
that the committee recommend that a liability under Section 175 of the Community Charter be authorized to finance the balance of the funds required to acquire the fire pumper truck in the amount of \$225,000 with the short-term borrowing to be incurred through the MFA, Municipal Finance Authority.

CARRIED.

No. FA.0031/19

- (f) Moved: Councillor Sandu
Seconded: Councillor Austin
that the committee recommend approval of the Climate Action Revenue Program (CARIP) Public Report for 2018.

CARRIED.

8. NEW BUSINESS

No. FA.0032/19

- (a) Moved: Mayor Peters
Seconded: Councillor Sandhu
that the committee recommend approval of the request made on behalf of Neiser Sales, Service and Rentals Ltd. by Jim and Janice Neiser for Lot 1, Plan 33108 (8079 Neiser Road) to be included within boundaries of the Town of Lake Cowichan.

CARRIED.

No. FA.0033/19

- (b) Moved: Councillor Vomacka
Seconded: Councillor Austin
that a recommendation that a stipulation for the remainder of the lease with the Chamber of Commerce be made stating that the mobile unit may only be parked behind the covered area at Saywell Park be approved.

CARRIED.

- (c) Realtor Don McClintock is to attend the Regular Meeting of Council on June 25th, 2019 to present a proposal for the purchase of the two properties at 220 MacDonald Road.

9. NOTICES OF MOTION

None.

- No. FA.0034/19 **10. PUBLIC RELATIONS ITEMS**
- (a) Moved: Councillor McGonigle
 Seconded: Councillor Sandhu
 that a letter be sent to the Ministry of Health and the Premier requesting that special consideration be made in funding the treatment of Charleigh Fales.
- CARRIED.
- The Kinsmen/Kinettes are hosting a beef dip and silent auction fundraiser for Charleigh Fales on June 20th, 2019.
- Thanks were expressed to the 100 Lakers Women for their donation of \$3600 through the Kin Clubs for Charleigh Fales
- (b) The Kin Clubs and volunteers of Lake Cowichan were thanked for another successful Lake Day' event.
- (c) Mayor Peters and Councillor Vomacka recently attended the Federation of Canadian Municipalities in Quebec City.
- (d) Canada Day celebrations will be held July 1st, 2019 at the Town Square. There will be music, cake, games and artists.

11. MEDIA/PUBLIC QUESTION PERIOD

- No. FA.0035/19 **12. IN CAMERA**
- Moved: Councillor Vomacka
 Seconded: Mayor Peters
 that Council close the meeting to the public to deal with issues relating to labor relations or other employee relations, to the acquisition, disposition or expropriation of land or improvements and negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages under Sections 90(1) (c), 90(1)(e) and 90(1) (k) of the Community Charter respectively (7.25 p.m.)
- CARRIED.

- No. FA.0036/19 **13.** Moved: Councillor
 Seconded: Councillor
 that the meeting be adjourned. (7: p.m.)
- CARRIED.

Certified correct _____ .

Confirmed on the _____ day of _____, 2019.

Chair



TOWN OF LAKE COWICHAN
Minutes of Public Works and Environmental Services Committee held on
Tuesday, June 18th, 2019

PRESENT: Councillor Lorna Vomacka, Chair
Councillor Carolyne Austin
Councillor Tim McGonigle
Councillor Kristine Sandhu

REGRETS: Mayor Rod Peters
(with prior notice)

STAFF: Joseph Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Dalton Smith, Manager, Cowichan Lake Education Centre (left meeting at 6:32 p.m.)
Roni-Lee Roach, Executive Secretary

PUBLIC: 13

1. **CALL TO ORDER**

The Chair called the meeting to order at 6:23 p.m.

2. **AGENDA**

No. PW.015/19
Agenda

Moved: Councillor McGonigle

Seconded: Councillor Sandhu

that the agenda be approved with the following additions under:

Business Arising

(c) 1 Hour parking;

Reports

(a) Memo from Chief Administrative Officer re: Pumps and Repair of Flash Valve for Sewer Lift Stations; and

New Business

(a) Chief Administrative Officer re: Syphon installation – Water Intake.

CARRIED.

3. **BUSINESS ARISING AND UNFINISHED BUSINESS**

(a)

(i) The Committee reviewed the correspondence item received from the engineer advised that all work has been completed on the Greendale Trestle project.

Councillor Vomacka shared a concern that a resident had been cut on the foot by bolts left behind from the project. The Chief Administrative Officer will bring forward the matter to the contractor.

(ii) The Committee reviewed a correspondence item received from the engineer on the Water Treatment Plant project. The Chief Administrative Officer advised that he would be discussing with representatives from Island Health and Stantec to discuss the ash treatment and follow up matters.

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

(i) The Manager advised the Committee that a meeting with Island Health would be on site at the Cowichan Lake Education Centre and indicated that the water system should be operational in a

few weeks.

- (ii) The Chief Administrative Officer reported that he was attempting to contact the contractor that did the original sign project and would report back.

Councillor Austin requested an update on the no left at Darnell Road. The Chief Administrative Officer advised that representatives of the Ministry of Transportation and Infrastructure would need to be consulted when they attend meetings in a few weeks.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

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

None.

7. REPORTS

No. PW.016/19
Sewer Lift
Stations -
Pumps

Moved: Councillor McGonigle
Seconded: Councillor Sandhu
that the Committee recommend approval of the purchase of pumps and repair of a flush valve for the sewage lift stations as follows:

New pump for Lift Station #4	\$28,000.00
New pump for Lift Station #2	5,804.16
New pump for Lift Station #1	12,500.00
Rebuilt pump for Lift Station #1	10,500.00
Repair of flush valve at Lift Station #2	502.89

for a total of \$57,307.05, exclusive of taxes.

CARRIED.

8. NEW BUSINESS

- (a) The Chief Administrative Officer spoke to the Committee on correspondences received from the Province and Catalyst Paper and reported that the Ministry had overlooked the concerns voiced by the previous Council. He spoke on the need to not have the pump station turned off for longer than a few hours

The Committee shared its concerns with impacting water quality, quantity and the resulting effect on the residents.

9. NOTICES OF MOTION

None.

10. PUBLIC RELATIONS ITEMS

- Lake Cowichan School Graduation Ceremony to be held June 22nd, 2019 from 12:30 pm to 2:00 pm;
- National Indigenous Peoples Day – June 21st, 2019;
- Thursday, June 20th is the beef dip fundraiser for "Charleigh's Journey" which is being hosted by the Kinsmen/Kinnettes of Lake Cowichan to raise funds for a local family;
- Annual Fire Department's baseball tournament held during the Father's Day weekend to raise monies for MS.

11. QUESTION PERIOD

12. ADJOURNMENT

No. PW.017/19
Adjournment

Moved: Councillor Austin
Seconded: Councillor McGonigle
that this meeting be adjourned. (6:46 p.m.)

CARRIED.

Certified correct _____.

Confirmed on the _____ day of _____, 2019.

Chair



TOWN OF LAKE COWICHAN

Minutes of Parks, Recreation and Culture Committee held on
Tuesday, June 18th, 2019

PRESENT: Councillor Carolyne Austin, Chair
Councillor Tim McGonigle
Councillor Kristine Sandhu
Councillor Lorna Vomacka

REGRETS: Mayor Rod Peters
(with prior notice)

STAFF: Joseph Fernandez, Chief Administrative Officer
Ronnie Gill, Director of Finance
Roni-Lee Roach, Executive Secretary

PUBLIC: 15

1. CALL TO ORDER

The Chair called the meeting to order at 6:50 p.m.

2. AGENDA

No. PR.0020/19

Moved: Councillor Sandhu
Seconded: Councillor McGonigle
that the agenda be approved with the addition of an item under
delegation that proposes to discuss improvements to Stone
Park.

CARRIED.

Councillor McGonigle declared that the Stone Park delegation
presenter is his grandson and he will listen to the presentation
but would not vote on any decision.

3.(a) BUSINESS ARISING AND UNFINISHED BUSINESS

(i) Bob Day was on hand to update the Committee on the 75th
birthday celebration planned for the Town and thanked it for its
approval of \$8,000 of funding for the events planned.

Mr. Day further reported on the following:

- Working on the 75 days raffle which will garner \$10,000
and thanked the generous donors of goods and services
of approximately \$20,000;
- 99 participants were in attendance at the fishing derby
which it is hoped will be an annual event;
- Plans for August 16th through to 18th will be like a much
bigger Lake Days event with entertainment for family;
and
- Mosaic and Catalyst will be doing tours of the weir.

(b) Ongoing Items:

4. DELEGATIONS AND REPRESENTATIONS

(b) Korbyn McGonigle, Jake Kelly and Tyler Mykle, three local
youths from the 100 House area were in attendance to request
consideration for improvements to Stone Park. Korbyn stated
that the current hockey box is falling apart and is in need of
repairs and asked that it be returned to a usable state. He
asked if chain link fencing could be installed to safeguard the

playing area and perhaps a storage area could be installed to allow for storage of nets and equipment.

The Chair advised the delegates that the matter will be referred to the next meeting.

The Committee took a two (2) minute break.

- (a) Ken Traynor, Cowichan Lake and River Stewardship Society updated the Committee members on recent activities of the Society.

Mr. Traynor requested that consideration be given to the following:

- Signage for Gerald Thom Memorial Native Plant Garden;
- Expressed concern on ecoli from sediments downstream of weir during planned pumping of the lake;
- Participation of the Town in the "Weir Ready" information campaign; and
- Removal of invasive species and especially the Japanese knotweed at Lakeview Park campground.

The Chair advised the delegates that the matter will be referred to the next meeting.

5. CORRESPONDENCE

- (a) The correspondence item received from Deborah Apps, Trans Canada Trail Foundation regarding financial support for the trail was treated as information.

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

None.

7. REPORTS

None.

8. NEW BUSINESS

None.

9. NOTICES OF MOTION

10. PUBLIC RELATIONS ITEMS

None.

11. QUESTION PERIOD

Adjournment
No. PR.0021/19

12. ADJOURNMENT

Moved: Councillor Sandhu
Seconded: Councillor Vomacka
that the meeting be adjourned. (7:32 p.m.)

CARRIED.

Certified correct _____

Confirmed on the _____ day of _____, 2019.

Chair

TOWN OF LAKE COWICHAN

Bylaw No. 1019-2019

A bylaw to provide for the regulation, keeping, impounding of animals and licensing of same within the municipal boundaries of the Town of Lake Cowichan under the *Community Charter*.

WHEREAS paragraph 8 (3) (k) of the Community Charter, SBC 2003, c. 26 provides general authority to regulate, prohibit and impose requirements by bylaw in relation to animals;

AND WHEREAS Section 48 of the *Community Charter* provides authority for the seizure of animals and related powers;

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

1. TITLE

This bylaw may be cited for all purposes as "Animal Control Bylaw No. 1019-2019"

2. DEFINITIONS

2.1 In this Bylaw,

ANIMAL shall mean any horse, mule, cattle, cat, dog, ass, swine, sheep, goat, domesticated rabbit, animal of bovine species, chicken, turkey, goose, duck, fowl, dove, pigeon, reptiles, or any domesticated wild animal;

ANIMAL CONTROL OFFICER shall mean a Bylaw Enforcement Officer, Peace Officer, Police Officer, or Pound Keeper.

AT LARGE shall mean any animal being elsewhere than on the premises of the person owning or having custody, care or control of any animal and not being under the direct and continuous charge of a person who is competent to control it;

COLLECTOR shall mean the Collector of the Town of Lake Cowichan, or any other person duly appointed by the Council to collect fees pursuant to this bylaw;

COUNCIL shall mean the elected Council of the Town of Lake Cowichan;

DOG shall mean any animal of the canine species over the age of four months, regardless of sex;

DOMESTIC ANIMAL shall mean any animal, tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for the use of man; and is designated by Order of the Lieutenant Governor in Council pursuant to the Livestock Protection Act to be a Domesticated animal;

FOUL shall mean when an animal defecates.

INFRACTION NOTICE shall mean a notice of contravention of this bylaw in the form established by Council;

LICENCE shall mean a dog licence issued in accordance with the provisions of this bylaw;

OWNER shall mean any person:

- (a) who owns, is in possession of, or has the care and control of any animal, or
- (b) who harbours, shelters, permits or allows any animal to remain on or about the owner's land or premises;

POUND shall mean the premises designated by the Council for confinement and shelter of dogs and animals pursuant to this bylaw designated as a pound;

POUNDKEEPER shall mean the person or persons or company duly appointed by council to enforce and carry out the provisions of this bylaw;

REDEEM shall mean to pay all outstanding Poundage and Boarding Fees, possess or purchase a dog licence if applicable, and to claim the animal from the Pound

RESTRICTED ANIMAL shall mean any horse, mule, cattle, ass, swine, sheep, goat, animal of bovine species, chicken, turkey, goose, duck, or other fowl;

TOWN shall mean the Town of Lake Cowichan;

TAG shall mean a tag made of metal, plastic or fibreglass;

TICKET shall mean a notice of contravention of this bylaw in the form established by the regulations under the *Offence Act*;

VETERINARIAN shall mean a person who holds a recognised university degree as a Doctor of Veterinary Medicine (DVM);

VICIOUS DOG shall mean

- (a) a dog that has attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so; or
- (b) a dog that has bitten, killed or caused injury to a domestic animal; or
- (c) a dog that has aggressively pursued or harassed a person or domestic animal; or
- (d) a dog with a known propensity to attack or injure a person without provocation.

3. ANIMAL SHELTER

The Council is hereby empowered to establish and/or designate a pound facility at such premises as the Council may, by contract, determine.

4. POUNDKEEPER

Council may by contract appoint a Pound keeper to maintain and operate a pound facility.

5. ANIMAL CONTROL OFFICER

5.1 Authority of an Animal Control Officer

5.1.1 An Animal Control Officer may enter, at reasonable times and with reasonable notice, upon any land in the Town for the purpose of:

- (a) ascertaining whether the requirements of this bylaw are being observed; or
- (b) seizing and impounding animals under this bylaw.



5.1.2 An Animal Control Officer may seize and impound:

- (a) Unlicensed dogs;
- (b) animals unlawfully at large on a Highway or in a Public Place;
- (c) animals straying or trespassing on private property; or
- (d) animals on unfenced land and not securely tethered or contained.

5.1.3 No person shall:

- (a) rescue or attempt to rescue any animal in the lawful custody of an Animal Control Officer;
- (b) directly or indirectly, delay or interfere with an Animal Control Officer issuing a Municipal Ticket Information or Bylaw Notice;
- (c) refuse to comply with the lawful direction of an Animal Control Officer; or
- (d) hinder, interfere with or obstruct an Animal Control Officer acting in the course of his duties.

6. DOG AND LICENCE FEES

- 6.1 No Owner shall keep, or permit to be kept, more than two (2) dogs on any parcel except in the lawful and licenced operation of a veterinary medical clinic.
- 6.2 No person shall keep, harbour or have in their possession or in their care, custody or control any dog, within the Town unless a dog licence under this bylaw has been obtained, whether or not the licence has been demanded of said person.
- 6.3 Any owner failing to adhere to this bylaw will be fined the amounts set out in Schedule A.
- 6.4 There shall be raised, levied, and collected from the owner of any dog within the Town, an annual licence fee as set out in Schedule A. The annual licence fee shall be payable on or before January 31st of each year or within the first month of purchasing a dog.
- 6.5 After January 31st of each year the late licence fee, as set out in Schedule A, for any dog which the owner has owned for more than one month.
- 6.6 An additional licence fee, as set out in Schedule A, will apply for any dog that has not been spayed or neutered. Establishing written proof of the claim that the dog has been spayed or neutered will be the responsibility of the owner.
- 6.7 A tag shall accompany every licence issued under this bylaw. Said tag will be fastened to a collar or harness and worn at all times on the dog for which the licence was paid.
- 6.8 Every licence tag issued under this bylaw shall expire on December 31st of each year.
- 6.9 The Collector shall keep a record of all dogs in respect of which a licence has been obtained, showing the date, tag number, description/age/ and breed of the dog, and the name and address of the person who obtained such licence.
- 6.10 A replacement tag may be obtained upon the payment of the fee set out in Schedule A.

7. DOGS AT LARGE

- 7.1 No owner of any dog shall suffer, permit, or allow such dog to run at large. The owners/possessor or harbourer of a dog shall be required to have control of a dog when in any street or public place by means of a leash not exceeding 2.5 M in length. Any dog found to be At Large may be taken and impounded.
- 7.2 Upon impounding any such dog, the Animal Control Officer shall immediately inform the owner of the dog that he/she has done so. If the owner of the dog is unknown to the Town, or if the Town is unable to contact the owner, the Town shall within twenty-four hours of the impoundment, post a notice of the impounding on the notice board at the Municipal Hall. The posting of such notice as aforesaid shall be deemed for all purposes sufficient notice to the owner of such dog.

8. POUND

- 8.1 Any animal impounded shall be taken to the designated Pound and furnished with good and sufficient food, water, and shelter and attended to by the Pound keeper.
- 8.2 The owner of the impounded animal shall pay to the Pound keeper, in addition to the Poundage charges, the boarding fee set out in Schedule A for each day or portion thereof.
- 8.3 The Poundage charges for all animals impounded are set out in Schedule A.
- 8.4 No dog shall be released from the Pound until a current Licence has been purchased.
- 8.5 Upon receiving the applicable Poundage, boarding and Licence fees in full from the owner, the Pound keeper will release the animal to such owner or other person entitled to the possession of the animal.
- 8.6 If no person entitled to claim possession of the impounded animal, appears at the pound and redeems such animal within three (3) days of the animal's impounding, or if the owner or other person entitled to possession of the animal shall refuse or neglect to redeem such animal, the Pound keeper shall put up for sale, adopt out, or destroy said animal at the discretion of the Pound keeper and/or Town.
- 8.7 If any dog to be disposed of is to be killed, the manner of death shall be by lethal injection administered by a Veterinarian.
- 8.8 If any cat to be disposed of is to be killed, the manner of death shall be either by use of a CO2 chamber or by lethal injection.
- 8.9 The Pound keeper shall keep a record of the description of all animals impounded together with the time and location of such impoundment, the fees owing and manner of disposal of the impounded animal, and all monies received by the Pound keeper on behalf of the Town.

9. VICIOUS DOGS

- 9.1 The classification of a dog as a Vicious Dog will be done by the Animal Control Officer if after careful consideration of the facts, in his or her opinion the dog is vicious. Owners of dogs that have been declared as vicious will be contacted promptly in written form. The Contractor will then monitor the securing and muzzling of the dog.
- 9.2 Once a dog has been declared vicious the only way in which this declaration can be determined to be incorrect is by the Court, if charges are brought into the Court under the ticketing bylaw. This



can be done by the owner in defending a Municipal Ticket Information, a Long Form Information or an Application to Destroy the dog.

- 9.3 Every owner of a Vicious Dog shall, at all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog from escaping.
- 9.4 No owner of a Vicious Dog shall permit, suffer or allow the dog to be on any street, public place or any other place that is not owned or controlled by that person unless the dog is muzzled to prevent it from biting another animal or human.
- 9.5 Failure of an owner of a Vicious Dog to adhere to Sections 8.3 and 8.4 of this bylaw will result in the Town issuing an Infraction Notice or Ticket at their discretion.
- 9.6 The Provincial Court may on application and on being satisfied that a dog has killed or injured, or is likely to kill or injure a person or domestic animal, order that the dog be destroyed.

10. CRUELTY TO ANIMALS

- 10.1 No person shall keep any animal within the Town unless it is provided with:
 - a) clean potable drinking water at all times and suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - b) food and water receptacles kept clean and disinfected and located to avoid contamination by excreta;
 - c) the opportunity for ~~periodic~~ regular exercise sufficiently to maintain good health; and
 - d) necessary veterinary medical care when the animal exhibits signs of pain or suffering.
- 10.2 No person shall keep any animal within the Town unless the animal is provided with outside shelter **such as a pen**:
 - a) to ensure protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelters must provide sufficient space to allow any animal the ability to turn about freely and to easily stand, sit and lie in a normal position;
 - b) at least 12 times the length of the animal and at least the animal's length in width, and at least as high as the animal's height measured from the floor to the highest point of the animal when standing in a normal position plus 10 percent;
 - c) in an area providing enough shade to protect the animal from the direct rays of the sun always;
 - d) any pen and run area must be regularly cleaned and sanitized and all excreta removed at least once a day.

- 10.3 No person may cause an animal to be hitched, tied or fastened by any rope, chain or cord that is directly tied around the animal's neck or to a choke collar.
- 10.4 No person shall cause, allow or permit an animal to be confined in a vehicle where there is no adequate ventilation or where the internal vehicle temperature exceeds twenty-three (23) degrees celsius.
- 10.5 No person shall cause an animal to be tethered to a fixed object or vehicle where:
- (a) a choke collar forms part of the securing apparatus, or
 - (b) where a rope, cord or chain is tied directly around the animal's neck; or,
 - (c) the collar is not properly fitted or attached in a manner that will enable the animal to injure itself by pulling on the tether.
- 10.6 No person shall permit an animal to be tethered to a fixed object except with a tether of enough length to enable the full and unrestricted movement of the animal.
- 10.7 No person shall have an animal tethered for more than 10 hours in a 24 hour period day or more.

11. GENERAL

No person shall own, harbour, or keep any dog which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood by barking for longer than ten (10) consecutive minutes. If the Town determines that this section has been violated the Town may issue an Infraction Notice or Ticket.

- 11.1 Owners shall not allow or suffer their animal to foul public property or private property other than the owner's residence. The owner, or any person having the care, custody or control of a dog, except for a guide dog in the company of a blind person, shall remove forthwith any excrement deposited by the dog and shall deposit it in a suitable refuse container. The Town may fine any owner who does not clean a property so fouled.
- 11.2 No person shall hinder, delay or obstruct the Pound keeper or Animal Control Officer during any of his or her duties, or be subject to the fines set in Schedule A.
- 11.3 No person shall break open the Pound in any manner or shall directly or indirectly aid or assist in breaking open the Pound or shall take or let any dog out of the Pound, without the consent of the Pound keeper.
- 11.4 No person shall keep, harbour or have in his possession any animal suffering from an infectious or contagious disease, unless such animal is in isolation under treatment for cure of the same.

12. PROHIBITIONS

- 12.1 No person shall cause or permit any Restricted Animal, designated in Section 1 of this bylaw, to be kept or harboured on any parcel of land within the Town having an area of less than two (2) acres.
- 12.2 No owner of any Restricted Animal shall suffer, permit, or allow such animal to run at large. Any Restricted Animal found to be At Large



by the Town, may be taken and impounded. Or as an alternative an Infraction ticket will be levied.

13. REPEAL

13.1 That upon adoption of the bylaw, Bylaw No. 932-2013 being the "Town of Lake Cowichan Animal Control Bylaw" and all amendments thereto are hereby repealed.

READ A FIRST TIME on the 23rd day of April, 2019.

READ A SECOND TIME on the 23rd day of April, 2019.

READ A THIRD TIME on the May 28th day of _____, 2019.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the ____ day of _____, 2019.

Rod Peters
Mayor

Joseph A. Fernandez
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Animal Control Bylaw No. 1019-2019" as adopted on the ____ day of _____, 2019.

Corporate Officer



SCHEDULE "A"

(attached to and forming part of Bylaw No. 941-2014)

DOG LICENCES

Annual Dog Licence Fee before the end of February January	\$	15.00
Annual Dog Licence Fee after the end of February January		30.00
Additional Licence Fee for unspayed/unneutered Dogs		10.00
Replacement tag		5.00

POUND FEES

The following amounts shall be levied and collected by the Poundkeeper for each animal impounded:

	Section	Fine
<u>TICKETED FINES</u>		
No dog license	6.2	35.00
License tag not affixed	6.6	25.00
Dog at Large	7.1	75.00
<u>VICIOUS DOGS</u>		
Vicious dog not securely confined	9.3	150.00
Vicious dog not securely muzzled	9.4	150.00
Barking dog - Disturbance of peace by a dog	10.1	25.00
Failure to dispense of dog excrement	10.2	25.00
Hindering duties of Animal Control Officer or Poundkeeper	10.3	200.00
Possession of animal with infectious disease	10.5	100.00
Unlawful keeping of Restricted Animal	11.1	100.00
Restricted Animal at large	11.2	100.00

