



LADYSMITH

**TOWN OF LADYSMITH**  
**MINUTES OF A REGULAR SESSION OF COUNCIL**  
**MONDAY, JUNE 7, 2010 - 4:30 P.M.**

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**PRESENT:**

Mayor Rob Hutchins                      Councillor Steve Arnett                      Councillor Jillian Dashwood  
Councillor Lori Evans                      Councillor Duck Paterson                      Councillor Bruce Whittington  
Councillor Scott Bastian (entered at 9:00 p.m.)

**STAFF PRESENT:**

Ruth Malli                                      Sandy Bowden                                      Felicity Adams  
Pat Durban                                      Joanna Winter

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**CALL TO ORDER**                                      Mayor Hutchins called the meeting to order at 4:36 p.m.

**AGENDA APPROVAL**

**2010-255**                                      It was moved, seconded and carried that the agenda be adopted as circulated.

**EXECUTIVE SESSION**

**2010-256**                                      It was moved, seconded and carried that this meeting retire into Executive Session at 4:37 p.m., pursuant to Section 90(1) of the Community Charter to consider the following items:

- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their

preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- labour relations or other employee relations;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**2010-257**  
**MINUTES**

It was moved, seconded and carried that the Regular Session of Council resume at 7:00 p.m.

**2010-258**

It was moved, seconded and carried that the Council minutes of May 10, 13 and 17, 2010 be adopted as circulated.

**BYLAWS (OCP / ZONING)**

**Official Community Plan (OCP) Amendment And Rezoning Application 3360-10-03 And 3360-10-04**

**2010-259**

It was moved, seconded and carried that Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 33) 2010, No. 1729 be read a first and second time; and that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 83), 2010, No. 1730 be read a first and second time; and that a public hearing be scheduled for Bylaws 1729 and 1730.

**DEVELOPMENT PERMITS /  
DEVELOPMENT VARIANCE  
PERMITS**

**Bylaw 1727 - Regulations For Accessory Buildings In Residential Zones**

**2010-260**

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 82) 2008, No. 1727 be read a first and second time; and that a public hearing be scheduled for Bylaw 1727.

**Development Variance Permit Application 3090-10-02**

**2010-261**

It was moved, seconded and carried that Development Variance Permit (DVP) (3090-10-02) be approved, to permit a third floor addition to an existing residence, on Lot 10, District Lot 42, Oyster District, Plan 3223 (363 Chemainus Road);

DVP 3090-10-02 varies:

- the setback to 7.0 metres from the high-water mark of the sea (with a deck protrusion); and
- the north-west side lot line setback to 0.95 metres;

and that the Mayor and Corporate Officer be authorized to sign the Development Variance Permit.

#### **Development Permit Application - 3060-10-04**

2010-262

It was moved, seconded and carried that Development Permit (3060-10-04) be issued for 363 Chemainus Road (Lot 10, District Lot 42, Oyster District, Plan 3223); and that the Mayor and Corporate Officer be authorized to sign the Development Permit.

#### **COUNCIL COMMITTEE REPORTS**

2010-263

#### **Mayor Hutchins**

##### **Notice Of Motion – Ecole Davis Road**

It was moved, seconded and carried that whereas the south end of our community has experienced sustained rapid growth, and will be a growth area in our community for decades to come;

And whereas the south end of our community is serviced by a single elementary school in an inadequate and outdated facility;

And whereas the other three schools located within the town boundaries have had significant facilities upgrades over the last two decades;

And whereas the French Immersion program is a highly valued and desirable educational offering in the Town of Ladysmith;

That the Council of the Town of Ladysmith send a letter to the Board of Trustees, School District #68, and the Minister of Education requesting that the re-construction or replacement, on site, of Ecole Davis Road be given the highest priority.

#### **Councillor J. Dashwood .**

Councillor Dashwood attended the Chamber of Commerce meeting in place of Councillor Arnett and reported on recent activities.

#### **Councillor S. Arnett**

Councillor Arnett reported on the May 19 Parks and Recreation Commission meeting and the June 1 Economic Development Commission meeting.

**Councillor D. Paterson**

**Government Services Committee Recommendations**

**2010-264**

It was moved, seconded and carried that Special Occasion Licences be issued for:

- Slo-Pitch Food Bank Tournament – Aggie Fields - September 4 and 5, 2010 from 12:00 p.m. to 5:00 p.m.
- Royal Canadian Legion Picnic – Transfer Beach Horseshoe Pitch – September 12, 2010 from 11:00 a.m. to 8:00 p.m.

**2010-265**

It was moved, seconded and carried that a letter of congratulations and gratitude be sent to the Ladysmith Maritime Society for a very successful Ladysmith Maritime Festival; and that a letter be sent to CFB Esquimalt thanking them for having the Orca ships take part in the Maritime Festival; and that a letter of appreciation be sent to the Stz'uminus First Nation for their significant role in the success of the Maritime Festival with the canoe journey and hosting of the Community Supper.

**Councillor L. Evans**

Councillor Evans reported that a concern had been raised by the Heritage Revitalization Advisory Commission regarding the requirement for residency in Ladysmith in order to serve on the Commission. Councillor Evans circulated copies of Social Planning Cowichan's Affordable Housing discussion paper.

**Councillor B. Whittington**

On behalf of Council, Councillor Whittington welcomed Alexandra Morton on the arrival of her Salmon Are Sacred journey in Ladysmith.

**STAFF / ADVISORY COMMITTEE  
REPORTS**

**Application To UBCM Regional Community To Community  
Forum Funding Program**

**2010-266**

It was moved, seconded and carried that staff be directed to apply to the Union of BC Municipalities for \$5,000 through the Regional Community to Community Forum Program to support a community forum with the Stz'uminus First Nation,

to be held before March 31, 2011; and that the Financial Plan be amended accordingly.

**South End Chlorinator**

**2010-267**

It was moved, seconded and carried that the awarding of the contract for improvements to the South End Chlorinator be referred back to staff for further consideration, and that staff report back to Council in this regard.

**Request For Support For Ladysmith Secondary School Multi-Use Community Auditorium Planning**

**2010-268**

It was moved, seconded and carried that the Town agrees to be a partner with School District 68 in their application for funds to support the planning of a Multi-Use Community Auditorium at Ladysmith Secondary School, and that a letter of support for the grant application be provided to School District 68.

**Road Closure, Disposition and Exchange Bylaw 2010, No. 1731**

**2010-269**

It was moved, seconded and carried that Road Closure, Disposition and Exchange Bylaw 2010, No. 1731 be given first three readings, and that the required notice and advertising procedure be initiated.

**Grant Application To Federation Of Canadian Municipalities For Green Municipal Funds**

**2010-270**

It was moved, seconded and carried that staff be requested to submit an application to the Green Municipal Fund Sustainability Planning Program to develop a community sustainability plan based on the report "Ladysmith: A Community Vision for a Sustainable West Coast Town."

**CORRESPONDENCE**

**Ladysmith Community Gardens Society**

**2010-271**

It was moved, seconded and carried that the letter from Greg Roberts, President of the Ladysmith Community Gardens Society, dated May 19, 2010, be received and that the

Subject to Adoption

Society be advised they are authorized to proceed with the proposed construction of two movable buildings and an arbour on the High Street garden site.

#### **QUESTION PERIOD**

Brian Thom requested that the letter from Council to the Board of SD 68 regarding Council's support for the French Immersion Program at Ecole Davis Elementary School be sent as soon as possible.

Pam Fraser and Marsh Stevens were advised that the Public Hearing for the Accessory Building Bylaw would likely be scheduled for early July, and that it would be advertised in local newspapers and on the Town website and notice boards.

#### **RISE AND REPORT**

The Executive Session of Council rose without report at 10:25 p.m.

#### **ADJOURNMENT**

**2010-272**

It was moved, seconded and carried that the Regular Meeting of Council be adjourned at 7:40 p.m.

**CERTIFIED CORRECT**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)