



LADYSMITH

TOWN OF LADYSMITH  
MINUTES OF A REGULAR SESSION OF COUNCIL  
TUESDAY, AUGUST 3, 2010 - 7:00 P.M.

---

**COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins  
Councillor Jillian Dashwood  
Councillor Bruce Whittington

Councillor Steve Arnett  
Councillor Lori Evans

Councillor Scott Bastian  
Councillor Duck Paterson

**STAFF PRESENT:**

Patrick Durban

Sandy Bowden

Joanna Winter

---

**CALL TO ORDER**

Mayor Hutchins called the meeting to order at 7:00 p.m.

**AGENDA APPROVAL**

Mayor Hutchins requested Council's consideration of the following amendments to the agenda.

To add:

6.2 District Lot 108 Ladysmith Playing Fields – Phase I Service Facility Recommendations

9.1 Mariner Tourism Safety—Lighting at Community Marina

9.2 Meeting Schedules

9.3 Recognition of Young Ladysmith Citizens

To delete:

5.1 Cowichan Valley Regional District – Report on Cowichan Communities Health Network

**2010-354**

It was moved, seconded and carried that the agenda be adopted as amended.

**DELEGATION**

**Bruce Findlay, Generation Properties**

Proposed Strata Conversion at 218 Bayview Avenue

Bruce Findlay made a presentation to Council regarding the proposed strata conversion at 218 Bayview Avenue. He requested that Council consider giving full approval as opposed to approval in principal for the proposed conversion.

**MINUTES**

**2010-355**

It was moved, seconded and carried that the minutes of July 5,

July 13, July 19, and July 26, 2010 be adopted as amended.

**BYLAWS (OCP /  
ZONING)**

**Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 29), 2010, No. 1705**

**2010-356**

It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 29) 2010, No. 1705 be adopted

**Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 78) 2010, No. 1706**

**2010-357**

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 78) 2010, No. 1706 be adopted.

**COUNCIL COMMITTEE  
REPORTS**

**Councillor D. Paterson**

**Government Services Committee Recommendations from the meeting of July 19, 2010**

**2010-358**

It was moved, seconded and carried that staff be directed to review trolley ridership and determine if any adjustments to routes and schedules are required based on ridership patterns.

**2010-359**

It was moved, seconded and carried that the matter of providing visitor information to boaters be referred to the Tourism Advisory Committee for review and recommendations.

**2010-360**

It was moved, seconded and carried that Council write to all major transportation carriers on Vancouver Island (including Greyhound Canada, Pacific Bus Lines and VIA Rail) requesting that bicycle racks be installed on their vehicles, and that a copy of the letters be sent to Jawn Lafratta in response to the letter of June 7, 2010.

Councillor Paterson requested that the Town send letters of congratulations to the Ladysmith Celebrations Committee for a job well done on Ladysmith days, to Ladysmith and District Credit Union, 49<sup>th</sup> Parallel Grocery, and the Rotary Club of Ladysmith for their sponsorships, and to the Logger Sports Group for organizing the Logger Sports.

**2010-361**

It was moved, seconded and carried that the Town place an advertisement in the Ladysmith Chronicle expressing

appreciation and congratulations to all those who sponsored and organized Ladysmith Days 2010.

**STAFF / ADVISORY  
COMMITTEE REPORTS**

**Strata Conversion Application – 218 Bayview Avenue**

**2010-362**

It was moved, seconded and carried that Council provide preliminary approval to convert 218 Bayview Avenue to strata title units, subject to:

1. Staff and the applicant finalizing a Housing Agreement Bylaw (s. 905, Local Government Act) to secure in general terms (1) on-going rental, (2) maximum rental increases, and (3) including an accessible unit, as defined by the BC Building Code, in the renovation of the building.
2. The applicant providing the following information and commitments, in a form acceptable to the Town:
  - a) The immediate payment of a non-refundable processing fee of \$200 per unit up to \$2,500.
  - b) Notarized declaration regarding notice to current tenants.
  - c) Written report from a registered architect or engineer, in a form acceptable to the building inspector, that the building is of reasonable quality for its age, including reference to the state of repair, general workmanship, and whether the building substantially complies with applicable bylaws and the Building Code.
  - d) Written report from an electrical engineer stating that all the electrical works have been upgraded to current electrical code standards and a letter from the Provincial Electrical Inspector verifying and confirming the contractor's report.
  - e) Written report from the Fire Chief stating that each unit has been inspected and the building and each unit meets the Fire Department's requirements and applicable Provincial and Town bylaw regulations, including consideration of the installation of a fire sprinkler system.
  - f) Written report from the gas inspector stating that a gas inspection has been completed and approval received.
  - g) Preparation of a Restrictive Covenant under section. 219 of the Land Title Act to secure (1) no change to the tenants' leases as part of the strata conversion; (2) right of first refusal for current tenants to purchase their suite, at a minimum 10% discount to the market value; (3) \$25,000 contribution to the Town's community amenity fund prior to final plan

approval.

3. That upon completion of the above items to the satisfaction of the Town within 18 months of Council's approval, unless an extension is granted upon request of the owner,
  - a) Preparation of a building strata plan, including dimensions, strata lots, limited common property and common property, in accordance with the provisions of the *Strata Property Act*.
  - b) Registration of the building strata plan.

#### **Ladysmith Playing Fields (Lot 108) Service Facility Recommendations**

**2010-363**

It was moved, seconded and carried that Council authorize the acquisition and/or lease, subject to budget, of refurbished washroom and change room facilities for the Ladysmith Playing Fields at Lot 108.

#### **CORRESPONDENCE**

##### **BC Recreation and Parks Association**

**2010-364**

It was moved, seconded and carried that Council write a letter of support to the BC Recreation and Parks Association initiative to address the need for recreation infrastructure renewal.

#### **BYLAWS**

##### **Town of Ladysmith Heritage Revitalization Advisory Commission Bylaw 1998, No. 1279, Amendment Bylaw 2010, No. 1735**

**2010-365**

It was moved, seconded and carried that Town of Ladysmith Heritage Revitalization Advisory Commission Bylaw 1998, No. 1279, Amendment Bylaw 2010, No. 1735 be read a first, second and third time.

#### **NEW BUSINESS**

##### **Marine Tourist Safety**

**2010-366**

It was moved, seconded and carried that staff be directed to work with the Ladysmith Maritime Society and other community groups as deemed appropriate for the installation of lighting on the stairways to the Ladysmith Community Marina and the Government Wharf, and that staff investigate possible grant funding to assist with the costs.

##### **Meeting Schedule**

Council was informed that Joint Council Meetings between Ladysmith Council and the Stz'uminus First Nation will resume in September.

**2010-367**

It was moved, seconded and carried that Council write letters of

congratulations to Stef Lang, Jeff Puska and Michelle Moore congratulating them on their recent accomplishments.

## **EXECUTIVE SESSION**

**2010-368**

It was moved, seconded and carried that this meeting retire into Executive Session at 7:46 p.m., pursuant to Section 90(1) of the Community Charter, to consider the following items:

- 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
- 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

## **RISE AND REPORT**

It was moved, seconded and carried that the Executive Session of Council arise without report.

## **ADJOURNMENT**

**2010-369**

It was moved, seconded and carried that this Meeting of Council be adjourned at 8:05 p.m.

---

Mayor (R. Hutchins)

**CERTIFIED CORRECT**

---

Corporate Officer (S. Bowden)