



LADYSMITH

MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
SEPTEMBER 6, 2011

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Scott Bastian

Councillor Steve Arnett Councillor Jillian Dashwood
Councillor Bruce Whittington

COUNCIL MEMBERS ABSENT:

Councillor Lori Evans

Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
Joanna Winter

Felicity Adams

Erin Anderson

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 additions to the agenda:

- 4.2 Jim Cram - Presentation regarding recent visit to Ladysmith, South Africa
- 11.1 Labour Day Picnic at Transfer Beach
- 11.2 Town of Ladysmith Resolution to Union of British Columbia Municipalities

2011-370

It was moved, seconded and carried that the agenda for the Council Meeting of September 6, 2011 be adopted as amended.

MINUTES

2011-371

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held August 15, 2011 be approved as circulated.

DELEGATION

**C. Parhar and D. Parhar, Island Pacific Transport
Business Licence Application**

Counsel Kristen Morley was present to advise Council on procedural matters regarding the hearing on the matter of the business licence application from Island Pacific Transport.

The City Manager read a statement regarding the Town's position on the business licence renewal application by Island Pacific Transport.

C. Parhar and D. Parhar presented their case regarding the Town's denial of the business licence renewal for Island Pacific Transport.

Council requested:

- That D. Parhar and C. Parhar provide Council with a photograph showing the original structure on the site
- Clarification as to the structures and uses on the site prior to the 1984 rezoning
- That Counsel provide information regarding the Legislative requirements regarding legally non-conforming structures and advise whether a temporary use permit can be issued for a legally non-conforming structure

Jim Cram – Visit to Ladysmith, South Africa

Jim Cram provided Council with a report on his recent visit to Ladysmith, South Africa, which included delivering funds and supplies to a school in the town, and a visit with the Mayor to present gifts from the Town of Ladysmith and to discuss the possibility of a 'twin' relationship between the two Towns.

PROCLAMATIONS

Mayor Hutchins declared

- The month of September 2011 as Big Brothers Big Sisters month in the Town of Ladysmith
- The week of November 13 to 20, 2011 as Restorative Justice Week in the Town of Ladysmith

**DEVELOPMENT PERMITS /
DEVELOPMENT VARIANCE
PERMITS**

2011-372

Development Permit Application

1142 Trans Canada Highway (Lot 6, District Lot 139, Oyster District, Plan 7217)

It was moved, seconded and carried that Development Permit 3060-11-16 be issued to permit a four-plex residential development at 1142 Trans Canada Highway (Lot 6, District Lot 139, Oyster District, Plan 7217), subject to determination of the value of the landscape bond; and that the Mayor and Corporate Officer be authorized to sign the Development Permit.

2011-373

Development Permit Application

341 Chemainus Road (Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District, Plan VIP 79606)

It was moved, seconded and carried that Development Permit 3060-11-17 be issued to permit a third storey to be constructed on the dwelling at 341 Chemainus Road (Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District, Plan VIP 79606), and that the Mayor and Corporate Officer be authorized

to sign the Development Permit.

Development Variance Permit Application – 341 Chemainus Road (Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District, Plan VIP 79606)

2011-374

It was moved, seconded and carried that Development Variance Permit 3090-11-03 be approved for Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District, Plan VIP 79606) to permit the third storey of the dwelling to be set back five metres from the high water mark of the sea; and that the Mayor and Corporate Officer be authorized to sign the Development Variance Permit.

Rezoning Application – LANDECA Services Inc. (Lot A, District Lot 126, Oyster District, Plan VIP 73132)

2011-375

It was moved, seconded and carried that staff be requested to consult with the proponent and report to Council regarding consideration of including 'neighbourhood commercial' in the zoning for Zoning Bylaw amendment application 3360-11-01.

2011-376

It was moved, seconded and carried that Zoning Bylaw amendment application 3360-11-01 (Landeca-Malone Road) to the Advisory Planning Commission and the Advisory Design Panel (ADP) for review and comment, and that the applicant be directed to hold two neighbourhood information meetings.

**STAFF / ADVISORY
COMMITTEE REPORTS**

2011-377

Secondary Suites – Enforcement Policy and Implementation

It was moved, seconded and carried that an enforcement policy be prepared regarding secondary suites in the Town of Ladysmith based on:

- Highest priority – suites not meeting basic life safety requirements
- Medium priority – new complaints received after the adoption of Bylaw 1774
- Lower priority – complaints received after the adoption of Bylaw 1774 about newly constructed suites with a building permit

2011-378

It was moved, seconded and carried that Building and Plumbing Bylaw 1994, No. 1119 be amended to waive building permit fees for a period of five years, for new work to an existing secondary suite requiring a building permit, following the adoption of Bylaw 1774.

2011-379

It was moved, seconded and carried that it be confirmed that

user fees (wastewater, water, garbage/recycling/organic waste collection) will be applied to a secondary suite and that any required bylaw amendments to facilitate this direction be prepared.

2011-380 **Janitorial Services for Ladysmith RCMP Detachment**
It was moved, seconded and carried that the purchasing policy be waived and an extension to the Ladysmith RCMP Detachment janitorial services contract with Big Island Building Services be authorized for a further two years, effective June 1, 2011, for a monthly fee of \$871 per month plus applicable taxes.

2011-381 **Proposed Logo Update**
It was moved, seconded and carried that the proposed design of an updated Town of Ladysmith logo be supported in principle, subject to review by the Heritage Revitalization Advisory Commission, the Ladysmith Downtown Business Association and the Ladysmith Chamber of Commerce.

2011-382 It was moved, seconded and carried that staff be requested to determine the cost to ensure that the light standards on First Avenue represented in the proposed new logo are in working order.

3011-383 **Island Corridor Foundation Permissive Tax Exemption**
It was moved, seconded and carried that staff be directed to prepare a 10-year Permissive Tax Exemption bylaw for all properties owned by the Island Corridor Foundation within the Town of Ladysmith.

2011-384 **Temporary Loan Authorization Bylaw**
It was moved, seconded and carried that the staff report regarding the proposed Water System Construction Interim Financing Bylaw be received.

CORRESPONDENCE

2011-385 **Chuck Forrest**
Dangerous Intersection
It was moved, seconded and carried that the issues raised by C. Forrest in his correspondence of August 28, 2011 regarding the intersection at Roberts Street and Third Avenue be referred to staff for investigation, consultation with the RCMP, and recommendation.

Mitch Kenyon, Municipal Insurance Association of British Columbia
Voting Delegate at Municipal Insurance Association of BC Annual

- 2011-386** **General Meeting on September 24, 2011**
It was moved, seconded and carried that Councillor Whittington be appointed as voting delegate and Councillor Arnett be appointed as alternate for the Municipal Insurance Association of BC Annual General Meeting on September 24, 2011.
- 2011-387** **Krista Seggie, South Wellington and Area Community Association
Train Transportation on Vancouver Island**
It was moved, seconded and carried that the South Wellington and Area Community Association be advised that Council has written numerous times to the federal and provincial governments regarding the importance of viable rail transportation on Vancouver Island, and that the Association be provided with a copy of Council's most recent correspondence in this regard.
- 2011-388** **Bev DeJong, Ross McLennan
Cat Licensing**
It was moved, seconded and carried that the correspondence dated August 10, 2011 from Bev DeJong and Ross McLennan regarding cat licensing be referred to the September 19 Government Services Committee meeting to be included in the discussion regarding results from the July 19, 2011 Town Hall Meeting.
- BYLAWS**
- 2011-389** **Town of Ladysmith Tax Sale Redemption Period Extension Bylaw
2011, No. 1777**
It was moved, seconded and carried that Town of Ladysmith Tax Sale Redemption Period Extension Bylaw 2011, No. 1777 be read a first, second and third time.
- 2011-390** **Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644,
Amendment Bylaw 2011, No. 1778**
It was moved, seconded and carried that Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1778 be read a first, second and third time.
- 2011-391** **Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119,
Amendment Bylaw 2011, No. 1779**
It was moved, seconded and carried that Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2011, No. 1779, be read a first, second and third time.
- 2011-392** **Town of Ladysmith Water System Construction Interim Financing
Bylaw 2011, No. 1780**
It was moved, seconded and carried that Town of Ladysmith Water System Construction Interim Financing Bylaw 2011, No. 1780, be

read a first, second and third time.

NEW BUSINESS

2011-393

Labour Day Picnic at Transfer Beach

It was moved, seconded and carried that the correspondence from the Nanaimo and District Labour Council regarding the effects of watering the grass at Transfer Beach immediately prior to the event be referred to staff to review.

Town of Ladysmith Resolution to Union of British Columbia Municipalities

Councillor Arnett thanked Council for its leadership in introducing a resolution regarding the protection of watersheds for debate at the Union of British Columbia Municipalities 2011 convention.

QUESTION PERIOD

W. Drysdale requested that Council consider installing a four-way intersection at Colonia Drive and Malone Road. Council requested that this be added to the agenda for the September 19, 2011 Government Services Committee meeting.

EXECUTIVE SESSION

2011-394

It was moved, seconded and carried at 8:53 p.m. that Council retire into Executive Session after a two-minute recess.

ARISE AND REPORT

Council arose from Executive Session at 10:17 p.m. without report.

ADJOURNMENT

2011-395

It was moved, seconded and carried that this meeting of Council be adjourned at 10:17 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)