



LADYSMITH

TOWN OF LADYSMITH  
MINUTES OF A REGULAR MEETING OF COUNCIL  
MONDAY, MARCH 7, 2011 - 7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

**COUNCIL MEMBERS PRESENT**

Mayor Rob Hutchins  
Councillor Jillian Dashwood  
Councillor Bruce Whittington  
Councillor Steve Arnett  
Councillor Lori Evans  
Councillor Scott Bastian  
Councillor Duck Paterson

**COUNCIL MEMBERS ABSENT**

**STAFF PRESENT**

Ruth Malli  
Joanna Winter  
Sandy Bowden  
Felicity Adams

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- CALL TO ORDER** Mayor Hutchins called the meeting to order at 6:04 p.m.
- EXECUTIVE SESSION**
- 2011-111** It was moved, seconded and carried that this meeting retire into Executive Session at 6:04 p.m.
- AGENDA APPROVAL** Mayor Hutchins called the Regular Session of Council to order at 7:00 p.m.
- Mayor Hutchins requested Council’s consideration of the following additions to the agenda:
- 14.1 Joint Council Meeting with Stz’uminus First Nation
  - 14.2 Request for Support of a Truth and Reconciliation Initiative of the Stz’uminus First Nation
  - 14.3 Workshop Attendance (Councillor Dashwood)
  - 15.1 Update on Secondary Suites Initiative
- 2011-112** It was moved, seconded and carried that the agenda be adopted as amended.

## MINUTES

**2011-113**

It was moved, seconded and carried that the minutes of the Regular Council Meeting of February 21, 2011 be adopted as amended to show that Councillor Whittington returned to the meeting after excusing himself due to a possible conflict of interest, and to provide details on the matters on which Council arose and reported.

## PROCLAMATIONS

Mayor Hutchins proclaimed the month of April 2011 as Daffodil Month, and April 27, 2011 as Daffodil Day in the Town of Ladysmith, to recognize the Canadian Cancer Society's Daffodil Fundraising Campaign.

## DEVELOPMENT PERMITS AND DEVELOPMENT VARIANCE PERMITS

**2011-114**

### **Development Permit Application – 1030 Oyster Bay Drive**

It was moved, seconded and carried that Council issue Development Permit 3060-11-04 to permit a temporary (portable) building at 1030 Oyster Bay Drive (Lot 1, District Lot 24, Oyster District, Plan VIP72824) with a variance to not require hard surface parking for a two year period, and that the Mayor and Corporate Officer be authorized to sign the Development Permit.

**2011-115**

### **Official Community Plan and Zoning Bylaw Amendment Application – 11 & 17 Warren Street**

It was moved, seconded and carried that staff be directed to prepare a bylaw to amend the Official Community Plan to permit density increases to allow up to 110 units per hectare for residential development in the Downtown Mixed-Use land use designation through density bonusing for amenities such as features that contribute to climate change reduction and community amenity fund contributions as provided in the Zoning Bylaw.

**2011-116**

It was moved, seconded and carried that staff be directed to prepare a bylaw to amend the Zoning Bylaw to permit one commercial unit and 14 residential units at 11 and 17 Warren St., Lot 7 and 8, Block 5, DL 24, Oyster District, Plan 703A (3360-09-01 Pabla) through density bonusing for amenities, as follows:

- To construct an energy efficient building that meets the ASHRAE 90.1 standard;
- To secure the December 2010 Ellins Architect Inc. site plan and building elevation drawings for 11 and 17 Warren Street (which includes indoor bicycle storage);

- To secure the commitment to managing all storm water onsite using a permeable parking area and landscaping with primarily native species;
- To contribute \$14,000 towards the Town's community amenity fund; and,
- To regulate the hours of operation for commercial units in the proposed residential zone development.

2011-117

It was moved, seconded and carried that staff be requested to explore the options for affordable and accessible units with the developer of the proposed construction at 11 and 17 Warren Street.

F. Adams left the meeting.

**COUNCIL COMMITTEE  
REPORTS**

**Government Services Committee Recommendations**

2011-118

It was moved, seconded and carried that support in principle be given to the establishment of a public input period prior to Council meetings, and that a committee be struck to work with staff to establish guidelines and terms of reference for the public input period.

2011-119

It was moved, seconded and carried that Councillors Bastian and Arnett be appointed to form a committee that will draft the Terms of Reference for the public input period.

2011-120

It was moved, seconded and carried that the policy governing Council attendance at the annual convention of the Association of Vancouver Island and Coastal Communities be amended in order to increase the number of Councillors attending from two to four, in addition to the Mayor.

**STAFF / ADVISORY  
COMMITTEE REPORTS**

**District Lot 108 Playfield Project – Recreational Infrastructure  
Canada Funding Deadline Extension**

2011-121

It was moved, seconded and carried that Council support a request to extend the original deadline for incurring expenditures on the district Lot 108 Playfields project under the Recreational Infrastructure Canada Program from March 31, 2011 to October 31, 2011 or before, and that a claim be submitted for eligible costs incurred up to March 31, 2011, and that Council commit to complete the project by October 31, 2011 and accept full responsibility for any costs incurred beyond that date.

**Purchase of Exercise Equipment at Frank Jameson Community Centre**

**2011-122**

It was moved, seconded and carried that the expenditure of \$7,000 plus tax and delivery for the purchase of ten new spin bikes for the Parks, Recreation and Culture spinning fitness programs be authorized, and that the funds come from the 2011 budget for the Parks, Recreation and Culture Department.

Staff were requested to determine whether the bikes could be set up to generate some electricity.

Councillor Arnett declared a possible conflict of interest with respect to the following agenda item and excused himself from the meeting.

**Ladysmith Community Marina Access Road**

**2011-123**

It was moved, seconded and carried that \$40,000 be included in the 2011 Public Works Department budget for construction of a second access road to the Ladysmith Community Marina.

Council noted that the design should include features to protect pedestrian safety.

Councillor Arnett returned to the meeting.

Councillor Dashwood declared a possible conflict of interest with respect to the following agenda item and excused herself from the meeting.

**Contract Award – Land Agent Services for Town-Owned Lands**

**2011-124**

It was moved, seconded and carried that the contract for the provision of land agent services for Town-owned lands be awarded to Capital Asset Group for a contracted fee in the amount of \$3,467 per month as outlined in the submission dated March 2, 2011; and that

The contract for realtor services for the marketing of Town-owned lands be awarded to Royal LePage (Ladysmith) for commission fees of five per cent on the first \$100,000 and two per cent on the balance as outlined in the submission dated March 3, 2011; and that

The contract awards for land agent services and realtor services for Town-owned lands be subject to legal review; and that

All expenditures associated with this initiative be included in the 2011 budget.

## BYLAWS

### **Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment Bylaw 2011, No. 1751**

**2011-125** It was moved, seconded and carried that Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment Bylaw 2011, No. 1751 be adopted.

### **Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1752**

**2011-126** It was moved, seconded and carried that Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1752 be adopted.

## NEW BUSINESS

### **Joint Council Meeting with Stz'uminus First Nation**

It was agreed that a joint meeting between Ladysmith Council, Chief and Council of the Stz'uminus First Nation, Executive of the Ladysmith Chamber of Commerce and Executive of the Ladysmith Downtown Business Association would be arranged, with the preferred date being Monday, March 28.

### **Conference Attendance**

**2011-127** It was moved, seconded and carried that Councillor Dashwood be authorized to attend the Keys to Children's Mental Health conference in Vancouver on March 14-16 2011, subject to availability of funds.

### **Request for Support of a Truth and Reconciliation Initiative of the Stz'uminus First Nation**

**2011-128** It was moved, seconded and carried that Council support in principle the Stz'uminus First Nation funding application to the Truth and Reconciliation Commemoration Program for a Residential School Truth and Healing initiative, and that the Town participate in the initiative as appropriate.

## UNFINISHED BUSINESS

### **Update on Secondary Suites**

Council was advised that the Secondary Studies consultation process is expected to commence in April 2011.

Staff will report back to Council regarding the status of a light on the stairway to the Ladysmith Community Marina.

## QUESTION PERIOD

R. Johnson was advised that meetings of the sub-committee regarding a public input session will be open to the public, and that the committee will seek public input should the committee believe it necessary.

**EXECUTIVE SESSION**

**2011-129**

It was moved, seconded and carried that the Regular Session of Council be adjourned at 7:58 p.m. and that the Executive Session be reconvened.

**RISE AND REPORT**

The Executive Session of Council rose with report on the following items:

- Council made the following appointments to Town advisory commissions:  
Bryon Adams: Parks, Recreation and Culture Commission  
Tina Donovan: Advisory Planning Commission  
Todd Hancock: Advisory Planning Commission  
Tamara Hutchinson: Heritage Revitalization Advisory Commission  
Richard McDermid: Heritage Revitalization Advisory Commission  
D. Brian McLaurin: Heritage Revitalization Advisory Commission  
N. Lynne Brown, Parks, Recreation and Culture Commission

**ADJOURNMENT**

**2011-130**

It was moved, seconded and carried that this meeting of Council be adjourned at 8:56 p.m.

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Mayor (R. Hutchins)

**CERTIFIED CORRECT**

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Corporate Officer (S. Bowden)