



**MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, APRIL 2, 2012**

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Jillian Dashwood
Councillor Duck Paterson

Councillor Steve Arnett
Councillor Gord Horth

Councillor Bill Drysdale
Councillor Glenda Patterson

STAFF PRESENT:

Ruth Malli
Patrick Durban

Erin Anderson
John Manson

Felicity Adams
Joanna Winter

CALL TO ORDER

Mayor Hutchins called the Regular Council Meeting to order at 7:00 p.m.

AGENDA APPROVAL

CS 2012-084

It was moved, seconded and carried that the agenda for the Regular Session of Council for April 2, 2012 be approved as circulated.

MINUTES

CS 2012-085

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held March 19, 2012 be approved as circulated.

PROCLAMATIONS

Mayor Hutchins proclaimed the week of May 20 to 26, 2012 as "National Public Works Week" in the Town of Ladysmith.

**DEVELOPMENT
APPLICATIONS**

**Rezoning Application – 320 4th Avenue Extension
(Lot 5, District Lot 56, Oyster District, Plan 965, except part in
Plan 31211)**

Director of Development Services Felicity Adams introduced the rezoning application and indicated that recommendations before council reflect input from the Advisory Planning Commission. The Director of Development Services responded to questions from Council.

The proponent, Maureen Pilcher, was in attendance and responded to questions from Council.

CS 2012-086

It was moved, seconded and carried that staff be directed to

prepare a bylaw to amend Zoning Bylaw No. 1160 to permit a clustered development of 20 single family homes on the property legally described as Lot 5, District Lot 56 Oyster District, Plan 965, except part in Plan 31211 (320 4th Avenue Extension).

CS 2012-087

It was moved, seconded and carried that staff be directed to work with the applicant towards land-use agreements to the proposed development at 320 4th Avenue Extension, as follows:

- (a) *Driveway access easements shall be provided for 316 and 324 Fourth Avenue Extension.*
- (b) *A conservation covenant shall be provided to protect natural vegetation on a two metre wide area adjacent to the western property boundary.*
- (c) *A portion of land, containing a section of the Holland Creek Trail, be provided to the Town of Ladysmith.*
- (d) *A covenant be registered on title that provides a commitment to:*
 - *An amenity contribution of \$8000 (to be submitted prior to issuing a building permit for the first home on the property).*
 - *Tree protection measures as recommended by a certified arborist.*
 - *Homes shall be built to an Energuide 80 energy efficiency standard with non-fossil fuel heat sources.*
 - *Storm water shall be managed onsite.*
 - *At the time ten homes are constructed, the following site features must be completed (as shown on the site plan):*
 - i. *A common area 520m² in size,*
 - ii. *A pedestrian path for strata residents to access the Holland Creek Trail, and*
 - iii. *A minimum of 6 visitor parking stalls.*

**Strata Conversion of a Previously Occupied Building – 9 White Street
(Lot A, District Lot 56, Oyster District, Plan VIP87173)**

The Director of Development Services, F. Adams, provided Council with an overview of the proposed strata conversion of a property at 9 White Street and responded to questions from Council.

The proponent, Russ Jackson, was in attendance and indicated that he is prepared to comply with all conditions of the recommendations, including installation of a curb the length of the lane.

CS 2012-088

It was moved, seconded and carried that the strata conversion

application for the property located at 9 White Street proceed to step two of the application review process upon the applicant's written acceptance of the following preliminary terms and conditions:

- Completion of the landscape plan installation required by DP 09-09 prior to strata conversion approval.
- Entering into an agreement and provision of security for the completion of the lane on the full length of the west boundary of Lot A to the satisfaction of the Director of Infrastructure Services.
- At the cost of the applicant, preparation of discharge documents for covenant FB125840 and registration in the Land Title Office, if executed by the Town.
- Evidence that covenant FB326694 will be discharged by the Home Owner Protection Office and that the buyer will be provided with the industry standard 2-5-10 homeowner's protection warranty.

COUNCIL COMMITTEE REPORTS

Mayor Hutchins circulated a summary of the proposed budget for the Cowichan Valley Regional District, indicating that the increase for the average home in Ladysmith would be approximately \$17.48 per year.

Mayor Hutchins congratulated the citizens of Ladysmith for helping to ensure that Ladysmith had the third highest reduction in electrical consumption in the province of B.C., and the highest reduction on Vancouver Island, during Earth Hour on Saturday March 31, 2012.

Trolley Committee Recommendations

CS 2012-089

It was moved, seconded and carried that the advertising rates for advertising on the outside of the Ladysmith Trolley be reduced by 30 per cent (i.e., from \$300 to \$210 and from \$350 to \$245).

CS 2012-090

It was moved, seconded and carried that the trolley advertising program include one free month to advertisers who commit to four or more months of advertising on the outside of the trolley.

CS 2012-091

It was moved, seconded and carried that advertising rates for clients who reserve two or more advertising panels on the outside of the Ladysmith trolley be reduced by \$50 per month per panel.

CS 2012-092

Mid Isle Soccer Association Vancouver Island Soccer Tournament

It was moved, seconded and carried that the Town of Ladysmith

provide the following assistance to the organizers of the Mini World Cup Soccer Tournament to be held in Ladysmith on May 12 and 13, 2012:

- Provision for recreational vehicle parking in the parking area above the Amphitheatre
- Provision for camping near the Horseshoe Pitch at Transfer Beach
- Arrangements for a \$2 Dive In Swim at the Frank Jameson Community Centre
- Use of the Town's plastic pylons for corner posts for the playing fields
- Installation of a banner across First Avenue
- Loan of the Town's garbage and recycling containers

CS 2012-093

It was moved, seconded and carried that the Town of Ladysmith provide the following assistance for the Mini World Cup Soccer Tournament, and that the Financial Plan be amended accordingly:

- Upgrades and improvements to the playing fields at Ladysmith Secondary School and Frank Jameson Community Centre, to a maximum amount of \$5,000
- Attendance of two Town of Ladysmith staff at the tournament.

CS 2012-094

It was moved, seconded and carried that Council approach the Chair and Executive of the Board of School District 68 with a strong request to assist the Town of Ladysmith in making improvements to the playing fields at Ladysmith Secondary School in time for the Mini World Cup Soccer Tournament on May 12 and 13, 2012.

CS 2012-095

It was moved, seconded and carried that the following items, for which financial assistance from the Town was requested, be referred to the Mid Isle Soccer Association for inclusion in the tournament budget:

- Rental of portable bathroom facilities for all venues
- Rental of the Town's trolley and driver for a shuttle service
- Event directional signage

CS 2012-096

Government Services Committee Recommendations

It was moved, seconded and carried that the correspondence from Sandra Taylor, received February 20, 2012, requesting installation of a sidewalk on the east side of Davis Road between Davis Road Elementary School and Hall road, be referred to staff for review and recommendation, including discussion with School District #68 regarding crosswalk supervision and other pedestrian safety measures.

CS2012-097 It was moved, seconded and carried that the request from the Ladysmith Branch of the Royal Canadian Legion, dated February 16, 2012, for Permissive Property Tax Exemption in 2013 be referred to staff for review and recommendations.

CS 2012-098 It was moved, seconded and carried that the Ministry of Transportation and Infrastructure be requested to install advanced turn signals southbound at the intersection of Roberts Street and the TransCanada Highway, and northbound at the intersection of First Avenue and the Trans Canada Highway, in order to ensure the safety of resident of and visitors to the Town of Ladysmith.

CS 2012-099 It was moved, seconded and carried that the following policing priorities for 2012 – 2013 be endorsed:

- Property crime reduction
- Prolific offenders
- Police visibility
- Traffic
- Community Policing

Members of Council congratulated the Ladysmith Chamber of Commerce for organizing a highly successful Home, Garden and Business Show, held March 30 and 31.

**STAFF / ADVISORY
COMMITTEE REPORTS**

2012-2016 Financial Plan Deliberations

The City Manager provided Council with a summary of deliberations to date and requested that Council consider whether it wishes to maintain its policy of no increase to the industrial tax rate and maintaining any increase to the commercial tax rate at 50 per cent of the residential tax rate.

Council agreed to maintain the existing policy and recommended the following tax rate increases for 2012:

- Industrial – no increase
- Commercial – 2 per cent increase
- Residential – 5 per cent increase

CS 2012-100 It was moved, seconded and carried that a provision for replacement of Fire Rescue vehicles be carried forward to the 2013 budget, and that staff be directed to develop a Vehicle Replacement Plan for all Town vehicles.

CS 2012-101 It was moved, seconded and carried that a fence be constructed along three sides of the dog park at Transfer Beach, in accordance with portion A of the diagram circulated by the

Director of Parks, Recreation and Culture, and that the funds be included in the 2012 budget.

It was agreed that the Grant-in-Aid budget would be revisited at a Special Meeting of Council to be held on Tuesday, April 10 at 4:00 p.m.

Staff were requested to consider leasing rather than purchasing equipment where feasible.

It was agreed to continue discussions regarding the proposed reinstatement of the Economic Development Officer position until after the Cowichan Valley Regional District Economic Development Officer has met with Council at the April 16 Government Services Committee meeting.

Public Input

R. Johnson encouraged Council to review the Town's general operating costs for further reductions, and encouraged Council to review his correspondence dated March 19, 2012 on this matter.

CORRESPONDENCE

CS 2012-102

**Clayton Balabanov, Go Taxi
Recommendations regarding Ladysmith Trolley**

It was moved, seconded and carried that the correspondence from Clayton Balabanov of Go Taxi regarding options for a Ladysmith shuttle service be referred to BC Transit to determine how a shuttle service carried out by a taxi company is implemented in other jurisdictions.

BYLAWS

CS 2012-103

**Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299.
Amendment Bylaw 2012, No. 1799**

It was moved, seconded and carried that Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299. Amendment Bylaw 2012, No. 1799 be adopted.

CS 2012-104

**Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298
Amendment Bylaw 2012, No. 1800**

It was moved, seconded and carried that Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298 Amendment Bylaw 2012, No. 1800 be adopted.

QUESTION PERIOD

R. Johnson requested that minutes recorded during questions related to the budget be recorded more as a public hearing format.

R. Johnson was advised that non-fossil fuels used for heating

EXECUTIVE SESSION

CS 2012-105

include natural gas.

It was moved, seconded and carried at 9:04 p.m. that Council retire into Executive Session after a three minute recess to consider the following items in accordance with Section 90(1) of the Community Charter:

Item 1: 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

Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*

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

Item 2: 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

Item 3: 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

Item 4: 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

ARISE AND REPORT

Council arose from Executive Session with report on the following item:

- Council accepted with regret the resignation of Lynne Brown from the Heritage Revitalization Advisory Commission.

ADJOURNMENT

CS 2012-106

It was moved, seconded and carried that this meeting of Council be adjourned at 10:22 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)

Subject to Adoption