



## Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, April 6, 2009 at 4:00 p.m.

### COUNCIL MEMBERS PRESENT:

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

### STAFF PRESENT:

Ruth Malli	Sandy Bowden
Rebecca Kalina	Felicity Adams
Joe Friesenhan	

Mayor Hutchins called the meeting to order at 4:02 p.m.

### 2009 - 2013 FINANCIAL PLAN

R. Malli, City Manager, presented to Council the proposed detailed water and sewer budgets for consideration. Council requested additional information on reserve funds. Council expressed support for a differential tax rate and a modest increase to the tax rate not to exceed 3.75%.

### EXECUTIVE SESSION

2009-183: It was moved, seconded and carried that this meeting retire into Executive Session (6:08 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- litigation or potential litigation affecting the municipality;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

### ARISE AND REPORT

2009-184: It was moved, seconded and carried that the Executive Session of Council rise without report. (6:50 p.m.)

### AGENDA APPROVAL

Mayor Hutchins requested Council's consideration of re-ordering the agenda as follows:  
- Item 6.3 to appear before 6.2

2009-185: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, April 6, 2009 be approved as amended.

### MINUTES

Council requested that the name of the Trans Canada Highway be corrected in the March 2, 2009 minutes (Resolution 2009-131)

2009-186: It was moved, seconded and carried that the Council minutes of March 2, 3, 16, 17 and 30, 2009 be approved as amended.

### DELEGATIONS

#### SNOW ANGEL AWARDS

Mayor Hutchins presented each of the Snow Angel award winners: Cody Logan, Keith Hill, Greg Young, Richard Lambier and Ellie Swift; and Dave Seccombe and Karen Mullen, with a card and a one-hundred dollar cheque. The Mayor expressed his appreciation for their help and kindness to their neighbours.

#### FIVE STAR CULTURAL CONNECTION LEADERSHIP GROUP

Members of the Five Star Cultural Connection Community Project (Leadership BC - Ladysmith) provided an update on their project. Work on the canoe will begin shortly, an

invitation was extended to all Council members to take part in paddling the canoe with members of the Chemainus First Nation Council on May 30, 2009. The Mayor accepted the invitation to greet the canoe on the shore at Transfer Beach. A community dinner will be held after the canoe arrives and tickets are available for the dinner for \$25 each. The Mayor thanked the group for their presentation.

#### CVRD REGIONAL RECREATION FUNDING REPORT

Warren Jones and Jacob Ellis from the Cowichan Valley Regional District were in attendance and provided an overview on the Regional Recreation Funding Report and presented various funding options to members of the CVRD. The Mayor thanked Mr. Jones and Mr. Ellis for their presentation and stated that the report will be reviewed at the April 20, 2009 Government Services Committee meeting.

#### **BYLAWS (OCP/ZONING)**

2009-187: It was moved, seconded and carried that second reading of Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 68), 2008, No.1657 be rescinded.

2009-188: It was moved, seconded and carried that Bylaw 1657 be amended as follows: by including in the text of the 'General Commercial (C-2)' zone a clause that states the following uses are not permitted at 379 Davis Rd. - recreation facility, funeral parlour, assembly hall and library, theatre, and transportation terminal, as well as replace 'restaurant, including drive-in' with 'restaurant';

AND THAT Bylaw 1657 be read a second time as amended.

2009-189: It was moved seconded and carried that a public hearing date of June 1, 2009 be set for rezoning application 3360-98-01 (Phillips).

2009-190: It was moved, seconded and carried that Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 72), 2008 , No. 1684 be read a first and second time; and that a public hearing date be set for May 4, 2009; and that the requirement for a neighbourhood information meeting be waived.

2009-191: It was moved, seconded and carried that Zoning Bylaw Amendment application 3360-09-01 (Pabla) be referred to the Advisory Planning Commission and the Advisory Design Panel for review and comment.

#### **PROCLAMATIONS**

Mayor Hutchins proclaimed April, 2009 as "Oral Health Month" in the Town of Ladysmith.

Mayor Hutchins proclaimed the third week of April, 2009 as "Prevention of Violence Against Women Week" in the Town of Ladysmith.

Mayor Hutchins proclaimed May 3 - 9, 2009 as "Drinking Water Week 2009" in the Town of Ladysmith.

#### **DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS**

2009-192: It was moved, seconded and carried that development variance permit application 3090-08-07 be referred to Staff and the Advisory Design Panel for discussion with the applicant; and that Staff provide a report at the May 4, 2009 Council meeting.

2009-193: It was moved, seconded and carried that Staff be directed to proceed with the statutory notice for Development Variance Permit Application 3090-09-02 for Parcel A (DD 176N) of Lot 9, Block 47, DL 56, Oyster District, Plan 703A (321 3rd Ave).

#### **COUNCIL / COMMITTEE REPORTS**

Mayor Hutchins reported that Councillor Bastian has been appointed to the Youth Advisory Committee.

Councillor S. Bastian provided an update on the Protective Services Committee; the Fire Department reports they have had no issues with retention of members and training has been taking place. Citizens On Patrol is currently recruiting members.

Councillor J. Dashwood stated that the Fire Department is looking forward to receiving the new emergency generator.

Councillor S. Arnett reported that the Economic Development Commission reviewed the Tourism Advisory Committee's Signage Report and is supportive of the initiatives.

Councillor D. Paterson stated that Festival of Lights Board of Directors is comprised of the same members as 2008.

#### GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2009-194: It was moved, seconded and carried that the map, as presented in the March 10, 2009 Staff Report from J. Friesenhan, Director of Public Works, be adopted as the major pedestrian route for snow clearing with the inclusion of High Street and Roberts Street from Third Avenue to Sixth Avenue.

2009-195: It was moved, seconded and carried that the issue of adopting a policy of clearing snow and ice from sidewalks (major pedestrian routes) be referred to the 2009 budget process.

2009-196: It was moved, seconded and carried that Staff be authorized to purchase a Prius for the total price of \$30,154.85 (taxes included), with the details of the vehicle to be provided at the April 6, 2009 Council meeting.

2009-197: It was moved, seconded and carried that the request from the Ladysmith Golf Course Society to eliminate the golf course maintenance and utility fees be supported and referred to the 2009 budget process.

2009-198: It was moved, seconded and carried that the letter from D.A. Harrison, Vice President, Ladysmith Ratepayers Association regarding the Ivy Green Mobile Home Park be received.

2009-199: It was moved, seconded and carried that the report from the Residents Association of the Ivy Green Mobile Home Park be referred to Staff for review in conjunction with the report on affordable housing.

2009-200: It was moved, seconded and carried that the minutes of the Government Services Committee meeting on Monday, March 16, 2009 be approved as circulated.

2009-201: It was moved, seconded and carried that staff be directed to issue a Request For Proposals for contract services for the implementation of tourism management and coordination assistance as outlined in the report and funded by a UBCM Phase 2 grant.

Councillor L. Evans reported that the Heritage Revitalization Advisory Commission continues to work on the establishment of a memorial for Coal Miners. The Community Health Advisory Committee has vacancies and would like representation from Area H and the Chemainus First Nation. The Food Action Coordinating Team is working with VIHA regarding community gardens.

#### HERITAGE REVITALIZATION ADVISORY COMMISSION RECOMMENDATION

2009-202: It was moved, seconded and carried that the final report from the Heritage Tourism Workshop be received.

Councillor B. Whittington distributed a document entitled "Library 101" which he received at a recent Vancouver Island Regional Library Board meeting. VIRL will be issuing an Request For Proposals for changes to the Library Act.

#### **REPORTS**

##### FIRE CHIEF'S REPORT

2009-203: It was moved, seconded and carried that the Fire Chief's report for February 2009 be received.

## BUILDING INSPECTOR'S REPORT

2009-204: It was moved, seconded and carried that the Building Inspector's report for the month of February be received.

## FESTIVAL OF LIGHTS AND THE OLYMPIC TORCH RELAY

2009-205: It was moved, seconded and carried that:

(a) the Festival of Lights Committee (FOLC) be advised that the Town supports their request that the Town seek confirmation from the Olympic Torch Relay Committee that the Olympic Torch Relay will be routed through the Town of Ladysmith (Davis Road to Dogwood Drive; along Dogwood Drive to First Avenue; along First Avenue to Bob Stuart Park where they will exit onto the highway) on October 31, 2009 and that the FOLC be commended for their efforts to ensure that the annual lighting display along First Avenue is implemented in time for the torch relay; and,

(b) a letter be sent to the Olympic Torch Relay Committee reiterating the Town's earlier request that the torch relay be routed through the Town of Ladysmith on October 31, 2009 as per the FOLC's request.

## TOURISM SIGNAGE

2009-206: It was moved, seconded and carried that the recommendations for tourism attraction highway signage for Transfer Beach and visitor information signage (yellow "i") be referred to the Cowichan Valley Regional District Regional Highway Signage Committee for implementation as part of the Cowichan regional signage strategy pilot phase.

2009-207: It was moved, seconded and carried that the Parks, Recreation and Culture Commission be requested to comment to Council by May 4, 2009 regarding the following directions regarding Transfer Beach tourism signage:

- (a) that a new Transfer Beach sign (per the Town's Signage Plan) be installed at the Highway and Robert's Street, in place of the Welcome to Ladysmith sign, and
- (b) that custom banners be designed for the Transfer Beach precinct depicting Transfer Beach amenities and activities using the tourism branding (A View to Sea).

2009-208: It was moved, seconded and carried that the recommendations regarding use of the tourism branding "A View to Sea" for Ladysmith signage be part of Council's communications plan discussions.

## ENVIRONMENT COMMISSION RECOMMENDATIONS

2009-209: It was moved, seconded and carried that no action be taken regarding the following recommendation from the Environment Commission:

That Council advise the CVRD that it consents to the adoption of Bylaw Nos. 2942 and 2020 which prohibit the open burning of large quantities of debris such as that undertaken by developers within the CVRD area.

2009-210: It was moved, seconded and carried that the Federation of Canadian Municipalities (FCM) be advised that the Town of Ladysmith supports in principle the FCM's initiative outlined in the communiqué dated March 7, 2009 regarding phasing out the sale and purchase of bottled water at Town-owned facilities where appropriate and where potable water is available, and the development of an awareness campaign about the positive benefits and quality of municipal water supplies.

## TURBIDITY METER INSTALLATION

2009-211: It was moved, seconded and carried that Staff be authorized to purchase and have installed a turbidity meter from W.L. Solutions for a maximum price of \$10,000 with the funds to come from the water reserve.

**CORRESPONDENCE**

## COASTAL ANIMAL CONTROL POUND REPORT FOR FEBRUARY 2009

2009-212: It was moved, seconded and carried that the February 2009 Pound Report from Coastal Animal Control Services be received.

## ADDITIONAL PARKING FOR LADYSMITH MARITIME FESTIVAL

2009-213: It was moved, seconded and carried that permission be granted to the Ladysmith Maritime Society to use the former recreational vehicle site off Transfer Beach Boulevard for additional parking during the Ladysmith Maritime Festival on May 30, 2009, provided that vehicles are parked at least 30 metres from the creek, the site is supervised by Citizens on Patrol, the Ladysmith Maritime Society arranges appropriate liability insurance, and parking be permitted on one side only of Oyster Bay Drive, to permit emergency vehicle access.

## BUILT ENVIRONMENT &amp; ACTIVE TRANSPORTATION GRANT (PHASE 2)

2009-214: It was moved, seconded and carried that:

- a) the grant in the amount of \$21,000 for Phase 2 of the Built Environment & Active Transportation (BEAT) Community Planning Grant Program be received and that a letter of thanks for the grant be forwarded to the UBCM.
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 year financial plan and budget be amended accordingly.

## DIALYSIS UNIT

2009-215: It was moved, seconded and carried that the letter dated March 12, 2009 from Dr. Rachel Carson be received and a letter of support be sent to the Provincial Government for the installation of a dialysis unit in the Nanaimo Regional Hospital.

## INVESTMENTS TO LADYSMITH BY THE PROVINCIAL GOVERNMENT

2009-216: It was moved, seconded and carried that the letter dated March 20, 2009 from Minister K. Krueger, Ministry of Community Development regarding investments to Ladysmith by the Provincial Government be received.

## COMMUNITY TO COMMUNITY FORUM FUNDING

2009-217: It was moved, seconded and carried that:

- a) the grant for the Newly Elected C2C Forum be received and that a letter of thanks for the grant be forwarded to the UBCM.
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 year financial Plan and budget be amended accordingly.

## VISITOR INFORMATION CENTRE / CHAMBER OF COMMERCE PREMISES

2009-218: It was moved, seconded and carried that the Ladysmith Chamber of Commerce be advised Council supports the relocation of the Visitor Information Centre provided it remains in the downtown area of Ladysmith.

**BYLAWS**

2009-219: It was moved, seconded and carried that the Town of Ladysmith Development Procedures Bylaw 2008, No. 1667 Amendment Bylaw 2009, No. 1681 be read a first, second and third time.

2009-220: It was moved, seconded and carried that Town of Ladysmith DCC Water Appropriation Bylaw 2009, No. 1677 be adopted.

2009-221: It was moved, seconded and carried that Town of Ladysmith DCC Sewer Appropriation Bylaw 2009, No. 1678 be adopted.

2009-222: It was moved, seconded and carried that Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679 be adopted.

2009-223: It was moved, seconded and carried that Town of Ladysmith DCC Roads Appropriation Bylaw 2009, No. 1683 be adopted.

**ADJOURNMENT**

2009-224: It was moved, seconded and carried that the meeting be adjourned. (9:32 p.m.)

**CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)