



# Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, August 17, 2009 at 7:00 p.m.

## **COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins  
Lori Evans  
Bruce Whittington

Jillian Dashwood  
Duck Paterson

## **COUNCIL MEMBERS ABSENT:**

Steve Arnett  
Scott Bastian

## **STAFF PRESENT:**

Patrick Durban  
Felicity Adams

Sandy Bowden  
Rebecca Kalina

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

## **AGENDA APPROVAL**

The Mayor requested Council's consideration of the following additions to the agenda:  
- 10.1 - Government Services Committee Recommendation from August 17, 2009 Meeting  
- Executive Session of Council - 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

2009-453: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, August 17, 2009 be approved as amended.

## **MINUTES**

2009-454: It was moved, seconded and carried that the Council minutes of August 4, 2009 be approved as circulated

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

### DEVELOPMENT VARIANCE PERMIT APPLICATION 3090-09-04

2009-455: It was moved, seconded and carried that staff be directed to include the residents of North and South Battie Drive in the notification for Development Variance Permit Application 3090-09-04 for Lot 21, District Lot 52, Oyster District, Plan VIP86055 (440 Thetis Drive).

OPPOSED VOTE - Councillor D. Paterson

2009-456: It was moved and seconded that Development Variance Permit Application 3090-09-04 not be approved for Plan VIP86055 (440 Thetis Drive).

MOTION DEFEATED

OPPOSED VOTES: Councillor B. Whittington, Councillor J. Dashwood and Mayor R. Hutchins.

2009-457: It was moved, seconded and carried that staff be directed to undertake statutory notice for Development Variance Permit 3090-09-04 Lot 21, DL 52, Oyster District, Plan VIP 86055 (440 Thetis Drive) to permit a terraced dwelling and to vary the dwelling average height from 7.5 m to 10.78m for a flat roof.

OPPOSED VOTE- Councillor D. Paterson

## **REPORTS**

### PERMIT TO OPERATE A WATER SYSTEM

2009-458: It was moved, seconded and carried that staff be directed to install a new turbidity meter at the south end chlorination station for an amount not to exceed \$10,000 to be allocated from the Water Utility Reserve, and that the Financial Plan be amended accordingly.

## COMMUNITY ENERGY SYSTEM

2009-459: It was moved, seconded and carried that the Town of Ladysmith enter into a Memorandum of Understanding with Terasen Energy Services Incorporated to investigate the creation of a Community Energy System for Town facilities on Sixth Avenue.

Manager of Development Services, F. Adams, vacated Council Chambers at 8:02 p.m.

## GRANTS IN AID 2009

2009-460: It was moved, seconded and carried unanimously that an additional Grant In Aid for 2009 be granted to the Ladysmith and District Historical Society for \$5,350 and a Grant In Aid for 2009 be granted to the Ladysmith Resource Centre Association in the amount of \$11,500 for the Youth at Risk Program.

## BYLAWS

### BYLAW 1680

2009-461: It was moved, seconded and carried that Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644 Amendment Bylaw, 2009, No. 1680 be adopted.

## NEW BUSINESS

Councillor D. Paterson vacated Council Chambers at 8:12 p.m. due to a potential conflict of interest with the following item.

### GOVERNMENT SERVICES COMMITTEE RECOMMENDATION

2009-462: It was moved, seconded and carried that the expenditure of \$7,000 be authorized for costs associated with the installation of the Ladysmith Kinsmen Club washroom facility/gazebo to be located at the head of the Holland Creek Trail with \$3,500 to be allocated from the Sewer Utility fund and \$3,500 to be allocated from the Water Utility fund; and that the Financial Plan be amended accordingly.

Councillor D. Paterson returned to Council Chambers at 8:14 p.m.

## EXECUTIVE SESSION

2009-463: It was moved, seconded and carried that this meeting retire into Executive Session (8:15 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following item:

- 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

2009-464: It was moved, seconded and carried that the Executive Session of Council rise with report. (8:45 p.m.)

2009-465: It was moved, seconded and carried that staff be directed to proceed as required to stop up and close the east end of the alley that runs between the buildings located at 330 and 320 First Avenue; and to move the existing parking stalls on First Avenue to the new closed off area; and to establish a trolley stop on First Avenue in front of the Ladysmith and District Credit Union.

## ADJOURNMENT

2009-466: It was moved, seconded and carried that the meeting be adjourned at 8:45 p.m.

**CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)

