



**TOWN OF LADYSMITH**  
**MINUTES OF A REGULAR SESSION OF COUNCIL**  
**MONDAY, FEBRUARY 15, 2010 - 7:00 P.M.**

**LADYSMITH**

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**PRESENT:**

Mayor Rob Hutchins  
Councillor Jillian Dashwood  
Councillor Bruce Whittington

Councillor Steve Arnett  
Councillor Lori Evans

Councillor Scott Bastian  
Councillor Duck Paterson

**STAFF PRESENT:**

Ruth Malli  
Felicity Adams

Sandy Bowden

Rebecca Kalina

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**CALL TO ORDER**

Mayor Hutchins called the meeting to order at 6:43 p.m.

**EXECUTIVE SESSION**

**2010-058**

It was moved, seconded and carried that this meeting retire into Executive Session at 6:43 p.m., pursuant to Section 90(1) of the Community Charter to consider the following items:

- 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;
- labour relations or other employee relations;

The Regular Session of Council began at 7:01 p.m.

**AGENDA APPROVAL**

The Mayor asked for Council's consideration of the following addition to the agenda:

10.6 Contract Award for Electrical and Mechanical Services - Ladysmith Community Social Services Centre and Boys and Girls Club Facilities

**2010-059**

It was moved, seconded and carried that the agenda be adopted as amended.

**BYLAWS (OCP/ZONING)**

Councillor J. Dashwood vacated Council Chambers at 7:03 p.m. due to a potential conflict of interest regarding the following agenda item.

315 HOLLAND CREEK PLACE

**2010-060**

It was moved, seconded and carried that the Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.28), 2009 No.1700 and Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.77), 2009, No.1701 be read a third time; and that the two covenants prepared for rezoning application 3360-09-03 be accepted; and that the Mayor and Corporate Officer be authorized to execute the documents.

Councillor J. Dashwood returned to Council Chambers at 7:08 p.m.

Proposed Lot 6 of Lot 1, DL 108, Oyster District, Plan 47290

**2010-061**

It was moved, seconded and carried that the Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.30), 2010 No. 1708 and Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.79), 2010, No.1709 be read a first and second time; and a public hearing be scheduled for Bylaw 1708 and Bylaw 1709; and that the single family design guidelines be accepted and that the applicant prepare a covenant for rezoning application 3360-09-07; and that the Mayor and Corporate Officer be authorized to execute the documents.

1237 4<sup>th</sup> Avenue

**2010-062**

It was moved, seconded and carried that the Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.29), 2010 No. 1705 and Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.78), 2010, No. 1706 be read a first and second time; and a public hearing be scheduled for Bylaw 1705 and Bylaw 1706.

**2010-063**

It was moved, seconded and carried that the Town of Ladysmith accept the donation of land legally described as Lot 2, District Lot 97, Oyster District, Plan VIP84065; and that the following land use agreement (covenant) for rezoning application 3360-09-08 be accepted:

- a) A maximum of 48 residential units on the subject property;

- b) A commitment to the site plan developed by Delinea Design Consultants Ltd. and to the green building strategies indicated on the plans;
- c) At the development permit stage: (i) a tree protection management plan; a landscape plan that pays special attention to utilizing native species, protection of the riparian area, and to stormwater management; (ii) a commitment to the recommendations of the Riparian Area Regulation report completed by Toth and Associates; and (ii) a public pedestrian right-of-way to Crown owned Lot A, VIP66519;

and that the Mayor and Corporate Officer be authorized to execute the necessary documents to secure the commitments.

## MINUTES

**2010-064**

It was moved, seconded and carried that the Council minutes of February 1, 2010 be adopted as circulated.

## PROCLAMATIONS

The Mayor proclaimed March, 2010 as “Easter Seals Month” in the Town of Ladysmith.

## DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

### 322 Morgan Road

**2010-065**

It was moved, seconded and carried that an Environmentally Sensitive Area Development Permit 3060-10-01 be issued for 322 Morgan Road (Lot 1, District Lot 42, Oyster District, Plan 8270, Except Parts in Plans 44668, 47403, VIP57744, VIP78842 and VIP80930); and that the Mayor and Corporate Officer be authorized to sign the Development Permit.

F. Adams, Director of Development Services, vacated Council Chambers at 7:21 p.m.

## REPORTS

### ANNUAL TENDER AWARDS 2010

**2010-066**

It was moved, seconded and carried that the annual tenders for materials and services be awarded to the following companies at the unit rates tendered, being the low tenders:

Asphalt Supply - Hub City Paving  
Concrete Supply - Mayco Mix Ltd.  
Chlorine & SO<sub>2</sub> - Clear Tech  
Lab Testing - MB Laboratories Ltd.  
Container Rental & Garbage Disposal - Waste Services Inc.  
Septic Services - Save On Septic Services Inc.

Councillor S. Bastian arrived in Council Chambers at 7:38 p.m.

RECOMMENDATION - ENVIRONMENT COMMISSION  
USE OF RAIN BARRELS

**2010-067** It was moved, seconded and carried that the Cowichan Valley Regional District be advised that the Town of Ladysmith supports a CVRD sponsored and managed rebate/distribution program to facilitate the use of rain barrels through the region.

FIRE CHIEF'S REPORT JANUARY, 2010

**2010-068** It was moved, seconded and carried that the Fire Chief's report for January, 2010 be received.

BUILDING INSPECTOR'S REPORT - JANUARY, 2010

**2010-069** It was moved, seconded and carried that the Building Inspector's report for January, 2010 be received.

TROLLEY REPORT - JANUARY, 2010

**2010-070** It was moved, seconded and carried that the Trolley report for January, 2010 be received.

**CORRESPONDENCE**

CONTRACT AWARD FOR ELECTRICAL AND MECHANICAL SERVICES - LADYSMITH COMMUNITY SOCIAL SERVICES CENTRE AND BOYS AND GIRLS CLUB FACILITIES

**2010-071** It was moved, seconded and carried that the contracts for electrical and mechanical services for the Ladysmith Community Services Centre and Boys and Girls Club facilities be awarded as follows: Canem Systems for electrical services for \$131,168 and Waywest Mechanical for mechanical services for \$278,787.

**2010-072** It was moved, seconded and carried that the letter dated January 25, 2010 from D. Welch, Local Government Program Services regarding the completion of the Built Environment and Active Transportation Project (Phase 2) be received.

**2010-073** It was moved, seconded and carried that the letter dated January 27, 2010 from J. Barry, Corporate Secretary, Cowichan Valley Regional District regarding the Community Safety Advisory Committee membership be referred to a future meeting at which staff will provide information on meeting dates of the committee.

**BYLAWS**

**2010-074**

It was moved, seconded and carried the Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2010, No. 1707 be adopted.

The Regular Session of Council recessed at 7:43 p.m. to resume the Executive Session of Council.

**RISE AND REPORT**

The Executive Session of Council rose without report at 8:30 p.m.

**ADJOURNMENT**

**2010-075**

It was moved, seconded and carried that the meeting be adjourned at 8:30 p.m.

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Mayor (R. Hutchins)

**CERTIFIED CORRECT**

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Corporate Officer (S. Bowden)