



LADYSMITH

TOWN OF LADYSMITH
MINUTES OF A REGULAR SESSION OF COUNCIL
TUESDAY, SEPTEMBER 7, 2010 - 7:00 P.M.

COUNCIL MEMBERS 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
Joanna Winter

Sandy Bowden

Felicity Adams

CALL TO ORDER

Mayor Hutchins called the meeting to order at 7:03 p.m.

AGENDA APPROVAL

Mayor Hutchins requested Council's consideration of the following additions to the agenda:

- 7.8 Lot 108 Field Development Service Facilities
- 7.9 Island Coastal Economic Trust – Stage One Application
- 10.1 Letter of Support for Ladysmith Maritime Society

2010-385

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

MINUTES

2010-386

It was moved, seconded and carried that the Council Meeting minutes of August 13, 2010 and Special Council Meeting minutes of August 24 and 30, 2010 be adopted as circulated.

**COUNCIL COMMITTEE
REPORTS**

Mayor Hutchins made a presentation to Council on the activities and priorities of the Cowichan Communities Health Network. Council thanked Mayor Hutchins for his presentation and for the valuable work of the Network.

2010-387

It was moved, seconded and carried that the Economic Development Commission be requested to review recreational seasonal campsite opportunities in the Ladysmith area.

2010-388 It was moved, seconded and carried that a letter of thanks and congratulations be sent to the organizers of Arts on the Avenue 2010.

Government Services Committee Recommendations from the meeting of August 16, 2010

2010-389 It was moved, seconded and carried that:

- a) Staff be directed to implement the Trolley Advertising program as proposed
- b) Advertising at Trolley stops be referred to the Heritage Revitalization Advisory Commission for input; and
- c) Staff be directed to review the Sign and Canopy Bylaw and propose amendments, if required, to accommodate the placement of advertising signage at trolley stops

2010-390 It was moved, seconded and carried that a letter be written to the Minister responsible for Census Canada requesting that the mandatory long census form be reinstated for the 2011 census.

2010-391 It was moved, seconded and carried that staff be requested to report back to Council with recommendations regarding a possible public process for a review of the sign bylaw with respect to issues related to sandwich board signs.

Councillor Evans requested that the participation of the Stz'uminus First Nation on the Heritage Revitalization Committee be discussed at an upcoming joint meeting of the SFN and TOL Councils.

**STAFF / ADVISORY
COMMITTEE REPORTS**

Covenant EX60846 and Multi-family Developments – 606 Farrell Road (3360-05-02)

2010-392 It was moved, seconded and carried that Council not support the removal or replacement of covenant EX60846 from the titles of the properties at 606 Farrell Road (Lot A, District Lot 41, Oyster District, Plan VIP84543 and Strata Lots 1, 2 and 3, District Lot 41, Oyster District, Strata Plan VIS6497).

Development Cost Charge (DCC) Review – Rate Options

2010-393 It was moved and seconded and carried that Council adopt the Development Cost Charge rates as outlined in Option 7 of the memorandum from Leftside Partners Inc. and Neilson-Welch Consulting Inc., dated August 26, 2010.

2010-394 It was moved, seconded and carried that staff be directed to prepare a bylaw to provide for rebate or waiver options for commercial and residential development in the Downtown

Specified Area.

2010-395 It was moved, seconded and carried that staff be directed to prepare a bylaw to provide for development cost charge rebates for developments with low environmental impact.

2010-396 It was moved, seconded and carried that staff be directed to proceed with stakeholder consultation on Development Cost Charges.

**Development Permit - 524 First Avenue - AYPQ
Architecture (2060-10-07)**

2010-397 It was moved, seconded and carried that Council support in principle Development Permit 3060-10-07 to permit a second storey addition at 524 First Avenue (Parcel A (DD391128I) of Lot 3, Block 27, D.L. 56, Oyster District, Plan 703) and reduce the required parking from two spaces to one space, subject to a timely review by the Heritage Revitalization Advisory Commission.

Tree Canada / BC Hydro Grant

2010-398 It was moved, seconded and carried that Council direct staff to apply for up to \$15,000 from the Tree Canada "Community Tree Planting Program" for urban open space enhancement associated with the Bayview Connector bike path, and that Council direct staff to include \$5,000 for the Bayview Connector open space enhancements in the 2011 Parks Department budget proposal.

Lease Agreement - Ladysmith RCMP Detachment

2010-399 It was moved, seconded and carried that the Mayor and Corporate Officer be authorized to execute the lease agreement for the Ladysmith RCMP Detachment for the lease of the proportionate share of the Town-owned premises at 329 Sixth Avenue occupied by provincial members for a term of 25 years.

**Animal Control Contract Renewal - Coastal Animal
Control Services of BC**

2010-400 It was moved, seconded and carried that the animal control contract between the Town of Ladysmith and Coastal Animal Control Services of BC for the provision of animal control services within the Town be renewed for a three year period commencing September 1, 2010 and terminating on August 31, 2013 at an annual cost of \$27,120 plus HST, and that the Mayor and Corporate Officer be authorized to sign the contract.

Ladysmith Orcas Swim Club – Five Year Sustainable Plan

2010-401 It was moved, seconded and carried that staff be directed to work with the Ladysmith Orca Swim Club to establish a five-year sustainable plan for use of the Frank Jameson Community Centre pool, and that the Orcas' request for a reduction in fees be referred to the Parks, Recreation and Culture Commission for consideration and recommendation.

Lot 108 Sports Field Development – Service Facilities

2010-402 It was moved, seconded and carried that approval be given for the purchase of:

1. a new Change Room Unit from The Britco Group at a cost of \$59,975 plus transportation/set-up costs of \$3,050 plus applicable taxes, and
2. a refurbished used Wash Room Unit from The Britco Group at a cost of \$29,975 plus transportation/set-up costs of \$2,570 plus applicable taxes.

Island Coastal Economic Trust

2010-403 It was moved, seconded and carried that staff be directed to submit a Stage One application to the Island Coastal Economic Trust for funds to assist in enhancing the streetscapes and connection between First and Second Avenues, High and Buller Streets, incorporating the new Spirit Square.

CORRESPONDENCE Councillor Arnett declared a conflict of interest and excused himself from the meeting.

2010-404 It was moved, seconded and carried that the Town write a letter of support to the federal "Enabling Accessibility Fund" in support of the Ladysmith Maritime Society's application to assist with the funding of a fully accessible gangway.

BYLAWS Councillor Arnett returned to the meeting.
Town of Ladysmith Zoning Bylaw, 1995, No. 1160 Amendment Bylaw (No. 82), 2008, No. 1727

2010-405 It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw, 1995, No. 1160 Amendment Bylaw (No. 82), 2008, No. 1727 be amended at second reading and read a third time as amended.

Town of Ladysmith Road Closure, Disposition and Exchange Bylaw 2010, No. 1731

2010-406 It was moved, seconded and carried that Town of Ladysmith Road Closure, Disposition and Exchange Bylaw 2010, No. 1731 be adopted.

Town of Ladysmith

2010-407 It was moved seconded and carried that the Section 4.2 of Schedule A of Town of Ladysmith Housing Agreement Bylaw 2010, No. 1739 for 218 Bayview Avenue be amended to delete 'Nanaimo' and replace it with 'Duncan/North Cowichan'.

2010-408 It was moved, seconded and carried that Town of Ladysmith Housing Agreement Bylaw 2010, No. 1739 be read a first, second and third time as amended.

Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2010, No. 1740

2010-409 It was moved, seconded and carried that Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2010, No. 1740 be read a first, second and third time.

QUESTION PERIOD

R. Johnson was advised that no public hearing was required to be held for the removal or replacement of Covenant EX60846 and Multi- family Developments at 606 Farrell Road.

C. Gilroy was advised that the Council of the day followed due process in the adoption of Town of Ladysmith Bylaw 1996, No. 1207.

EXECUTIVE SESSION

2010-410 It was moved, seconded and carried that this meeting retire into Executive Session at 9:39 p.m., pursuant to Section 90(1) of the Community Charter, to consider the following items:

- 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

RISE AND REPORT

The Executive Session of Council arose at 10:10 with the following report:

- The terms of appointment for Advisory Commission members are to be extended for up to 90 days.

ADJOURNMENT

2010-411

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

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)

SUBJECT TO ADOPTION