



LADYSMITH

**MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
SEPTEMBER 19, 2011**

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

Felicity Adams

Joanna Winter

CALL TO ORDER

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

AGENDA APPROVAL

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

11.1 Regular Council Meeting, October 3, 2011

2011-396

It was moved, seconded and carried that the agenda for the Regular Meeting of Council for September 19, 2011 be adopted as amended.

MINUTES

2011-397

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held September 6, 2011 be approved as circulated.

PUBLIC HEARING

Proposed Amendments to the Official Community Plan and Zoning Bylaw – Secondary Suites (Bylaws 1773 and 1774)

APPLICANT: Town of Ladysmith

PUBLIC ATTENDANCE: 12

A Public Hearing for Bylaw 1773 and Bylaw 1774 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, September 19, 2011 at 7:03 p.m.

Mayor Hutchins welcomed the public and noted that the public input portion of the hearing would take place in two parts - Part 1 would entertain questions clarifying the bylaws and Part 2 would afford attendees an opportunity to provide comments to Council on the proposed bylaw amendments.

The purpose of **Bylaw 1773** is to amend the Official Community Plan (OCP) to add policy to support secondary suites in single family dwellings and detached buildings (e.g. coach house, garden suite) within the Town of Ladysmith.

The purpose of **Bylaw 1774** is to amend the Zoning Bylaw to permit secondary suites in single family dwellings in residential zones in the Town of Ladysmith.

The Public Hearing **notice** was printed in the Chronicle newspaper on September 6, 2011 and September 13, 2011 and posted on community notice boards throughout the Town, as well as on the Town's website. A copy of the Notice was made available at the front counter at City Hall for the two week notice period.

Two written submissions and two telephone or in-person enquiries were received at City Hall in connection with this Public Hearing. The written submissions were distributed to members of Council.

Brenda McBain, CitySpaces Consulting, provided an overview of the secondary suites public consultation process. Felicity Adams, Director of Development Services, provided an overview of the proposed bylaws.

Mayor Hutchins called for questions a first time.

Carol and Brian Van Acker, 220C Dogwood Drive – asked whether bare land strata units are permitted to have secondary suites. Ms Adams advised the proposed zoning would permit suites within such single family dwellings, subject to the regulations contained within the Bylaw, but that the strata corporation would determine whether or not secondary suites would be permitted within units in that strata.

Cathy Gilroy, 220 Third Avenue – enquired whether the homeowner would be required to reside in the home, and was advised that the owner would not be required to reside in the single family dwelling.

Mayor Hutchins called for questions a second time.

Mayor Hutchins called for questions a third time.

Mayor Hutchins called for comments a first time.

Bill Drysdale, 816 Malone Road – requested that Council not consider the question of secondary suites in detached buildings as a separate subject of forthcoming bylaws, and that all types of secondary suites be incorporated into the same bylaw.

Judith Ray 321 Fourth Avenue Extension – commented that future discussion regarding secondary suites in detached buildings take into account the locations of such structures on the property.

Ed Shirley, 302 Holly Place – expressed a general concern regarding the restriction on secondary suites in single family dwellings also operating bed and breakfast establishments.

Brian Van Acker - asked whether that were be a minimum size for secondary suites and was advised that the Town will follow B.C. Building Code requirements for secondary suites.

Mayor Hutchins called for comments a second time.

Mayor Hutchins called for comments a third time.

Hearing no further comments Mayor Hutchins called for any written submissions .

Hearing no further comments and receiving no further written submissions, Mayor Hutchins declared the Public Hearing for Bylaw 1773 and Bylaw 1774 closed at 7:35 p.m.

2011-398 It was moved seconded and carried that Agenda Items 9.1 (Bylaw 1773) and 9.2 (Bylaw 1774) be considered immediately after the public hearing.

2011-399 It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 37) 2011, No. 1773 be read a third time.

2011-400 It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 37) 2011, No. 1773 be adopted.

2011-401 It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 87) 2011, No. 1774 be read a third time.

2011-402 It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 87) 2011,

No. 1774 be adopted.

PROCLAMATIONS

Mayor Hutchins proclaimed

- The week of October 17 to 23, 2011 as “Waste Reduction Week” in the Town of Ladysmith.

**DEVELOPMENT PERMITS /
DEVELOPMENT VARIANCE
PERMITS**

**Development Variance Permit Application
10910 Westdowne Road (Lot 15, District Lot 72, Oyster District,
Plan 8793, Except Part in Plan 895RW)**

2011-403

It was moved, seconded and carried that staff be directed to proceed with statutory notification for development variance permit application 3090-11-01 for 10910 Westdowne Road (Lot 15, District Lot 72, Oyster District, Plan 8793, Except Part in Plan 895RW) to consider two variances to the Subdivision Control Bylaw No. 1115 in order to permit postponement of the required connection to the water supply and sanitary sewer system such that these two connections are not required at the time of subdivision to create two lots.

**STAFF / ADVISORY
COMMITTEE REPORTS**

**Government Services Committee Recommendations (Meeting of
August 15, 2011)**

Holland Creek Trail Bridge

2011-404

It was moved, seconded and carried that staff be directed to complete the required repairs and inspections on the Holland Creek pedestrian bridge, install signage restricting loads and include the replacement of the bridge in the 2012 budget.

Staff were requested to report back to the Committee with recommendations regarding options for the structure of the replacement bridge.

Council Remuneration

2011-405

It was moved, seconded and carried that the authority to appoint a three person committee to review Council remuneration be delegated to staff.

Question Period Guidelines

2011-406

It was moved, seconded and carried that the following Question Period Guidelines be adopted, in order to incorporate those recently adopted by the Cowichan Valley Regional District:

1. There will be allotted a maximum of 15 minutes for questions.
2. The Question Period will be comprised of two parts. The first part is reserved for questions directly related to items which appear on the agenda. If there is time remaining, questions during the second part can be on a matter of public interest

under the jurisdiction of the Town.

3. Each questioner will be allowed to ask one question plus a follow-up question related to the answer. If after all questioners have been heard and there is still time remaining, a questioner who has already spoken can ask one additional question plus a follow-up question related to the answer.
4. Questions must be truly questions and not statements of opinions. Questioners are not permitted to make a speech.
5. Questioners must avoid personal references; insinuations; violent, offensive or disrespectful remarks about another person; and unparliamentary language.
6. Questions shall be addressed to the Chair.
7. No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

Monthly Trolley Passes

2011-407

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

- Implement a monthly trolley pass system as follows, effective October 1, 2011:
 - Ages 6 to 18 - \$20 per month
 - Ages 19 to 64 - \$30 per month
 - Ages 65 and over - \$20 per month
 - All other ages free
 - Replace lost/stolen pass - \$5.00
- Prepare an amendment to the Fees and Charges Bylaw No. 1644 to authorize the Town to charge the following rates for trolley use:
 - Single trolley ride: Ages 6 to 18 - \$1
 - Ages 19 to 64 - \$2
 - Ages 65 and over - \$1
 - All other ages free

 - Monthly passes: Ages 6 to 18 - \$20
 - Ages 19 to 64 - \$30
 - Ages 65 and over - \$20
 - All other ages free
 - Replace lost/stolen pass - \$5.00

2011-408

Revitalization Tax Exemption Program

It was moved, seconded and carried that staff be directed to prepare amendments to Revitalization Tax Exemption Program Bylaw 2007, No. 1625, to expand the program to include other revitalization categories such as environmental, economic and social revitalization as permitted in the *Community Charter*,

starting in the taxation year 2013.

Staff were requested to determine whether the proposed revitalization tax exemption program would apply to remediation of natural areas as well as the installation of fire suppression measures in the downtown core.

2011-409

Lease Renewal – Parking Lot at 17 and 25 Roberts Street

It was moved, seconded and carried that the renewal of the lease agreement with land owner Paul Jorjorian for the use of 17 and 25 Roberts Street as a municipal parking lot for a period of three (3) years at a rate of \$475 per month in 2012, \$500 per month in 2013, and \$525 per month in 2014, plus applicable taxes; and that staff investigate the feasibility of installing a more visible sign to indicate that this is a public parking lot; and that the Mayor and Corporate Officer be authorized to sign the agreement.

CORRESPONDENCE

2011-410

**Sylvia Smith & JoAnne Edquist, Ladysmith Golf Club
Renewal of Ladysmith Golf Club Maintenance Agreement**

It was moved, seconded and carried that the request for the renewal of the maintenance agreement between the Town and the Ladysmith Golf Club be referred to staff for review and recommendation.

2011-411

**C. Gilroy
Secondary Suite Policy**

It was moved, seconded and carried that correspondence from Cathy Gilroy dated September 13, 2011, regarding the enforcement of secondary suites policy, be referred to staff for review and the preparation of a response.

BYLAWS

2011-412

Councillor Dashwood declared a conflict with the following item on the agenda, and excused herself from the meeting.

Town of Ladysmith Tax Sale Redemption Period Extension Bylaw 2011, No. 1777

It was moved, seconded and carried that Town of Ladysmith Tax Sale Redemption Period Extension Bylaw 2011, No. 1777 be adopted.

Councillor Dashwood returned to the meeting.

2011-413

**Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644,
Amendment Bylaw 2011, No. 1778**

It was moved, seconded and carried that Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011,

No. 1778 be adopted.

Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2011, No. 1779

2011-414 It was moved, seconded and carried that Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2011, No. 1779, be adopted.

Town of Ladysmith Water System Construction Interim Financing Bylaw 2011, No. 1781

2011-415 It was moved, seconded and carried that Town of Ladysmith Water System Construction Interim Financing Bylaw 2011, No. 1780, be adopted.

NEW BUSINESS

Ratification of Electronic Vote – Roof Repair Work at Frank Jameson Community Centre

2011-416 It was moved, seconded and carried that the purchasing policy be waived and Mike Quitley be contracted to carry out repairs to damage on the roof of the Frank Jameson Community Centre caused by rot, and that the Financial Plan be amended accordingly.

Proposed Change in Date – October 3, 2011 Council Meeting

2011-417 It was moved, seconded and carried that the Regular Meeting of Council scheduled for Monday, October 3, 2011 be re-scheduled to Tuesday, October 4, 2011 at 7:00 p.m.

EXECUTIVE SESSION

2011-418 It was moved, seconded and carried at 8:18 p.m. that Council retire into Executive Session after a two-minute recess.

ARISE AND REPORT

Council arose from Executive Session at 9:20 p.m. without report.

ADJOURNMENT

2011-419 It was moved, seconded and carried that this meeting of Council be adjourned at 9:20 p.m.

CERTIFIED CORRECT

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Subject to Adoption