

TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, JANUARY 19, 2015
LADYSMITH EAGLES HALL
921 FIRST AVENUE, LADYSMITH
7:00 PM.

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Ruth Malli	Sandy Bowden	Felicity Adams
Erin Anderson	John Manson	Joanna Winter

CALL TO ORDER Mayor Stone called this regular meeting of Council to order at 7:04 p.m.

AGENDA APPROVAL

CS 2015-011 *Moved and seconded:*
That the agenda for the Council Meeting of January 19, 2015 be approved.
Motion carried.

MINUTES

CS 2015-012 *Moved and seconded:*
That the minutes of the Regular Meeting of Council held January 5, 2015 be approved.
Motion carried.

DELEGATIONS

Donna Hemingson, Denis Hughes
The Right to a Healthy Environment – David Suzuki Foundation Blue Dot Initiative and Declaration of the Right to a Healthy Environment

Denis Hughes and Donna Hemingson spoke about the importance of protecting the environment and ensuring individuals' right to a healthy environment. They urged Council to adopt a resolution declaring that right.

Council thanked D. Hughes and D. Hemingson.

CS 2015-013 *Moved and seconded:*
WHEREAS municipalities and regional districts are the governments nearest to people and the natural environment, and therefore share

a deep concern for the welfare of the natural environment and understand that a healthy environment is inextricably linked to the health of individuals, families, future generations and communities; AND WHEREAS fostering the environmental well-being of the community is a municipal purpose under section 7(d) of the *Community Charter* and a regional district purpose under section 2(d) of the *Local Government Act* ;

The Council of the Town of Ladysmith declares that:

1. Every resident has the right to live in a healthy environment, including the right to:
 - a. breathe clean air,
 - b. drink clean water,
 - c. consume safe food,
 - d. access nature,
 - e. know about pollutants and contaminants released into the local environment, and
 - f. participate in decision making that will affect the environment;
2. The Town of Ladysmith has the authority, within its jurisdiction, to respect, protect, fulfill and promote these rights;
3. The Town of Ladysmith will consider the precautionary principle when making decisions: where threats of serious or irreversible damage to human health or the environment exist, the Town of Ladysmith will consider cost effective measures to prevent the degradation of the environment and protect the health of its citizens, and the absence of full scientific certainty will not be viewed as sufficient reason for the Town of Ladysmith to postpone such measures;
4. The Town of Ladysmith will apply full cost accounting: when evaluating reasonably foreseeable costs of proposed actions and alternatives, the Town of Ladysmith will consider costs to human health and the environment;
5. By 2016, the Town of Ladysmith will specify objectives, targets, timelines and actions the Town of Ladysmith will take, within its jurisdiction, to address the residents' right to a healthy environment under section 1, including priority actions to:
 - a. distribute environmental benefits and burdens equitably within the municipality, preventing the development of pollution "hot spots";
 - b. ensure infrastructure and development projects of the Town of Ladysmith and private sector respect the objective of protecting the environment, including air quality;
 - c. address climate change by reducing greenhouse gas emissions and implementing adaptation measures;

- d. responsibly increase density in accordance with growth and servicing strategies that respect the objective of a healthy environment;
 - e. prioritize walking, cycling and public transit as preferred modes of transportation;
 - f. prioritize infrastructure and protected water sources for the provision of safe and accessible drinking water;
 - g. promote the availability of safe food;
 - h. reduce solid waste and promote recycling, re-use and composting;
 - i. establish and maintain accessible green spaces in all residential neighbourhoods, and protect and conserve nature in public open spaces;
6. The Town of Ladysmith will review the objectives, targets, timelines and actions of its healthy environment policy every five (5) years, and measure progress toward fulfilling this Declaration; and
7. The Town of Ladysmith will consult with residents as part of this process.

AMENDMENT

Moved and seconded:

CS 2015-014

That Resolution CS 2015-013 be amended by adding the following:

And further, that Council direct staff to prepare a draft resolution for consideration by the Association of Vancouver Island and Coastal Communities at its 2015 Annual Meeting, in consultation with other local governments.

Amendment carried.

Motion as amended carried.

Keith Lawrence, Brian Carruthers, Cowichan Valley Regional District Regional Water Management and Governance: Presentation of Draft Report

Keith Lawrence and Brian Carruthers of the Cowichan Valley Regional District presented the draft report on Regional Water Management and Governance for the Regional District, sought Council's input on a proposed governance model outlined in the draft report, and responded to questions.

Council thanked K. Lawrence and B. Carruthers for their informative presentation and congratulated them on their comprehensive initiative to help protect watersheds in the region.

PROCLAMATIONS

Mayor Stone proclaimed the month of February 2015 as **Heart Month** in the Town of Ladysmith to urge all citizens to support the Heart and Stroke Foundation Campaign to raise funds for life-saving

programs and research.

**DEVELOPMENT
APPLICATIONS**

Riparian Development Permit Application (Carey)

Lot 1, District Lot 103, Oyster District, Plan 34532 – PID#000-294-438; District Lot 103, Oyster District, Except Part Shown Coloured Red on Plan Deposited Under DD28900 and Except Part in Plan 34532 – PID#009-474-251; Block 192, Oyster District – PID#009-438-319

Moved and seconded:

CS 2015-015

That Council:

1. Issue Riparian Development Permit 3060-14-07 to permit the subdivision of land and road dedication, and to establish the Streamside Protection and Enhancement Areas (SPEA) on Lot 1, District Lot 103, Oyster District, Plan 34532 – PID#000-294-438; District Lot 103, Oyster District, Except Part Shown Coloured Red on Plan Deposited Under DD28900 and Except Part in Plan 34532 – PID#009-474-251; Block 192, Oyster District – PID#009-438-319; and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Signage Development Variance Permit Application – Harway Holdings (49th Parallel Grocery)

Moved and seconded:

CS 2015-016

That Council direct staff to proceed with statutory notice for Signage Development Variance Permit application 3090-14-05, located at 1020 First Avenue.

Motion carried.

Development Variance Permit Application – 410 Third Avenue (Forrest)

Lot 1, Block 73, District Lot 56, Oyster District, Plan 7033A

Mayor Stone invited residents both within and outside the Development Variance Permit Application Notice Area to address Council with comments about the application.

Bill Drysdale, 816 Malone Road – commented that a majority of residents favoured the development of coach houses during the secondary suites consultation process, and reminded Council to consider whether the carriage house in question addresses the need for affordable housing in the community.

Glenda Patterson, 920 Third Avenue, Ladysmith – commented that there are a number of other buildings in the Town that do not

comply with the Zoning Bylaw and other regulations.

Russell Barling, 126 Forward Road – urged Council to adhere to the bylaws in a way that reflects the spirit of the community, and added that he expected Council to enforce the bylaw in making its decision, as allowing a variance would open the door to future such requests.

Mayor Stone reminded the audience that variances are permitted under the provincial legislation.

Aaron Lafontaine, 312 Roberts Street – spoke about the significant impact the structure in question has had on his privacy, views and property value.

Moved and seconded:

CS 2015-017

That Council not issue Development Variance Permit 3090-14-02 to vary the siting and height of a coach house within an existing accessory building on Lot 1, Block 73, District lot 56, Oyster District, Plan 703A (410 Third Avenue).as the development application does not meet Development Permit Area guidelines.

Motion carried.

**Development Permit Application – 410 Third Avenue (Forrest)
Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A**

This item was removed from the agenda, as consideration of the Development Permit Application was contingent on Council approving Development Variance Permit application 3090-14-02.

REPORTS

Municipal Services Committee Recommendation

Moved and seconded:

CS 2015-018

That Council repeal “Land Use Agreements Policy 06-2320-A” and replace it with the new “Community Amenity Contribution Policy” as presented with the staff report from the Director of Development Services dated November 5, 2014.

Motion carried.

2015 to 2019 Financial Plan – Policy Objectives

The Director of Financial Services reviewed the current policies which guide development of the Financial Plan and sought Council’s confirmation of policies to guide development of the 2015 to 2019 Financial Plan as outlined in the 2014 to 2018 Financial Plan Bylaw 1853.

Moved and seconded:

CS 2015-019

That Council confirm the Financial Plan Statement of Objectives and Policies as outlined in Schedule B of Town of Ladysmith 2014 to 2018 Financial Plan Bylaw No. 1853.

Motion carried.

Enrollment in Union of British Columbia Municipalities Benefits Plan for Elected Officials

CS 2015-020 *Moved and seconded:*
That Council refer the matter of enrollment in the Union of British Columbia Municipalities Benefits Plan for elected officials to an upcoming meeting of Council.
Motion carried.

CS 2015-021 *Moved and seconded:*
That Council direct staff to research the practice with respect to enrollment in the Union of British Columbia Municipalities benefits plan for elected officials in other Vancouver Island municipalities, including City of Duncan, Town of Lake Cowichan, Municipality of North Cowichan, City of Parksville, Town of Qualicum Beach and the Cowichan Valley Regional District, and report back to Council.
Motion carried.

Town of Ladysmith Board of Variance

CS 2015-022 *Moved and seconded:*
That Council:

1. Direct staff to advertise for three individuals to serve on the Town of Ladysmith Board of Variance and that the advertisement include reference to the following criteria for potential appointees:
 - Public or private sector experience in the delivery of public programs or services
 - Practical experience in research, analysis, land use planning, architecture, landscape architecture, building design and construction, engineering, law or local governance
 - Resident and respected member of the community
 - Member of a community organization
 - Business owner
2. Proceed with first three readings of Board of Variance Bylaw No. 1671, which appears under the Bylaws section of tonight's Council agenda;
3. Direct staff to include \$5,000 in the 2015-2019 financial plan to cover costs associated with the Board of Variance; and,
4. Direct staff to make the necessary arrangements for the development of Board of Variance Guidelines to outline the Board's role, mandate and responsibilities regarding Board of Variance applications.

Motion carried.

Water Conservation Plan Update

The Director of Infrastructure Services gave a slide presentation to accompany his report on water demand and consumption rates in the Town.

Moved and seconded:

CS 2015-023

That Council adopt the following recommendations and include them in an updated Conservation Plan for 2015:

- 1 Set a new residential water consumption target of 20 per cent lower than the current published Canadian average residential consumption rate;
- 2 Direct staff to investigate the potential to expand the current single family residential block water rate structure to other users, such as commercial and industrial users, and report back to Council on possible changes to the rate structure;
- 3 Direct staff to investigate further reductions of water use at municipal facilities, including parks irrigation, as well as any unaccounted for water use (water leaks);
- 4 Direct staff to investigate new potential rebates and public education, and other water reduction programs to achieve the target water reductions noted above.

Motion carried.

BYLAWS

Town of Ladysmith Board of Variance Bylaw 2015, No. 1671

Moved and seconded:

CS 2015-024

That Town of Ladysmith Board of Variance Bylaw 2015, No. 1671, be read a first, second and third time.

Motion carried.

CS 2015-025

Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2015, No. 1871

Moved and seconded:

That Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2015, No. 1871 be read a first, second and third time.

Motion carried.

CORRESPONDENCE

Councillor Paterson declared a conflict of interest with the following agenda item due to his association with the Kinsmen Club and the playground project, and excused himself from the meeting.

Moved and seconded:

CS 2015-026

That Council enter into a partnership with the Ladysmith Kinsmen Club for the sole purpose of securing grant funding through the Home Depot Foundation to replace the playground structure at Transfer Beach; and further, that Council direct staff to work with the Club to establish details of this arrangement.

Motion carried.

Councillor Paterson returned to the meeting.

QUESTION PERIOD

Members of the audience asked questions of Council concerning the Board of Variance, Community Amenity Contributions, and seating for staff at Council meetings.

ADJOURNMENT

CS 2015-027

Moved and seconded:

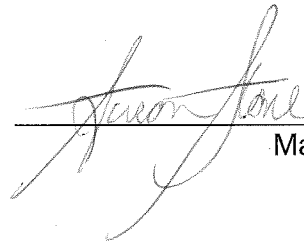
That this meeting of Council adjourn at 9:11 p.m.

Motion carried.

CERTIFIED CORRECT:



Corporate Officer (S. Bowden)



Mayor (A. Stone)