



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, FEBRUARY 16, 2015
COUNCIL CHAMBERS, CITY HALL
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	Clayton Postings
Joanna Winter		

CALL TO ORDER

Mayor Stone called this regular meeting of Council to order at 7:01 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2015-047

Moved and seconded:

That the agenda for the Council Meeting of February 16, 2015 be approved with the addition of the following items:

5.1 Correspondence from G. Horth

11.3 New "Right to a Healthy Environment" resolution from City of Victoria

Motion carried.

MINUTES

CS 2015-048

Moved and seconded:

That the minutes of the Regular Meeting of Council held February 2, 2015 be approved.

Motion carried.

DELEGATION

**Kathleen Sheppard
Social Planning Cowichan**

Kathleen Sheppard circulated the 2014 Social Planning Cowichan Annual Report and provided highlights of the organization's activities and accomplishments in 2014, as well as proposed activities for 2015.

Ms. Sheppard responded to questions from Council members. Council thanked Ms. Sheppard for her presentation and commended the organization for its leadership, particularly on the issues of affordable housing and cultural connections.

**DEVELOPMENT
APPLICATIONS**

Signage Development Variance Permit Application – Har Way Holdings

CS 2015-049

Moved and seconded:

That Council issue signage Development Variance Permit 3090-14-05, to permit a free-standing sign that is larger than the permitted size and utilizes backlit illumination, to be located at 1020 First Avenue.

Motion carried.

Official Community Plan and Rezoning Application – JR Holmes Ltd. Portion of Lot A, District Lot 146, Oyster District, Plan VIP78848, Except Part in Plan VIP81319

CS 2015-050

Moved and seconded:

1. That Council direct staff to prepare bylaws in relation to Lot A, District Lot 146, Oyster District, Plan VIP78848, Except Part in Plan VIP81319 as follows:
 - a) amend the Official Community Plan to designate a 522m² area from 'Parks and Open Space' to 'Single Family Residential'; and
 - b) amend the Zoning Bylaw to zone a 522m² area from P-3 to 'Single Dwelling Residential – Small Lot A' (R-1-A) and a 521m² area from P-3 to 'Parks and Recreational' (P-2).
2. That Council requires the following land use matters to be completed by the applicant in relation to application 3360-13-02, prior to, if and when, Council gives final reading to the rezoning amending bylaw:
 - a) A registrable subdivision plan acceptable to the Approving Officer for the dedication of the public roadway, to the western boundary of the subject property, to complete the public road dedication for Giovando Way, and creation of the park land and the proposed R-1-A zoned parcel to be registered if, and when, Council adopts the rezoning amending bylaw;
 - b) Preparation of a 'no build' covenant to the satisfaction of the Approving Officer to be registered on the R-1-A zoned parcel upon its creation, such that no building permit may be issued until the Giovando Way dedication is fully constructed;
 - c) A letter of undertaking by the applicant's solicitor to register the 'no build' covenant concurrently with the subdivision registration.
 - d) An engagement letter with the R.P. Bio. who prepared the RAR report for completion of the enhancement of the 28m² streamside protection area (SPEA) with the recommended native species planting plan (as required in Bonar RAR Report dated July 17, 2013), to the satisfaction of the Director of Development Services, with sign-off of completion

to be provided by the R.P. Bio. prior to if, and when, Council adopts the rezoning amending bylaw.

3. That Council accept the following Community Amenity Contribution offered by the applicant for rezoning application 3360-13-02, to be provided prior to, if and when, Council gives final reading to the rezoning amending bylaw:
- a) Dedication of a 549m² area to the Town for parkland;
 - b) Provision of (i) a park site plan, (ii) a park construction agreement, and (iii) a bond for park construction to the satisfaction of the Director of Parks, Recreation, and Culture. The park site plan shall contain the following:
 - A CSA certified playground that is for the 3-5 years age group from an approved equipment supplier. The playing surface may not be sand or pea gravel and would need to meet CSA standards.
 - One bench or picnic table on concrete pad.
 - One refuse container.
 - Perimeter fencing around the entire site (may be black vinyl wrapped chain-link fence), with appropriate entrance area.
 - Seeded grass with irrigation installed.
 - Concrete path from road or sidewalk to playground to ensure accessibility.
 - Two trees and a landscape buffer between playground and neighbouring residents.

Motion carried.

OPPOSED:

Councillor Henderson

BYLAWS

Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2015, No. 1872

CS 2015-051

Moved and seconded:

That Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2015, No. 1872 be read a first, second and third time.

Motion carried.

CORRESPONDENCE

Tracy Paterson

Access to Showers at Frank Jameson Community Centre

CS 2015-052

Moved and seconded:

That Council receive the correspondence from Tracy Paterson regarding access to showers at Frank Jameson Community Centre, and refer it to the Parks, Recreation and Culture Commission in its consideration of this matter.

Motion carried.

NEW BUSINESS

Attendance at 2015 Convention, Association of Vancouver Island and Coastal Communities

CS 2015-053

Moved and seconded:

That Mayor Stone, Councillor Arnett and Councillor Paterson be authorized to attend the 2015 Convention of the Association of Vancouver Island and Coastal Communities from April 10 to 12 in Courtenay.

Motion carried.

Community Tree Planting Program

CS 2015-054

Moved and seconded:

That Council direct staff to apply to the BC Hydro Community Tree Planting Program for a grant of up to \$6,700 to replace existing street trees in the community as deemed appropriate by staff.

Motion carried.

UNFINISHED BUSINESS

Aggie Hall Parking Options

CS 2015-055

Moved and seconded:

That Council direct staff to investigate options for expanding the parking at Aggie Hall in the 2015 budget year, and that the staff investigation include private property options, the Aggie Hall site, and Second Avenue.

Motion carried.

Enrolment in Union of British Columbia Municipalities Group Benefits Plan for Elected Officials

CS 2015-056

Moved and seconded:

That Council

1. Advise Mayor Stone of their interest in participating in a benefits program for elected officials, in order to determine whether three or more elected officials wish to enroll in the Union of British Columbia Municipalities Group Benefits Plan;
2. Determine whether the Town will contribute to the cost of group benefits premiums for elected officials and if so, to what level.
3. Direct staff to report back to Council regarding the estimated annual cost of group benefits premiums for elected officials to be included in the 2015 to 2019 Financial Plan.
4. Direct staff to determine the amount paid for benefit premiums for elected officials by the City of Duncan and Municipality of North Cowichan.

Motion carried.

“Right to a Healthy Environment” Resolution for Association of Vancouver Island and Coastal Communities

CS 2015-057

Moved and seconded:

That Council sponsor the following resolution on an Environmental Bill of Rights put forward by the City of Victoria to the Annual General Meeting of the Association of Vancouver Island and Coastal Communities:

“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 29(d) of the *Local Government Act*;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request that the Province of British Columbia enact a provincial environmental bill of rights to fulfill the right of every resident to live in a healthy environment by ensuring access to information, public participation in decision making and access to effective remedies, and without limitation to allow a resident to:

- Comment on environmentally significant government proposals
- Ask a ministry or local government to review an existing law, policy or program
- Ask a Minister, crown agency or local government to investigate harm to the natural environment
- Appeal, or ask a ministry of local government to review, a decision under an enactment
- Propose a new law, regulation policy or program to protect the natural environment
- Use courts or tribunals to protect the environment, and
- Have whistleblower protection.

Motion carried.

QUESTION PERIOD

A member of the audience commented on the JR Homes Ltd. Official Community Plan and Rezoning Application.

CLOSED MEETING

CS 2015-058

Moved and seconded:

That Council retire into closed session at 7:59 p.m. in order to consider two items in accordance with Community Charter Section 90(1):

- personal information about an identifiable individual who is being considered for a municipal award or honour, or who has

offered to provide a gift to the municipality on condition of anonymity

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Motion carried.

RISE AND REPORT

Council arose from Closed Session with report on the following item:

- Resolution CE 2015-015, that Council direct staff to update the Town's list of street names by including "Rollie Rose" on the list in honour of the Town's former Mayor.

ADJOURNMENT

CS 2015-059

Moved and seconded:

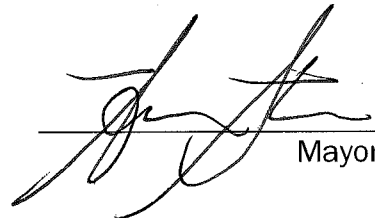
That this meeting of Council adjourn at 8:41 p.m.

Motion carried.

CERTIFIED CORRECT:



Corporate Officer (S. Bowden)



Mayor (A. Stone)