



TOWN OF LADYSMITH  
MINUTES OF A REGULAR MEETING OF COUNCIL  
MONDAY, JULY 6 2015  
COUNCIL CHAMBERS, CITY HALL  
CALL TO ORDER 7:00 P.M.

**COUNCIL MEMBERS PRESENT:**

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

**COUNCIL MEMBERS ABSENT:**

Councillor Rob Hutchins

**STAFF PRESENT:**

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

**CALL TO ORDER**

Mayor Stone called this Regular Council Meeting to order at 7:00 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

**AGENDA APPROVAL**

**CS 2015-238**

*Moved and seconded:*  
That the agenda for the Regular Council Meeting of July 6, 2015 be approved as amended by the following addition:  
11.2 Reconsideration of a Motion to Withhold a Building Permit (June 22, 2015 Council Meeting and Public Hearing)  
10.3 Recognition of a Local Volunteer  
10.4 Derelict and Abandoned Vessels  
11.2 Preparation of a Bylaw to Protect Areas Subject to Erosion and Land Slip  
*Motion carried.*

**MINUTES**

**CS 2015-239**

*Moved and seconded:*  
That the minutes of the Regular Meeting of Council held June 15, 2015 be approved as circulated.  
*Motion carried.*

**CS 2015-240**

*Moved and seconded:*  
That the minutes of the Special Council Meeting and Public Hearing held June 22, 2015 be approved as circulated.  
*Motion carried.*

## DELEGATIONS

### Sybille Sanderson, Emergency Program Coordinator, Cowichan Valley Regional District Legislated Responsibilities for Emergency Management and Planning

Sybille Sanderson provided an overview of Council's legislated responsibilities with respect to Emergency Planning and Management, and responded to questions about Emergency Planning and Management, and the recent north Ladysmith fire that caused activation of the Emergency Operations Centre in Ladysmith.

Council thanked Ms. Sanderson for her presentation, and for her dedication to keeping the community safe during recent events.

### Rosalie Sawrie, One Cowichan Recommendations for Making the Cowichan Region the Solar Capital of British Columbia

Ms. Sawrie reviewed One Cowichan's objective and initiatives for engaging citizens in issues of concern to the community and provided an overview of the organization's recommendations to increase solar energy use in the Cowichan Region, by making Cowichan the Solar Capital of British Columbia. Ms. Sawrie responded to questions from Council.

Mayor Stone volunteered to be a champion for solar energy in the Cowichan Region.

Council thanked Ms. Sawrie for her presentation and the organization's initiatives.

## DEVELOPMENT APPLICATIONS

### Development Permit Application 3060-15-06, 325 Gatacre Street (Marrington)

Lot 7, Block 73, District Lot 56, Oyster District, Plan 703A

*Moved and seconded:*

CS 2015-241

That Council issue Development Permit 3060-15-06 to permit the issuance of a building permit for the construction of a coach house dwelling in an existing accessory building on Lot 7, Block 73, Oyster District, Plan 703A 325 Gatacre Street, and authorize the Mayor and Corporate Officer to sign the Development Permit.

### AMENDMENT

*Moved and seconded:*

CS 2015-242

That resolution CS2015-241 be amended to read as follows:  
That Council issue Development Permit 3060-15-06 to permit the issuance of a building permit for the construction of a coach house dwelling in an existing accessory building on Lot 7, Block 73, Oyster District, Plan 703A 325 Gatacre Street, that the Development Permit include a requirement for frosting or otherwise obscuring the second storey windows on the east side to discourage overlook, and authorize the Mayor and Corporate Officer to sign the Development

Permit.  
*Amendment carried.*  
*Motion as amended carried.*

Development Variance Permit Application 3090-15-02, 509 French Street (Sedola)

Lot 5, Block 127 Oyster District, Plan 703A

*Moved and seconded:*

CS 2015-243

That Council direct staff to proceed with statutory notice for Development Variance Permit 3090-15-02 for Lot 5, Block 127, Oyster District, Plan 703A (509 French Street).

*Motion carried.*

## COMMITTEE REPORTS

Recommendations from the Parks, Recreation and Culture Commission

*Moved and seconded:*

CS 2015-244

That Council approve the following amendments to Town of Ladysmith Community Centre Facilities Fees and Charges Bylaw 2014, No. 1846, as recommended by the Parks, Recreation and Culture Commission:

1. Increase admission and pass fees by two per cent effective September 1<sup>st</sup>, 2015, September 1<sup>st</sup>, 2016 and September 1<sup>st</sup>, 2017 for Adult, Youth, Child Family and Senior (and continue to not charge for children under three or seniors over eighty);
2. Increase facility rental fees, park permit fees, and sport field lights by two percent effective September 1<sup>st</sup>, 2015, September 1<sup>st</sup>, 2016 and September 1<sup>st</sup>, 2017; and
3. Add "locker" fee rental to Fees & Charges Bylaw with a rate of fifty cents per use for full sized lockers and twenty-five cents for medium to small lockers.

*Motion carried.*

Councillor Paterson declared a conflict of interest with the following agenda item and excused himself from the meeting.

*Moved and seconded:*

CS 2015-245

That Council approve the proposal for chainsaw artist Dan Richie to create a permanent carving for the Town, to be located at the Steam Donkey on Transfer Beach Boulevard, in conjunction with Logger Sports 2015, as recommended by the Parks, Recreation and Culture Commission.

*Motion carried.*

Councillor Paterson returned to the meeting.

Recommendation from the Municipal Services Committee

*Moved and seconded:*

CS 2015-246

That Council approve the request from the Ladysmith Golf Club to

extend the current maintenance agreement with the Town of Ladysmith for the provision of maintenance services for the Ladysmith Golf Club with no associated fees for a further two-year period and authorize the Mayor and Corporate Officer to sign the renewal agreement, as recommended by the Municipal Services Committee.

*Motion carried.*

Councillor Arnett requested that the Town write a letter of congratulations to the Ladysmith Maritime Society for a highly successful Kids' Pirate Day and for providing such quality entertainment for the children of the community.

## **STAFF REPORTS**

**CS 2015-247**

### **Bar Watch Program**

*Moved and seconded:*

That Council

1. Approve the Ladysmith Bar Watch Program as presented;
2. Direct staff to send letters to all Ladysmith liquor-primary establishments to advise them of the Town's implementation of the Bar Watch Program and associated bylaw and request their participation in the program; and
3. Appoint a member of Council to act as liaison to the Bar Watch Program.

*Motion carried.*

**CS 2015-248**

### **Canada 150 Celebration**

*Moved and seconded:*

That Council:

1. Direct staff to submit an application for funding through the Canada 150 Fund to support a community event to celebrate Canada's 150<sup>th</sup> anniversary of confederation (sesquicentennial) on Canada Day in 2017; and
2. Approve the establishment of a committee consisting of members of the Ladysmith community to assist with planning and community engagement for a sesquicentennial celebration event during the next two years.

*Motion carried.*

**CS 2015-249**

### **Financing the Purchase of Properties**

*Moved and seconded:*

That Council:

1. Enter into a loan agreement with the Municipal Finance Authority for an amount up to \$920,000 for a maximum period of 5 years, ending in July 2020, to purchase the properties located at 721 First Avenue, 12 Buller Street, 20 Buller Street, and 26 Buller Street, Ladysmith, as authorised by section 175 of the *Community Charter*;
2. Acknowledge that, in accordance with section 175 of the *Community Charter*, the term of this loan may not be extended

without the approval of the electors; and,  
3. Amend the Financial Plan accordingly.  
*Motion carried.*

**BYLAWS**

**Business License Bylaw 2003, No. 1513, Amendment Bylaw 2015, No. 1870**

*Moved and seconded:*

**CS 2015-250**

That Town of Ladysmith Business License Bylaw 2003, No. 1513, Amendment Bylaw 2015, No. 1870 be read a first, second and third time.

*Motion carried.*

**CORRESPONDENCE**

**Jane Ivens, Fox and Hounds**

**Installation of British Telephone Box outside Fox and Hounds Restaurant**

*Moved and seconded:*

**CS 2015-251**

That Council direct staff to work with the owners of the Fox and Hounds Restaurant to place a British Telephone Box on the street outside the establishment in a manner that does not impede use of the sidewalk.

*Motion carried.*

**Doryce and Jack Morrice**

**Removal of Trees**

*Moved and seconded:*

**CS 2015-252**

That Council refer the correspondence from Doryce and Jack Morrice regarding the removal of trees in the vicinity of Steele Place to staff for consideration with respect to development applications by the property owner.

*Motion carried.*

**Jim Allair, Ladysmith Trail Alliance**

**Letter of Intent for the Establishment of a New Trail**

*Moved and seconded:*

**CS 2015-253**

That Council refer the request from the Ladysmith Trail Alliance for the establishment of a newly aligned single track trail (Type III\*) trail, built to Whistler Trail Standards, from the end of the newly built Holland Creek Trail Bridge heading in a southerly direction to the Holland Creek Loop / Heart Lake Loop trail sign location to staff for review and recommendation.

*Motion carried.*

**NEW BUSINESS**

**Delegates to the Union of British Columbia Municipalities 2015 Annual Convention**

*Moved and seconded*

**CS 2015-254**

That Mayor Stone and Councillors Arnett, Fradin, Henderson and Hutchins be authorized to attend the Annual Convention of the Union of British Columbia Municipalities in Vancouver from September 21 to 25, 2015.

*Motion carried.*

**Municipal Insurance Association of B.C. Service Provider Agreement with Kinsmen Club of Ladysmith**

*Moved and seconded:*

CS 2015-255

That Council authorize the execution of a Service Provider Agreement between the Town of Ladysmith and the Kinsmen Club of Ladysmith for the provision of promotional services for Ladysmith, and that the Kinsmen Club of Ladysmith be required to pay the \$250 annual fee for the additional liability coverage provided by the Municipal Insurance Association of B.C.

*Motion carried.*

**Recognition of a Community Volunteer**

*Moved and seconded:*

CS 2015-256

That Council write a letter of congratulations to Willow Hartig for her recent Award of Merit from B.C. Soccer, recognizing her remarkable contributions to the game.

*Motion carried.*

**Derelict and Abandoned Vessels**

Council commended Take 5 News Magazine and the Ladysmith Chronicle for their recent coverage of the problem of derelict and abandoned vessels in the Ladysmith Harbour, and encouraged support of a proposed federal government bill to address the issue.

**UNFINISHED  
BUSINESS**

**Reconsideration of a Matter (Section 131, *Community Charter*)**

Mayor Stone requested Council's reconsideration of Resolution CS 2015-226 in accordance with Section 131, 2(a) of the *Community Charter*.

*Moved and seconded:*

CS 2015-257

That Council rescind the following resolution CS 2015-226:

Whereas Natura Developments owner of Lot A, District Lot 41, Oyster District, Plan VIP84543 except part in Strata Plan VIS6497 (Phase 1) (the "Land") has applied for a building permit for 2 dwelling units on the Land;

And whereas Council has given first and second reading to Bylaw 1881 that would limit the density of use of the Land to 12 dwelling units and this application would conflict with the bylaw;

Now therefore Council resolves, under section 929(1) of the Local Government Act to withhold the building permit for the Land;

And this shall be without prejudice to the right of the Town to consider the building permit application pursuant to its rights

under the land use covenant registered against the Land.  
*Motion carried.*

**Preparation of a Bylaw to Protect Areas Subject to Erosion and Land Slip**

*Moved and seconded:*

CS 2015-258

That Council direct staff to prepare a report on a bylaw to protect areas of land that may be subject to flooding, erosion or land slip in order to protect both development and natural systems from potentially hazardous conditions.

*Motion carried.*

**QUESTION PERIOD**

Members of the public enquired about the rescinding of motion CS 2015-226 and council's plans for the properties it intends to purchase in downtown Ladysmith.

**CLOSED SESSION**

*Moved and seconded:*

CS 2015-259

That Council retire into Closed Session at 9:10 p.m. in order to consider the following:

- 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;
- Motion carried.*

*Motion carried.*

**RISE AND REPORT**

Council rose from Closed Session at 9:30 p.m. with report on the following matter:

- Council directed staff to initiate a road closure bylaw to close the portion of unconstructed road adjacent to the Peerless Transfer Station, and to negotiate the sale of that portion of road, provided that all costs of the road closure are borne by the purchaser, with the purchase price to be set at market value for the net portion of the road after road exchange areas are taken into account, and to register a right of way for the purpose of a possible future sanitary sewer along the road closure area.

**ADJOURNMENT**

*Moved and seconded:*

CS 2015-260

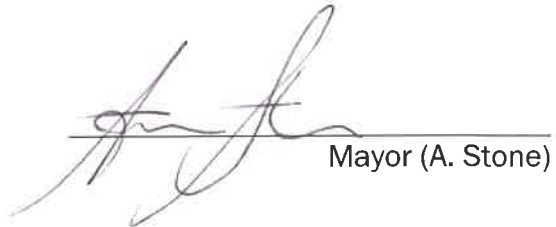
That this meeting of Council adjourn at 9:31 p.m.

*Motion carried.*

CERTIFIED CORRECT:



Corporate Officer (S. Bowden)



Mayor (A. Stone)

