

TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, AUGUST 17 2015
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 7:00 P.M.

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone

Councillor Joe Friesenhan

Councillor Duck Paterson

Councillor Steve Arnett

Councillor Carol Henderson

Councillor Cal Fradin

Councillor Rob Hutchins

STAFF PRESENT:

Ruth Malli

John Manson

Sandy Bowden

Clayton Postings

Felicity Adams

Joanna Winter

CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:00 p.m.

CLOSED SESSION

CS 2015-273

Moved and seconded:

That Council retire into Closed Session at 5:01 p.m. in order to consider the following items:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- 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
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public
- discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report]

Motion carried.

Mayor Stone reconvened the Regular Session of Council at 7:00 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2015-274

Moved and seconded:

That the agenda for the Regular Council Meeting of August 17, 2015 be approved as amended by the following additions:

10.1 Community Stage

10.2 Works Crew
Motion carried.

CS 2015-275 *Moved and seconded:*
That the minutes of the Regular Meeting of Council held July 20, 2015 be approved as circulated.
Motion carried.

DELEGATIONS

Griffin Russell, Gord Long
The Dogwood Drive Challenge

Griffin Russell and Gordon Long spoke on behalf of residents of Dogwood Drive, expressing strong concern about speeding on the road. They asked Council to consider implementing measures to reduce speeding and enforce speed limits on the street, particularly in the vicinity of the Holland Creek Trail entrance and Holland Creek playing fields.

CS 2015-276 *Moved and seconded:*
That Council refer the matter of speeding concerns on Dogwood Drive to staff for review and consideration of mitigation strategies.
Motion carried.

**DEVELOPMENT
APPLICATIONS**

Development Variance Permit Application – 509 French Street (G. Sedola) – Lot 5, Block 127, Oyster District, Plan 703A

CS 2015-277 *Moved and seconded:*
That Council issue Development Variance Permit 3090-15-02 to vary the permitted siting for a proposed single storey coach house dwelling within an existing accessory building and to legalize the siting of an existing garden shed on Lot 5, Block 127, Oyster District, Plan 703A (509 French Street), and authorize the Mayor and Corporate Officer to sign the Development Variance Permit.
Motion carried.

Coach House Intensive Residential Development Permit Application – 509 French Street (G. Sedola) – Lot 5, Block 127, Oyster District, Plan 703A

CS 2015-278 *Moved and seconded:*
That Council issue Development Permit 3060-15-08 to permit the issuance of a building permit for the conversion of an existing accessory building to a single storey coach house dwelling on Lot 5, Block 127, Oyster District, Plan 703A (509 French Street), and authorize the Mayor and Corporate Officer to sign the Development Permit.
Motion carried.

Coach House Intensive Residential Development Permit Application
– 425 French Street (D. McNeil) – Lot 7, Block 92, Oyster District,
Plan 703A

Moved and seconded:

CS 2015-279

That Council issue Development Permit 3060-15-11 to permit the issuance of a building permit for the construction of a single storey coach house dwelling on Lot 7, Block 92, Oyster District, Plan 703A (425 French Street); and that Council authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Official Community Plan Amendment / Rezoning Application –
Holland Creek Development (Glencar Consultants Inc.) – Lot 1, Block
192, District Lot 103, Oyster District, Plan EPP44156

Moved and seconded:

CS 2015-280

1. That Council direct staff to:

- a. Review OCP amendment / rezoning application 3360-15-02 submitted by Glencar Consultants Inc. for Lot 1, Block 192, District Lot 103, Oyster District, Plan EPP44156, within the scope of the Town's planning documents including the Official Community Plan, Holland Creek Area Plan, and the Visioning Report;
- b. Review the application in conjunction with the Financial Plan and the Liquid Waste Management Plan;
- c. Request G.P. Rollo and Associates to provide comments on the proposed commercial land use and to waive the Purchasing Policy in this regard; and
- d. Give priority to a comprehensive review of the transportation and servicing aspects for the new neighbourhood in the Holland Creek Development Area and provide recommendations to Council for the consideration of development phasing and financing, including potential modifications and amendments to the existing DCC Program.

2. Pursuant to s. 879 of the *Local Government Act* (Consultation during OCP development), that Council direct that consultation shall be early and on-going for OCP amendment application 3360-15-02 and include the following consultation plan:

- a. The applicant shall host a project website, hold open houses about the application and at least two public meetings with presentations about the application prior to the holding of the public hearing. Public input will assist with the refinement of the proposal and presentations will respond to input and questions from the public. Further public consultation may be directed by Council as the review proceeds. Reports from the public processes shall be provided to the Town following each open house/meeting in a form acceptable to the Director of Development Services;
- b. Staff shall refer the application to the Advisory Planning

Commission for review and comment at times to be determined by the Director of Development Services. The applicant will be invited by staff to make a presentation to the Advisory Planning Commission;

- c. The application shall be referred to School District #68 for school planning purposes and pursuant to s. 881 of the *Local Government Act*;
- d. The application shall be referred to Stz'uminus First Nation pursuant to the Town's Memorandum of Understanding; and
- e. The Director of Development Services may refer the application to provincial or federal agencies.

Motion carried.

Development Approval Information Bylaws

Moved and seconded:

CS 2015-281

1. That Council has considered s. 879 of the *Local Government Act* (consultation during OCP development) and determines that for Official Community Plan (OCP) amendment Bylaw 1886 that would establish a Development Approval Information (DAI) Area, the Bylaw be referred to the Stz'uminus First Nation and the Advisory Planning Commission.
2. That under the Bylaws portion of the agenda, Council proceed with:
 - a. First two readings of "Official Community Plan 2003, No. 1488, Amendment Bylaw (No. 45) 2015, No. 1886" to establish a Development Approval Information (DAI) Area and refer the Bylaw to a Public Hearing, and
 - b. First three readings of "Development Approval Information Bylaw 2015, No. 1887" to establish procedures and policies for requiring Development Approval Information.

Motion carried.

REPORTS

Municipal Services Committee Recommendations (Meeting of July 20, 2015)

Moved and seconded:

CS 2015-282

That Council direct staff to present terms of reference for an updated waterfront area plan to the August 17, 2015 meeting of Council for review.

Motion carried.

Moved and seconded:

CS 2015-283

That, in accordance with Section 13 of the *Community Charter*, Council authorize staff to finalize the Managed Information Technology (IT) Services Agreement with the District of North Cowichan for the provision of IT support services commencing in September 2015 for an initial three year term at a cost not to exceed \$75,000 for the first year and an inflationary increase for years thereafter.

Motion carried.

CS 2015-284

Moved and seconded:

That Council adopt the following water conservation measures:

- Establish a Council policy on Sustainable Drought Tolerant Planting Strategies in Fall 2015
- Establish a policy on Municipal Water Use during water restrictions in Fall 2015
- Consider adopting further water conservation measures
- Review Water Metering for non-residential properties.

Motion carried.

CS 2015-285

Moved and seconded:

That Council direct staff to report to Council regarding the authority to determine when to secure building permits for Town construction projects.

Motion carried.

Financing for Ladysmith Fire/Rescue 2005 Spartan Engine #2

Moved and seconded:

CS 2015-286

That Council direct staff to enter into an equipment leasing agreement with the Municipal Finance Authority for up to \$46,400 for a period of five years, to continue the financing of the 2005 Spartan Engine #2, pursuant to section 175 of the *Community Charter*.

Motion carried.

Nuisance Abatement

Moved and seconded:

CS 2015-287

That Council support in principle the nuisance abatement process and associated bylaw as outlined in the staff report and direct staff to proceed with the establishment of the process, and that the new Nuisance Abatement Bylaw be placed on the next Council agenda for first three readings.

Motion carried.

Holland Creek Traffic Study Update

Moved and seconded:

CS 2015-288

That Council rescind the following Resolution CS 2015-263:

That Council:

1. Direct staff to coordinate a Traffic Study for the Holland Creek Area Plan, which will incorporate all major development proposals for this area and require that the developers agree to cover the cost of the study (paid in advance) and generally follow the terms of reference as outlined in the report from the Director of Infrastructure Services dated July 20, 2015
2. Waive the purchasing policy to award the study to Boulevard Transportation Group of Victoria, and that the study generally follow the terms of reference as outlined in this report; and

3. Agree to cost share 25 per cent of the cost of the study, with funding to come from Gas Tax Funds in 2016, provided that all of the developers in the Holland Creek Local Area agree to the proposed Study Terms of Reference and the total cost of the study does not exceed \$25,000.

Motion carried.

Moved and seconded:

CS 2015-289

That Council authorize staff to proceed with a Town funded Traffic Study, to a maximum cost of \$30,000, with funding allocated from Gas Tax funds, and amend the Financial Plan accordingly.

Motion carried.

Subdivision and Development Servicing Bylaw Amendments – Works and Services 136 - 138

Moved and seconded:

CS 2015-290

That Council direct staff to:

1. Amend the Subdivision and Development Servicing Bylaw to allow for a reduction in the curb, sidewalk, and street tree standard for single family developments involving a single lot in existing neighborhoods to match the existing standard of the neighborhood; and
2. Relax the requirement of a concrete curb and street tree for the building permit application for 430 Walker Ave.

Motion carried.

BYLAWS

Town of Ladysmith Parks Usage Bylaw 1995, No. 1158, Amendment Bylaw 2015, No. 1882

Moved and seconded:

CS 2015-291

That Town of Ladysmith Parks Usage Bylaw 1995, No. 1158, Amendment Bylaw 2015, No. 1882 be adopted.

Motion carried.

Town of Ladysmith Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2015, No. 1883

Moved and seconded:

CS 2015-292

That Town of Ladysmith Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2015, No. 1883 be adopted.

Motion carried.

OPPOSED: Councillor Hutchins

Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2015, No. 1884

Moved and seconded:

CS 2015-293

That Town of Ladysmith Community Centre Fees and Charges Bylaw 2015, No. 1884 be adopted.

Motion carried.

Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 45) 2015, No. 1886

CS 2015-294

Moved and seconded:

That Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 45) 2015, No. 1886 be read a first and second time and a public hearing scheduled.

Motion carried.

Ladysmith Development Approval Information Bylaw 2015, No. 1887..

CS 2015-295

Moved and seconded:

That Ladysmith Development Approval Information Bylaw 2015, No. 1887 be read a first, second and third time.

Motion carried.

CORRESPONDENCE

Jonathan Zeiler, Ladysmith Festival of Lights

Request for Town Assistance in Obtaining Liability Insurance coverage

CS 2015-296

Moved and seconded:

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

Motion carried.

Pascale Knoglinger, BC Economusée

Street Signage Proposal for new Economusée Site at Mary Fox Pottery Studio

CS 2015-297

Moved and seconded:

That Council accept the Economusée post sign and banner as requested in the correspondence from Economusée dated July 30, 2015 for the Mary Fox Pottery studio under the heritage designation exemption in Sign & Canopy Bylaw 1176, and direct that such designations be clarified in the review of Bylaw 1176 planned for 2016.

Motion carried.

Sharon Hamilton, Ladysmith Resources Centre Association

Clarification of Administrative Costs as Requested by Council

CS 2015-298

Moved and seconded:

That Council confirm the following grants-in-aid to the Ladysmith Resources Centre Association for 2015:

Ladysmith Resources Centre Association	11,000
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Victim Services	
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Ladysmith Resources Centre Association	8,000
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Seniors	
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Volunteer Counselling	
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Soup Kitchen
Dad's Drop-In
Berry Mania
Adventures in Early Literacy
Mother Goose

Ladysmith Resources Centre Association - 8,000

Youth at Risk

Ladysmith Resources Centre Association - 8,000

Family Support

Motion carried.

Council requested that representatives of the Ladysmith Resources Centre Association provide regular reports to Council on the programs supported by Town of Ladysmith grants-in-aid.

NEW BUSINESS

Community Stage

Moved and seconded:

CS 2015-299

That Council write a letter of thanks and appreciation to Howie and Colleen Davis for all their community support and especially for their recent assistance with the community stage.

Motion carried.

Appreciation to Town Staff

Moved and carried:

CS 2015-300

That Council express their thanks and appreciation to all the Town staff who assisted with the new Transfer Beach playground.

Motion carried.

CLOSED SESSION

Moved and seconded:

CS 2015-301

That this Regular Meeting of Council recess at 8:07 p.m. in order to resume the Closed Session.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 9:15 p.m. without report.

ADJOURNMENT

Moved and seconded:

CS 2015-302

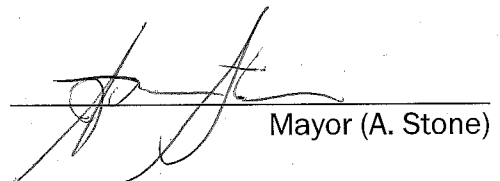
That this Regular Meeting of Council adjourn at 9:16 p.m.

Motion carried.

CERTIFIED CORRECT:



Corporate Officer (S. Bowden)



Mayor (A. Stone)