

TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
TUESDAY, OCTOBER 13, 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
Councillor Rob Hutchins(entered later)

STAFF PRESENT:

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

CALL TO ORDER Mayor Stone called this Regular Meeting of Council to order at 7:04 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2015-334 *Moved and seconded:*
That the agenda for the Regular Council Meeting of October 13, 2015 be approved.
Motion carried.

CS 2015-335 *Moved and seconded:*
That the minutes of the Regular Meeting of Council held September 28, 2015 be approved.
Motion carried.

DELEGATIONS

Keith Lawrence, Cowichan Valley Regional District
Request for Input to draft Cowichan Regional Airshed Strategy
Keith Lawrence provided an overview of the draft Cowichan Regional Airshed Strategy and responded to questions from Council. The objective of the strategy is to establish regional goals and strategies to improve airshed quality throughout the Cowichan Valley Regional District. The Regional District Board is planning to adopt the strategy in late 2015.

Council thanked K. Lawrence for his presentation and the work done on the strategy.

PROCLAMATIONS

Mayor Stone proclaimed the month of October 2015 as **Foster Family Month** in the Town of Ladysmith, in recognition of the vital role foster families play in helping children and families in crisis heal and reconnect, and the fact that fostering is a community responsibility.

Mayor Stone proclaimed the week of October 19 to 25, 2015, as **Waste Reduction Week** in the Town of Ladysmith, confirming the community's commitment to conserving resources, protecting the environment, educating the community and providing leadership toward environmental sustainability.

**DEVELOPMENT
APPLICATIONS**

Temporary Use Permit (TUP) Application – Roundhouse Building, Machine Shop Site (614 Oyster Bay Drive) – Ladysmith and District Historical Society (Repair and Restoration of Locomotive #11 and the Humdurgin)

Moved and seconded:

CS 2015-336

That Council approve Temporary Use Permit 3340-15-01 to permit use of the Roundhouse Building located at 614 Oyster Bay Drive and the adjacent fenced area for the repair and restoration of the artifacts known as Locomotive #11 and the Humdurgin for two years subject to the conditions of the Temporary Use Permit and authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-15-01.

Motion carried.

Zoning Bylaw Amendment Application – 918, 922, 928, 934 and 940 Esplanade Avenue (MacMunn)

Moved and seconded:

CS 2015-337

1. That Council refer application 3360-15-03 for a site specific use at 934 and 940 Esplanade Ave. to the Advisory Planning Commission for review and comment; and that the applicant host a neighbourhood information meeting prior to the public hearing as required by the Development Procedures Bylaw.

2. That the covenant may be considered for discharge from the properties legally described as the northerly 25 feet of Lot 2, Block 5, District Lot 24 Oyster District, Plan 703A AND Lot 3, 4, 5, and 6, Block 5, District Lot 24, Oyster District, Plan 703A; subject to the consolidation of Lot 5 and 6 into one lot and after the consolidation of Lot 3 and the northerly 25ft of Lot 2 into one lot; and consideration of the discharge of covenant FB168857 from the titles of 918, 922, 928, 934, 940 Esplanade Ave. be part of the public hearing for Bylaw 1897.

3. That under the Bylaws portion of the agenda, Council proceed with the first two readings of Bylaw 1897 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860 Amendment Bylaw (No. 3), 2015, No. 1897"; and refer the bylaw to public hearing.

Motion carried.

**BYLAWS (OFFICIAL
COMMUNITY PLAN
AND ZONING)**

CS 2015-338

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 3), 2015, No. 1897

Moved and seconded:

That Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 3), 2015, No 1897 be read a first and second time, and a public hearing scheduled.

Motion carried.

REPORTS

CS 2015-339

Zoning Bylaw Housekeeping Amendments 2015

Moved and seconded:

That Council direct staff to:

1. Prepare a housekeeping bylaw to amend Town of Ladysmith Zoning Bylaw 2014, No. 1860 as outlined in the staff report from the Director of Development Services dated October 6, 2015.
2. Refer the Category One amendments to the Advisory Planning Commission for review and comment.

Motion carried.

Councillor Hutchins entered the meeting at 8:04 p.m.

Aggie Hall Parking

Moved and seconded:

CS 2015-340

That Council

1. Direct staff to begin consultation with the neighbourhood surrounding the Aggie Hall relating to proposed parking improvements and report back to Council.
2. Direct staff to investigate the costs associated with expanding parking on Second Avenue in accordance with the parking concept drawings contained in the staff report from the Director of Parks, Recreation and Culture dated September 30, 2015.
3. Direct staff to continue discussion with the property owner of 125 Symonds Street regarding the possibility of leasing the property for public parking.

Motion carried.

OPPOSED: Councillor Paterson

Works and Services – Building Permit at 602 Farrell Road

Moved and seconded:

CS 2015-341

That Council

1. Direct staff to introduce amendments to the Subdivision and Development Bylaw to exempt the requirement for all single family building permits to provide, or upgrade curbs, sidewalks, or street trees along the property frontage, and
2. Exempt the developer of the property at 602 Farrell Road from the

requirement to provide a concrete curb, sidewalk or street tree, along the frontage of the property.

Motion carried.

OPPOSED: Mayor Stone

Chlorine System – Frank Jameson Community Centre Swimming Pool

Moved and seconded:

CS 2015-342

That Council

1. Direct staff to proceed with removing and replacing the gas chlorine disinfection system at the Frank Jameson Community Centre swimming pool with an alternative to gas chlorine.
2. Approve the allocation of \$75,000 to the replacement of the gas chlorine disinfection system at the Frank Jameson Community Centre.

Motion carried.

BYLAWS

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

Town of Ladysmith Permissive Tax Exemption Bylaw 2015, No. 1890

Moved and seconded:

CS 2015-343

That Town of Ladysmith Permissive Tax Exemption Bylaw 2015, No. 1890 be adopted.

Motion carried.

Councillor Arnett returned to the meeting.

Town of Ladysmith Revitalization Tax Exemption Bylaw 2007, No. 1625, Amendment Bylaw 2015, No. 1892

Moved and seconded:

CS 2015-344

That Town of Ladysmith Revitalization Tax Exemption Bylaw 2007, No. 1625, Amendment Bylaw 2015, No. 1892 be adopted.

Motion carried.

Town of Ladysmith Nuisance Abatement Bylaw 2015, No. 1893

Moved and seconded:

CS 2015-345

That Town of Ladysmith Nuisance Abatement Bylaw 2015, No. 1893 be adopted.

Motion carried.

Town of Ladysmith Property Maintenance Bylaw 2015, No. 1894

Moved and seconded:

CS 2015-346

That third reading of Town of Ladysmith Property Maintenance Bylaw 2015, No. 1894 be rescinded.

Motion carried.

- CS 2015-347** *Moved and seconded:*
That Town of Ladysmith Property Maintenance Bylaw 2015, No. 1894 be read a third time as amended to correct numbering references.
Motion carried.
- CS 2015-348** *Moved and seconded:*
Town of Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2015, No. 1895
That Town of Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2015, No. 1895 be adopted.
Motion carried.
- CORRESPONDENCE** Councillors Arnett, Fradin and Hutchins declared a conflict of interest with the following agenda item and excused themselves from the meeting.
- CS 2015-349** *Moved and seconded:*
Gary Phillips, Royal Canadian Legion Branch 171
Suggestions Regarding Laneway on the North Side of the Legion Building
That Council refer the correspondence from Gary Phillips of the Royal Canadian Legion Branch 171 to staff in order to consider the possibility of selling the laneway on the north side of the Legion building to Royal Canadian Legion Branch 171, or developing an encroachment agreement to permit construction of a deck by the legion.
Motion carried.
- Councillors Arnett, Fradin and Hutchins returned to the meeting.
- CS 2015-350** *Moved and seconded:*
Diane Edwards, Ladysmith Festival of Lights
Request to Waive Trolley Rental Fee for Light-up, November 26, 2015
That Council waive the trolley rental fee for the Ladysmith Festival of Lights to assist in transporting visitors for Light-up from 3:00 p.m. to 10:00 p.m. on November 26, 2015.
Motion carried.
- QUESTION PERIOD** Members of the public enquired about appointments to Commissions, Committees and the Nanaimo Airport Commission, rider reports on BC Transit and the proposed cost for the replacement of gas chlorine disinfection system at the Frank Jameson Community Centre pool.
- CLOSED SESSION** *Moved and seconded:*
CS 2015-351 That Council retire into Closed Session at 8:44 p.m. in order to consider the following items:
- 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

- litigation or potential litigation affecting the municipality
- law enforcement, if the council considers that a disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 10:02 p.m. without report.

ADJOURNMENT

CS 2015-352

Moved and seconded:


That this Regular Meeting of Council adjourn at 10:03 p.m.

Motion carried.

CERTIFIED CORRECT:



Corporate Officer (S. Bowden)



Mayor (A. Stone)