MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, JULY 16, 2018
CALL TO ORDER 7:01 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

Councillor Joe Friesenhan

STAFF PRESENT:

Guillermo Ferrero
Felicity Adams
Erin Anderson
Clayton Postings
Joanna Winter
Robin MacNair
Sue Bouma

REGULAR OPEN MEETING

Mayor Stone called this Meeting of Council to order at 7:01 p.m., recognizing the traditional territory of the Stz'uminus First Nation and the Coast Salish people and expressing gratitude to be here.

AGENDA APPROVAL

CS 2018-258

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for July 16, 2018 with the following amendments:

- Amended minutes circulated for item 2.3., "Minutes of a Special Meeting of Council held July 9, 2018"
- Add correspondence from the Ladysmith Press regarding item 5.2., "Temporary Use Permit for 941 Oyster Bay Drive"
- Add item 10.2., "Correspondence from the Kinsmen Club Requesting Letter of Support – Public Washroom Grant Application"
- Add item 10.4., "Correspondence from Brian McLaurin - Request to Address Road Conditions on Oyster Bay Road"
- Add a staff report for item 11.1., "Sonic the Hedgehog Movie – Update"

Motion carried.

MINUTES

CS 2018-259

Moved and seconded:
That Council approve the minutes of the Special Meeting and Workshop of Council held June 25, 2018.
Motion carried.

CS 2018-260

Moved and seconded:
That Council approve the minutes of the Special Meeting and Workshop of Council held June 28, 2018.
Motion carried.

CS 2018-261

Moved and seconded:
That Council approve the minutes of the Special Meeting of Council held July 9, 2018, as amended.
Motion carried.

DELEGATIONS

Alex Stuart and Mike Hooper, Nanaimo Airport Commission
Nanaimo Airport Project Update

Alex Stuart, Director of the Nanaimo Airport Commission, thanked Mayor and Council for their support over the past year and introduced the speaker, Mike Hooper, Nanaimo Airport President and CEO.

Mr. Hooper presented an update to Council regarding the latest developments at the Nanaimo airport, noting that the airport is a critical part of the transportation system on the island and that increased capacity is necessary as the island becomes more and more popular as a vacation and lifestyle destination.

Mr. Hooper informed Council that the Nanaimo Airport Commission continuously updates their 20-year master plan and land use plan, and that their current 15 million dollar terminal building enhancement project is completing on time and on budget. He also advised Council that the commission is looking at growth needs (such as a gas station on site, hotels, better eateries), while continuing to consider safety and environmental stewardship.

Mr. Hooper responded to Council's questions. Council thanked Mr. Hooper and Mr. Stuart for their stewardship and informative presentation.

PROPERTY MAINTENANCE MATTER

317 Dogwood Drive

Report – R. MacNair, Bylaw Compliance Officer

R. Mac Nair, Bylaw Compliance Officer for the Town of Ladysmith,

circulated photos taken earlier in the day that demonstrated the current condition of 317 Dogwood Drive.

CS 2018-262

Moved and seconded:
That Council hear the representation from the Owners and/or Occupier of 317 Dogwood Drive.
Motion carried.

Hearing
The owners of 317 Dogwood Drive expressed their apologies to both the Town and the members of the neighbourhood who had been affected by the conditions at 317 Dogwood Drive. They summarized the steps they had taken to date (starting with an eviction notice on April 13th) and noted the procedural complications involved in the process. They expressed their intent to remediate the property as soon and as safely as possible.

CS 2018-263

Moved and seconded:
That Council:

1. Direct staff to issue a Notice to the Owners of the property, situated at 317 Dogwood Drive, Ladysmith, BC (legally described as Lot 24, District Lot 56, Oyster District, Plan 956A lying to the North West of a boundary equidistant between the North Westerly and South Easterly boundaries of said lot) to clean up the unsightly accumulation on the property and remove the unlicensed vehicles, refuse, discarded material, overgrown grass and weeds within twenty-one (21) days of receipt of the Notice to do so, pursuant to the provisions of the "Town of Ladysmith Property Maintenance Bylaw 2015, No. 1894."
2. Authorize the work to be carried out by the Town or its contractors, if the Owner is in default of such removal being undertaken within twenty-one (21) days of receipt of Notice to do so, and the expense charged to the Owner of the property. If unpaid on December 31st in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

Motion carried.

R. MacNair left the meeting.

DEVELOPMENT APPLICATIONS

Coach House Intensive Residential Development Permit Application – 332 Warren Street (Gary Sayers, GMS Contracting)
Subject Property: Lot 9, Block 79 of an unnumbered portion of Oyster District, Plan 703A

CS 2018-264

Moved and seconded:
That Council:

1. Issue Development Permit 3060-18-05 to permit the issuance of a building permit for the construction of a coach house dwelling on Lot 9, Block 79 of an unnumbered portion of Oyster District, Plan 703A (332 Warren Street); and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Temporary Use Permit Application – 941 Oyster Bay Drive (GlenCar Consultants)
Subject Property: Lot B, District Lot 24, Oyster District, Plan VIP83303

Staff and the applicant, Glen Carey, responded to Council's questions regarding the rationale for moving the mobile home, and the procedure once the three year period of the temporary use permit has passed. Council considered the correspondence from the Ladysmith Press regarding the temporary use permit for this location.

CS 2018-265

Moved and seconded:
That Council:

1. Issue Temporary Use Permit 3340-18-01 to allow an applicant to obtain the necessary permits to locate a mobile home for residential use at 941 Oyster Bay Drive (Lot B, District Lot 24, Oyster District, Plan VIP83303) for three years with one renewal, subject to the conditions of the Temporary Use Permit; and
2. Authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-18-01.

Motion carried.

Riparian Development Permit Application – 10910 Westdowne Road (Van Isle Storage Ltd.)
Subject Property: Lot B, District Lot 72, Oyster District, Plan EPP20506

CS 2018-266

Moved and seconded:
That Council:

1. Issue Development Permit 3060-18-06 to permit land clearing and riparian restoration on Lot B, District Lot 72, Oyster District, Plan EPP20506 (10910 Westdowne Road); and
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-18-06.

Motion carried

REPORTS

Town of Ladysmith 2017 Annual Report

CS 2018-267

Moved and seconded:
That Council approve the Town of Ladysmith 2017 Annual Report as amended to correct typographical errors.
Motion carried.

Community Public Arts Strategy
Staff and members of the Ladysmith Arts Council responded to Council's questions regarding the scope and budget of the community public arts strategy.

CS 2018-268

Moved and seconded:
That Council authorize the awarding of the contract to the Ladysmith Arts Council for the development of a Community Public Arts Strategy for the Town of Ladysmith.
Motion carried.

2018 Outstanding Business Licences

CS 2018-269

Moved and seconded:
That Council receive for information purposes the listing of outstanding Business Licenses for 2018.
Motion carried.

BYLAWS

Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2018, No. 1969

CS 2018-270

Moved and seconded:
That Council adopt "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2018, No.1969".
Motion carried.

CORRESPONDENCE

Cowichan Valley Regional District
Island Corridor Foundation Licence of Occupation for Trail and Municipal Infrastructure

CS 2018-271

Moved and seconded:
That Council endorse the Cowichan Valley Regional District's Licence of Occupation agreement with Island Corridor Foundation and agree to be a signatory to the document.
Motion carried.

Cowichan Valley Regional District
Cowichan 2050: Request for Endorsement

CS 2018-272

Moved and seconded:
That Council endorse the Cowichan 2050 regional planning

framework.
Motion carried.

Cathy Peters, BC Anti-Human Trafficking Advocate
Request for a Letter of Support
Moved and seconded:

CS 2018-273 That Council send a letter to the Union of British Columbia Municipalities (UBCM) supporting the request by Cathy Peters in her correspondence dated June 26, 2018, to deliver a presentation regarding BC Child Sex Trafficking at the UBCM annual convention in Whistler, September 10-14, 2018.
Motion carried.

Ladysmith Lions Club
Request for Signage at Little League Baseball Park
MOTION REFERRED
Moved and seconded:

CS 2018-274 That Council approve the installation of the proposed sign at the Little League baseball park on High Street, as requested by the Ladysmith Lions Club in their correspondence dated July 4, 2018.

Moved and seconded:

CS 2018-275 That Council refer the request by the Ladysmith Lions Club to approve the installation of the proposed sign at the Little League baseball park on High Street to staff for historical clarification regarding the establishment of the park.
Motion carried.

Ladysmith Chamber of Commerce
Request for Letter of Support
Moved and seconded:

CS 2018-276 That Council:

1. Provide a letter of support for the Ladysmith Chamber of Commerce to accompany their application for funding to the Island Coast Economic Trustto develop awalking tour application for smartphones; and
2. Direct staff to work with the Ladysmith Chamber of Commerce to determine an appropriate contribution to the initiative of not more than $10,000, with the funds to come from the Tourism budget.

Motion carried.

NEW BUSINESS

Logger Sport Poles at Ladysmith Amphitheatre
Moved and seconded:

CS 2018-277

That Council:

1. Accept with gratitude the proposed donation by Otter Point Timber of the value of two new poles for logger sports at the Transfer Beach Amphitheatre for a value of $9,260.
2. Approve the removal of the existing logger sport poles and installation of the new poles at the Transfer Beach Amphitheatre for a total up to $2,000 plus applicable taxes, with funds to come from surplus; and
3. Direct staff to amend the Financial Plan accordingly.

Motion carried.

Councillor Paterson declared a conflict of interest with the next agenda item due to his association with the Kinsmen Club and left the meeting.

Kinsmen Club
Request for Letter of Support – Public Washroom Grant Application

Moved and seconded:

CS 2018-278

That Council provide a letter of support for the Ladysmith Kinsmen Club to accompany their application for funding to BC Gaming for a public washroom project.

Motion carried.

Councillor Paterson returned to the meeting.

Brian McLaurin
Request to Address Road Conditions on Oyster Bay Road

Councillor Henderson circulated copies of the letter from Brian McLaurin, dated July 16, 2018, regarding the conditions on Oyster Bay Road and the lane to the Ladysmith Maritime Society dock.

Moved and seconded:

CS 2018-279

That Council direct staff to address the road conditions on Oyster Bay Road and to grade and treat the road for dust control prior to Thursday, July 19, 2018.

Motion carried.

UNFINISHED BUSINESS

Sonic the Hedgehog Movie Update

CS 2018-280

That Council:

1. Approve the requests for use of Town sites for parking, catering, lighting and related production vehicles as outlined in the documents entitled "Proposed Essential Works Trucks Parking" provided by the producers of The Sonic Movie;

2. Confirm that the proposed communications and negotiations approach by the film company satisfies the following requirements articulated by Council at its meeting on July 9, 2018:
    - That the film company has designated a community liaison to be on site at all times to act as liaison between Town residents and businesses and the film company; and
    - That the applicant is committed to ensure detailed signage with respect to parking closures and alternatives, and "Open for Business" signs listing businesses within the street closure area in key locations.
3. Direct the Corporate Officer to finalize and execute the Town of Ladysmith Film Industry Permit Package and Addendum, subject to final approval by the Town's legal counsel.

Motion carried.

Mayor Stone and Councillor Hutchins declared a conflict of interest with the next recommendation due to their business ownership on 1st Avenue and prepared to leave the meeting.

Prior to leaving the meeting, the Mayor presided over the election of an acting chair for this part of the meeting, in the absence of both himself and the Deputy Mayor.

Moved and seconded:

CS 2018-281 That Councillor Paterson assume the chair of the meeting.

Motion carried.

Mayor Stone and Councillor Hutchins left the meeting. Councillor Paterson assumed the chair

Amy Melmock, Manager of Economic Development, Cowichan Valley Regional District, advised council that there is an avenue to appeal compensation for loss of business through Creative BC.

Moved and seconded:

CS 2018-282 That Council confirm that the proposed approach by the film company satisfies the following requirement articulated by Council at its meeting on July 9, 2018:

- That the applicant has contacted all businesses and residents in the affected area with information, alternative arrangements if required, and a satisfactory compensation package.

Motion carried.

Mayor Stone and Councillor Hutchins returned to the meeting.

QUESTION PERIOD

There were no enquiries by the public.

ADJOURNMENT

CS 2018-283

Moved and seconded:
That this Regular Meeting of Council adjourn at 9:03 p.m.
Motion carried.

Mayor (A. Stone)

CERTIFIED CORRECT:

Corporate Officer (J. Winter)