



# Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Tuesday, August 4, 2009 at 7:00 p.m.

## **COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins  
Scott Bastian  
Lori Evans  
Bruce Whittington

Steve Arnett  
Jillian Dashwood  
Duck Paterson

## **STAFF PRESENT:**

Ruth Malli  
Rebecca Kalina

Sandy Bowden

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Mayor Hutchins called the meeting to order at 6:00 p.m.

## **EXECUTIVE SESSION**

2009-421: It was moved, seconded and carried that this meeting retire into Executive Session (6:00 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- labour relations or other employee relations;
- litigation or potential litigation affecting the municipality;

The Regular Session of Council was called to order at 7:02 p.m.

## **ARISE AND REPORT**

2009-422: It was moved, seconded and carried that the Executive Session of Council rise without report. (6:55 p.m.)

## **AGENDA APPROVAL**

The Mayor requested Council's consideration of removing item 11.3 Manager of Development Services Report - Amendment to Downtown Design Guidelines (Town Initiated) from the agenda.

2009-423: It was moved, seconded and carried that the agenda for the Regular Council meeting for Tuesday, August 4, 2009 be approved as amended.

## **MINUTES**

2009-424: It was moved, seconded and carried that the Council minutes of July 6, 20 and 25, 2009 be approved as circulated.

## **COUNCIL / COMMITTEE REPORTS**

Mayor Hutchins congratulated the Celebrations Committee and all volunteers on a very successful Ladysmith Days. The Mayor reported that the Ladysmith trolley service commenced today and there were approximately 49 riders. The feedback regarding the service was very positive.

2009-425: It was moved, seconded and carried that staff be requested to send flowers on behalf of Council to Citizens On Patrol volunteer Gordon Reid who is ill.

2009-426: It was moved, seconded and carried that letters of thanks be sent to those involved in Ladysmith Days events.

## **GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS**

2009-427: It was moved, seconded and carried that the City Manager's Report, dated July 15, 2009, regarding the second quarter of 2009 be received.

2009-428: It was moved, seconded and carried that the 2009 second quarter reports from the Director of Public Works, dated July 14, 2009, the Manager of Development Services,

dated July 13, 2009, the Director of Corporate Services, dated July 14, 2009, and the Director of Parks Recreation and Culture, dated July 16, 2009 and the report on the Status of the Top 25 Strategic Priorities be received.

2009-429: It was moved, seconded and carried that Staff be directed to process Official Community Plan and Zoning Bylaw amendment application 3360-09-03 (Holland Creek Holdings - Kolk).

2009-430: It was moved, seconded and carried that Staff be directed to proceed with the following Official Community Plan consultation pursuant to S. 879 of the Local Government Act for OCP and Zoning Bylaw amendment application 3360-09-03 (Holland Creek Holdings - Kolk):

(i) Refer the application to the Advisory Planning Commission (APC) and the Advisory Design Panel (ADP) for review and comment prior to Council direction on the development of amending bylaws, and;

(ii) Undertake First Nations' consultation by referring the application to the Stz'uminus First Nation for comment given that the location of the subject property is in the vicinity of Holland Creek.

2009-431: It was moved, seconded and carried that the Cowichan Valley Regional District (CVRD) be requested to participate with the Town of Ladysmith in a year-long study to determine where users of Frank Jameson Community Centre reside and how often they use the facility, in order to assist the CVRD in determining the most appropriate regional recreation funding model.

2009-432: It was moved, seconded and carried that Council authorize the expenditure of \$30,000 for the Environmental Impact Study for the sewage treatment facility with the funds to be allocated from the Sewer Utility Reserve Fund, and that the Financial Plan be amended accordingly.

2009-433: It was moved, seconded and carried that the letter from D. Mackie dated June 8, 2009 regarding the Brown Drive Park fence be referred to Staff for review and recommendation.

2009-434: It was moved, seconded and carried that Council support the following Canadian Union of Postal Workers' resolution regarding post office closures in rural and small towns:

WHEREAS the report also recommends that rural mailbox delivery be reconsidered.

WHEREAS these recommendations, if implemented by the federal government, would undermine public postal service and jobs in our community and fundamentally change the nature of Canada Post's retail and delivery network.

WHEREAS the report proposes that Canada Post's highly inadequate community consultation process be used when closing or "rationalizing" a post office/outlet and that a similar process be used when replacing rural mailbox delivery with delivery to a community box, green box or post office.

BE IT RESOLVED THAT the Town of Ladysmith write to Rob Merrifield, the Minister responsible for Canada Post, and request that the government preserve public postal service and jobs in our community by rejecting CPCS recommendations that would:

1. Put an end to the moratorium on post office closures in rural and small towns and give Canada Post the flexibility to close post offices covered by the current moratorium or convert these public post offices to private outlets
2. Cut delivery to rural mailboxes without exploring all options or properly consulting with residents or the representatives of rural delivery workers.

BE IT FURTHER RESOLVED that we request that Minister Merrifield consult with the public, postal unions and other major stakeholders to develop a uniform and democratic process for making fundamental changes to Canada Post's retail and delivery network.

2009-435: It was moved, seconded and carried that Staff be directed to contact the Union of British Columbia Municipalities regarding the correspondence dated June, 2009 from the Canadian Union of Postal Workers regarding rural mail delivery and small post offices and request their input on the issue.

2009-436: It was moved, seconded and carried that the minutes of the Government Services Committee meeting held on Monday, July 20, 2009 be approved as circulated.

Councillor L. Evans reported that she attended the Social Planning Cowichan meeting in July and that short/long term goals and activities were discussed. Councillor Evans also stated that she attended the July meeting of the Food Action Coordinating Team at which they discussed how to become a registered society.

Councillor B. Whittington informed Council that the Vancouver Island Regional Library (VIRL) has expressed concerns that they have not yet received a Provincial grant which they applied for in March. Lack of grant funding may effect services provided by the VIRL Board.

## **REPORTS**

### **SPECIAL OCCASION LICENSE REQUESTS**

2009-437: It was moved, seconded and carried that a Special Occasion License be granted to the Royal Canadian Legion for their picnic scheduled for September 13, 2009 at the Transfer Beach Horseshoe Pitch from 12:00 p.m. to 5:30 p.m.

2009-438: It was moved, seconded and carried that a Special Occasion License be granted to the Ladysmith Fraternal Order of Eagles for a Beer Garden scheduled for August 9, 2009 at the Transfer Beach Horseshoe Pitch from 12:00 p.m. to 4:00 p.m.

### **UTILITY VEHICLE TENDER**

2009-439: It was moved, seconded and carried that the tender for the supply of a utility vehicle be awarded to Surfwood Supply for the low tender price of \$28,193.52 (taxes included), with the funds to come from the Equipment Pool Reserve, and that the Financial Plan be amended accordingly.

**OFFICIAL COMMUNITY PLAN & REZONING APPLICATION - 10930 WESTDOWNE RD. (PARCEL B, (DD9863W) OF LOT 14, DISTRICT LOT 72, OYSTER DISTRICT, PLAN 8793)**

2009-440: It was moved, seconded and carried that Staff be directed to prepare amending bylaws for Official Community Plan and Zoning Bylaw amendment application 3360-09-04 (10930 Westdowne Rd.).

2009-441: It was moved, seconded and carried that Official Community Plan and Zoning Bylaw Amendment application 3360-09-04 (10930 Westdowne Rd.) be referred to the Advisory Planning Commission (APC) for review and comment.

2009-442: It was moved, seconded and carried that the requirement for an information meeting for Official Community Plan and Zoning Bylaw amendment application 3360-09-04 be waived, as no change of use is proposed for 10930 Westdowne Rd.

**NEW MANUFACTURED HOME PARK AND RESIDENTIAL DEVELOPMENT (TOWN INITIATED) BYLAWS 1692 AND 1693**

2009-443: It was moved, seconded and carried that the following Official Community Plan consultation, pursuant to S. 879 of the Local Government Act, for OCP and Zoning Bylaw amendment application 3360-09-05 (Town initiated – DL108) be approved as follows:

- (a) Hold a public meeting prior to the public hearing,
- (b) Refer Bylaws 1692 and 1693 to the Advisory Planning Commission for comment, and
- (c) Refer Bylaws 1692 and 1693 to the Cowichan Valley Regional District for comment, as the land is adjacent to the "North Oyster/Diamond" electoral area of the CVRD.

AND THAT a public hearing be scheduled for Bylaw 1692 and Bylaw 1693 for September 21, 2009.

2009-444: It was moved, seconded and carried that the road standard for the internal public road to serve the park and residential development known as DL 108 be as narrow as possible with the ability to accommodate non-car transportation options.

#### FIRE CHIEF'S REPORT

2009-445: It was moved, seconded and carried that the Fire Chief's Report for June, 2009 be received.

#### BUILDING INSPECTOR'S REPORT FOR MAY AND JUNE, 2009

2009-446: It was moved, seconded and carried that the Building Inspector's reports for May and June, 2009 be received.

### **CORRESPONDENCE**

#### S/SGT R. PLAMONDON - LADYSMITH RCMP - JUNE 2009 REPORT

2009-447: It was moved, seconded and carried that the June, 2009 report from S/Sgt R. Plamondon of the Ladysmith RCMP be received and that S/Sgt Plamondon be invited to attend the August 17, 2009 Government Services Committee meeting to answer questions regarding information presented in his report.

#### FESTIVAL OF LIGHTS - GRANT IN AID

2009-448: It was moved, seconded and carried that the letter dated July 15, 2009 from R. Holland, President, Ladysmith Festival of Lights regarding their appreciation for a 2009 Grant In Aid be received.

### **BYLAWS**

#### BYLAW 1680

2009-449: It was moved, seconded and carried that the Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2009, No. 1680 be read a first, second and third time.

#### BYLAW 1692

2009-450: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 25), 2009, No. 1692 be read a first and second time.

#### BYLAW 1693

2009-451: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 75), 2009, No. 1693 be read a first and second time.

### **ADJOURNMENT**

2009-452: It was moved, seconded and carried that the meeting be adjourned at 7:46 p.m

**CERTIFIED CORRECT:**

Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)