



LADYSMITH

TOWN OF LADYSMITH
MINUTES OF A REGULAR SESSION OF COUNCIL

MONDAY, APRIL 19, 2010 - 4:00 P.M.

PRESENT:

Mayor Rob Hutchins
Councillor Jillian Dashwood
Councillor Bruce Whittington

Councillor Steve Arnett
Councillor Lori Evans

Councillor Scott Bastian
Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
Felicity Adams

Sandy Bowden
Pat Durban

Rebecca Kalina
Joe Friesenhan

CALL TO ORDER

Mayor Hutchins called the meeting to order at 4:03 p.m.

AGENDA APPROVAL

Mayor Hutchins asked for Council's consideration of the following addition to the agenda:

11.7 – Contract Awards For Finishing Services Including Drywall and Insulation; Painting; Hardware And Doors - Boys and Girls Club

2010-162

It was moved, seconded and carried that the agenda be adopted as amended.

2010 FINANCIAL PLAN

R. Malli, City Manager, provided Council with a summary of the Town's capital projects and associated costs for their review. A discussion ensued regarding various projects.

2010-163

It was moved, seconded and carried that staff be directed to proceed with the repair of the Amphitheatre deck with brick for a cost of \$22,000.

2010-164

It was moved, seconded and carried that staff be directed to start repairs immediately on the Aggie Field and High

Street baseball dug outs for a total of \$10,000.

2010-165

It was moved, seconded and carried that Staff be requested to provide an estimate of costs associated with the implementation of a secondary suite bylaw at the next budget meeting; and further that staff provide a recommendation on pursuing this initiative rather than the Character/Design project.

(Opposed Vote: Councillor L. Evans)

2010-166

It was moved, seconded and carried that staff be directed to prepare a prioritized list of capital projects based on the discussion at the Council meeting and that the prioritized list of projects be presented at the next budget meeting.

EXECUTIVE SESSION

2010-167

It was moved, seconded and carried that this meeting retire into Executive Session at 4:50 p.m., pursuant to Section 90(1) of the Community Charter to consider the following items:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

The Regular Session of Council resumed at 7:01 p.m.

RISE AND REPORT

The Executive Session of Council rose with report on the following matter:

- That Steve Robinson's e-mail be received and a letter of thanks be sent to Mr. Robinson for his service to the Town as a member of the Environment Commission.

PUBLIC HEARINGS

PUBLIC HEARING - Bylaw 1710, Bylaw 1711 and Bylaw 1714

APPLICANT AGENT
Town of Ladysmith

PUBLIC ATTENDANCE: 12

A Public Hearing for Bylaw 1710, Bylaw 1711 and Bylaw 1714 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, April 19, 2010 at

7:01 p.m.

Mayor Hutchins welcomed the public and noted that the public input portion of the hearing would take place in two parts - Part 1 would entertain questions clarifying the project or bylaw and Part 2 would afford attendees an opportunity to provide comments to Council on the proposed development.

Felicity Adams, Director of Development Services, provided an overview of the application submitted by the Town of Ladysmith for Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271. Ms. Adams noted that the property is located at Grouhel and Christie Roads and that the purpose of Bylaw 1710 is to amend the Official Community Plan by designating the two subject properties as 'Multi-Family Residential' and placing the properties in Development Permit Area 4 – Multi-Family Residential (DPA4). The purpose of Bylaw 1711 is to amend the Zoning Bylaw by rezoning Lot 7 from Suburban Residential (R-1) to Medium Density Residential (R-3-A). The R-3-A zone permits a density of 37 units per hectare of land: Lot 7 is 1.29 hectares in size which would permit a maximum of 47 residential units (Bylaw 1711). The purpose of Bylaw 1714 is to amend the Zoning Bylaw by rezoning Lot 8 from Suburban Residential (R-1) to Medium Density Residential (R-3-A). The R-3-A zone permits a density of 37 units per hectare of land. Lot 8 is 0.63 hectares in size which would permit a maximum of 23 residential units (Bylaw 1714). Ms. Adams advised that Council has provided direction that a land use agreement (covenant) is to be registered on the certificate of title for the subject properties to secure the following:

- (a) Multi-family development design guidelines;
- (b) Useable outdoor greenspace for residents of the development;
- (c) A landscaped buffer between the adjacent single family development and proposed multi-family development;
- (d) A landscaped buffer between the multi-family development and the highway;
- (d) Shared road access between the parcels from Christie Road.

She further noted that an area to accommodate the existing 'Welcome to Ladysmith' sign will be achieved through a Statutory Right of Way to be registered on Lot 7.

Ms. Adams reported that the Advisory Planning Commission made the following recommendation to Council at its meeting held March 9, 2010:

It was moved, seconded and carried that the Advisory Planning Commission is reluctant to support the proposal to designate and zone Lot 7 and Lot 8, Plan VIP85271 for multi-family use without first seeing the potential form and character of a particular project. The Advisory Planning Commission questions whether or not multi-family use is the best use for the subject properties.

Ms. Adams advised that the Ministry of Transportation was consulted and it does not object to the proposed bylaws, subject to several conditions.

Ms. Adams advised that the Public Hearing notice was published in the Chronicle newspaper on April 6 and April 13, 2010 and posted on community notice boards throughout the Town and on the Town's website. Notices were also mailed and delivered to neighbouring property owners and a copy was made available at the front counter at City Hall for the two week notice period. She confirmed that there were no written submissions and one telephone or in-person enquiry was received at City Hall in connection with this Public Hearing.

Mayor Hutchins called for questions a first time.
Mayor Hutchins called for questions a second time.
Mayor Hutchins called for questions a third time.

Hearing no questions Mayor Hutchins called for comments a first time.
Mayor Hutchins called for comments a second time.
Mayor Hutchins called for comments a third time.

Hearing no comments Mayor Hutchins called for any written submissions.
No written submissions were received.

Hearing no further comments and receiving no written submissions, Mayor Hutchins declared the Public Hearing for Bylaw 1710, Bylaw 1711 and Bylaw 1714 closed at 7:06 p.m.

BYLAWS (OCP/ZONING)

- 2010-168** It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 31), 2010, No. 1710 be read a third time and adopted.
- 2010-169** It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 80), 2010, No. 1711 be read a third time and adopted.
- 2010-170** It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1260 Amendment Bylaw (No. 81), 2010, No. 1714 be read a third time.
- 2010-171** It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 32), 2010, No. 1724 be read a first and second time and that staff be directed to schedule a public hearing date.
- 2010-172** It was moved, seconded and carried that staff be directed to refer Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 32), 2010, No. 1724 to the Agriculture Land Commission.

MINUTES

- 2010-173** It was moved, seconded and carried that the Council minutes of April 6, 2010 be adopted as amended and the Council minutes of April 12, 2010 be adopted as circulated.

ZONING BYLAW – ACCESSORY BUILDING REGULATIONS

- 2010-174** It was moved, seconded and carried that staff be requested to prepare a bylaw to amend the Zoning Bylaw as follows:
- (1) clarify setback regulations for accessory buildings in residential zones as outlined in section 5.5,
 - (2) limit the height of an accessory building in residential zones to one storey (5.0m), and
 - (3) limit the maximum combined gross floor area of an

accessory building in residential zones to 50m².

2010-175

It was moved, seconded and carried that staff be directed to refer the proposed amendment to the Zoning Bylaw regarding the regulation of accessory buildings to the Advisory Planning Commission for input concurrent with Bylaw preparation by staff.

Members of the audience provided comment regarding the accessory structure located at 410 Third Avenue and provided additional comments on the proposed Zoning Bylaw amendments regarding accessory buildings. A discussion ensued.

DL108 PLAYFIELD PROJECT

2010-176

It was moved, seconded and carried that the tendering policy be waived for the DL108 Playfield Project and staff be authorized to accept the Request for Proposal (RFP) from E. Lees and Associates for the provision of consulting services for the DL108 Playfield design.

FIRE CHIEF'S REPORT – MARCH 2010

2010-177

It was moved, seconded and carried that the Fire Chief's Report for March 2010 be received.

BUILDING INSPECTORS REPORT – MARCH 2010

2010-178

It was moved, seconded and carried that the Building Inspector's Report for March 2010 be received.

TROLLEY REPORT – MARCH 2010

2010-179

It was moved, seconded and carried that the Trolley Bus Report for March 2010 be received.

MACHINE SHOP LEASES

2010-180

It was moved, seconded and carried that the Mayor and Corporate Officer be authorized to renew leases for Dennis Brown, Janice Richard, Southwood Products and Atlantis Kayaks for their respective units at the Machine Shop on Oyster Bay Drive, for a period of one year, commencing in 2010, at the rate of \$5.00 per square foot, with an option to renew for one additional year at a rate of \$5.50 per square foot;

And that the Mayor and Corporate Officer be authorized to renew leases for the Ladysmith Maritime Society and the Ladysmith and District Arts Council, in the units they currently occupy at the Machine Shop on Oyster Bay Drive, for one year, commencing in 2010, with an option to renew for an additional one year, at the rate of \$1.00 per year.

F. Adams, Director of Development Services, vacated Council Chambers at 8:24 p.m.

CONTRACT AWARDS FOR FINISHING SERVICES INCLUDING DRYWALL AND INSULATION; PAINTING; HARDWARE AND DOORS – BOYS AND GIRLS CLUB

2010-181

It was moved, seconded and carried that contracts for the Boys and Girls Club be awarded as follows:

Ron's Drywall (Drywall and Insulation)	\$55,320
Vanberg Painting (Painting)	\$21,498
Mc Gregor Thompson (Hardware and Doors)	\$28,609

CORRESPONDENCE

POUND REPORT – MARCH 2010

2010-182

It was moved, seconded and carried that the March 2010 Pound Report from Coastal Animal Control Services of BC Ltd. be received.

BYLAWS

2010-183

It was moved, seconded and carried that Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2010, No. 1712 be adopted.

2010-184

It was moved, seconded and carried that Town of Ladysmith Subdivision Control Bylaw 1994, No. 1115, Amendment Bylaw 2010, No. 1713 be adopted.

2010-185

It was moved, seconded and carried that Town of Ladysmith DCC Parks Appropriation Bylaw 2010, No. 1719 be adopted.

2010-186

It was moved, seconded and carried that Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2010, No. 1720 be adopted.

2010-187 It was moved, seconded and carried that Town of Ladysmith DCC Water Appropriation Bylaw 2010, No. 1721 be adopted.

2010-188 It was moved, seconded and carried that Town of Ladysmith DCC Sewer Appropriation Bylaw 2010, No. 1722 be adopted.

2010-189 It was moved, seconded and carried that Town of Ladysmith DCC Roads Appropriation Bylaw 2010, No. 1723 be adopted.

2010-190 It was moved, seconded and carried that Town of Ladysmith Waterworks Regulation Bylaw 1999, No. 1298, Amendment Bylaw 2010, No. 1726 be read a first, second and third time.

ADJOURNMENT

2010-191 It was moved, seconded and carried that the meeting be adjourned at 8:27 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)