



**MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, MAY 7, 2012**

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Gord Horth

Councillor Bill Drysdale Councillor Jillian Dashwood
Councillor Glenda Patterson Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Steve Arnett

STAFF PRESENT:

Ruth Malli
Felicity Adams

Sandy Bowden
Joanna Winter

Erin Anderson

CALL TO ORDER

Mayor Hutchins called the Regular Council Meeting to order at 5:00 p.m. in order to retire immediately into Executive Session.

AGENDA APPROVAL

Mayor Hutchins requested Council's consideration of the following amendments to the agenda:

4.2 Jayse Van Ruyen will not be appearing before Council as a delegation

8.3 Remove "Annual Public Works Tenders"

CS 2012-126

It was moved, seconded and carried that the agenda for the Regular Session of Council for May 7, 2012 be approved as amended.

EXECUTIVE SESSION

CS 2012-127

It was moved, seconded and carried that Council retire into Executive Session at 5:02 p.m. in order to discuss the following item in accordance with Section 90(1) of the Community Charter:

Item 1:

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

Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*

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

ARISE AND REPORT

Council arose from Executive Session without report.

MINUTES

CS 2012-128 It was moved, seconded and carried that the minutes of the Regular Meeting of Council held April 16, 2012 be approved as circulated.

CS 2012-129 It was moved, seconded and carried that the minutes of the Special Meeting of Council held April 23, 2012 be approved as circulated.

PROCLAMATIONS

Mayor Hutchins proclaimed the month of May 2012 as “Child Find’s Green Ribbon of Hope Month” and May 25th, 2012 as “National Missing Children’s Day” in the Town of Ladysmith.

DEVELOPMENT APPLICATIONS

Development Variance Permit Application – 123 Forward Road

Director of Development Services Felicity Adams was in attendance to present Development Variance Permit application 3090-12-01 and respond to questions from Council.

CS 2012-130 It was moved, seconded and carried that staff be directed to proceed with statutory notice for Development Variance Permit application 3090-12-01 for Lot A, District Lot 56, Oyster District, Plan 30646 (123 Forward Road).

Official Community Plan Amendment and Rezoning Application – 340 Second Avenue

Director of Development Services Felicity Adams presented the application for an Official Community Plan Amendment and Rezoning to Council, and responded to questions. The proponent, L. Kolk, responded to questions from Council.

CS 2012-131 It was moved, seconded and carried that staff be directed to work with the applicant to apply Official Community Plan policies to development application 3360-12-01 (340 Second Avenue).

CS 2012-132 It was moved, seconded and carried that it be determined that for Official Community Plan amendment application 3360-12-01 (340 Second Avenue), the following consultation is to be undertaken in accordance with section 189 of the *Local*

Government Act:

- The application is to be referred to the Advisory Planning Commission and Advisory Design Panel for review and comment
- The applicant is to host a neighbourhood information meeting as required by the Development Procedures bylaw.

Rezoning Application – 320 4th Avenue Extension

Director of Development Services Felicity Adams reminded Council that they had previously considered this rezoning application and stated that the matter is brought forward for first and second readings of the proposed rezoning bylaw.

CS 2012-133

It was moved, seconded and carried that the staff report regarding the rezoning application and proposed amendment to Bylaw 1160 for 320 Fourth Avenue Extension be approved as presented.

**COUNCIL COMMITTEE
REPORTS**

CS 2012-134

Heritage Revitalization Advisory Commission Recommendations

It was moved, seconded and carried that support in principle be given to the establishment of a Heritage Façade Improvement Grant Program, subject to a review and recommendation by staff.

CS 2012-135

It was moved, seconded and carried that a letter be sent to the owner of the Traveller's Hotel requesting that all notices be removed immediately from the façade of the building, and that a sign prohibiting such advertising notices be posted on the building.

CS 2012-136

It was moved, seconded and carried that a letter be sent to the Minister of Lands, Forests and Natural Resource Operations in support of Heritage BC and the investment in the Heritage Legacy Fund, which provides grants for community heritage projects and support for Heritage BC's operations.

CS 2012-137

Government Services Committee Recommendations

It was moved, seconded and carried that an opportunity to make a presentation to the BC Transit Independent Review Panel be requested.

CS 2012-138

It was moved, seconded and carried that May 29, 2012 be proclaimed "Day of the Honey Bee" in the Town of Ladysmith, and that a letter be sent to the federal Minister of Agriculture strongly encouraging the Government of Canada to establish a national day of recognition for the honey bee and its importance

in our food supply.

CS 2012-139

It was moved, seconded and carried that a letter be sent to the Premier of British Columbia requesting that serious consideration be given to local government input and consultation to the Expert Panel on Business Taxation and the Local Government Revenue Sources Review, with copies to the Minister of Finance and the Minister of Community, Sport and Cultural Development.

Members of Council offered birthday wishes and congratulations to Mr. Keith Turner on the occasion of his 105th birthday.

**STAFF / ADVISORY
COMMITTEE REPORTS**

**Not-for-Profit Rental Housing Development Cost Charges
Reduction Bylaw**

CS 2012-140

It was moved, seconded and carried that in order to target housing developments that support individuals and families at lower incomes, the rent criteria for the not-for-profit rental housing development cost charges incentive bylaw include “households within 80 per cent of the median household income paying 30 per cent of their income annually toward the cost of housing”.

Lease of Town-Owned Properties on Oyster Bay Drive

CS 2012-141

It was moved, seconded and carried that the Town enter into a three-year lease agreement with the Arts Council of Ladysmith and District for Units J, K and L of the “Machine Shop” building at 610 Oyster Bay Drive, for an annual rental rate of \$1.00 per unit plus applicable taxes.

CS 2012-142

It was moved, seconded and carried that the Town of Ladysmith enter into two-year lease agreements with the following tenants of Town-owned properties on Oyster Bay Drive at the rental rate of \$5.00 per square foot in the first year:

Southwood Products (Units A/E)

Dennis Brown (Unit D)

Janice Richards (Unit F)

Blondeau’s Wood Products (Splicing shed)

PMG Heritage Yachts (Round House and First Aid Shed)

CS 2012-143

It was moved, seconded and carried that the Town of Ladysmith enter into a two-year lease agreement with the Ladysmith Maritime Society for the “Car Shop” on Oyster Bay Drive for an annual rental rate of \$1.00 per year.

CS 2012-144

It was moved, seconded and carried that the Town of Ladysmith enter into a one-year lease agreement with the Ladysmith

Maritime society for Units C, I and M of the “Machine Shop” building for an annual rental rate of \$1.00 per unit plus applicable taxes.

CS 2012-145 It was moved, seconded and carried that staff be directed to review the current rental rate of \$5.00 per square foot and provide recommendations to Council regarding any proposed changes to the rate prior to the expiration of the first year of the lease agreements in the Town-owned buildings on Oyster Bay Drive.

CS 2012-146 It was moved, seconded and carried that staff be directed to advertise the proposed lease arrangements for Town-owned properties on Oyster Bay Drive in accordance with the legislation.

Proposed Audited Financial Statements Bylaw

CS 2012-147 It was moved, seconded and carried that the staff report regarding the proposed audited financial statements bylaw be approved as circulated.

CORRESPONDENCE

**John McKay, Municipality of North Cowichan
Request for Letter of Support for Joint Utilities Board Lagoons
Outfall Relocation and Resource Recovery Project**

CS 2012-148 It was moved, seconded and carried that Council write a letter of support for the Joint Utilities Board Lagoons Outfall Relocation and Resource Recovery Project, as requested by John McKay in his correspondence dated April 5, 2012.

**Bruce Whittington
Request for Council to Introduce Tree Protection Legislation**

CS 2012-149 It was moved, seconded and carried that consideration of tree protection legislation as requested in the correspondence from Bruce Whittington dated April 18, 2012 be referred to staff for review and report back to Council.

**Duck Paterson, Kinsmen Club of Ladysmith
Request for Waiver of Building Permit Fees for Ramp at
Ladysmith Museum**

CS 2012-150 It was moved, seconded and carried that building permit fees be waived for the construction of a ramp at the Ladysmith Museum, as requested by the Kinsmen Club of Ladysmith in their correspondence dated April 25, 2012.

**Ladysmith Chamber of Commerce
Sponsorship Opportunity – Fifth Annual Gold Tournament**

CS 2012-151 It was moved, seconded and carried that the Town of Ladysmith

sponsor a hole at the fifth annual Ladysmith Golf Tournament for \$200, with the funds to come from the 2012 grants-in-aid budget.

Rajnana Basu, Coordinator, Cowichan Family Caregivers Support Society

Request for Grant-in-Aid for 2012

CS 2012-152

It was moved, seconded and carried that a grant-in-aid for 2012 in the amount of \$750 be provided to the Cowichan Family Caregivers Society from the 2012 grants-in-aid budget, as requested in an e-mail from Rajnana Basu dated April 28, 2012.

Rob Waters, President, Ladysmith Chamber of Commerce

Request to partner with the Town of Ladysmith on a joint promotional venture

CS 2012-153

It was moved, seconded and carried that the Town of Ladysmith partner with the Ladysmith Chamber of Commerce in the amount of \$500 on a promotional venture to showcase Ladysmith and Cowichan Region cuisine, arts and culture, with the funds to come from the public relations budget.

BYLAWS

Town of Ladysmith Financial Plan Bylaw 2012, No. 1801

CS 2012-154

It was moved, seconded and carried that Town of Ladysmith Financial Plan Bylaw 2012, No. 1801 be adopted.

Town of Ladysmith Tax Rates Bylaw 2012, No. 1802

CS 2012-155

It was moved, seconded and carried that Town of Ladysmith Tax Rates Bylaw 2012, No. 1802 be adopted.

Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 89) 2012, No. 1803

CS 2012-156

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 89) 2012, No. 1803 be read a first and second time and that a Public Hearing be scheduled.

Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw 2012, No. 1804

CS 2012-157

It was moved, seconded and carried that Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw 2012, No. 1804 be read a first, second and third time.

Town of Ladysmith 2011 Audited Financial Statements Bylaw 2012, No. 1805

CS 2012-158

It was moved, seconded and carried that Town of Ladysmith 2011 Audited Financial Statements Bylaw 2012, No. 1805 be

read a first, second and third time.

NEW BUSINESS

CS 2012-159

Ladysmith Museum Appreciation

It was moved, seconded and carried that the Town of Ladysmith provide a gift of appreciation on the opening of the Ladysmith Museum.

QUESTION PERIOD

R. Johnson was advised that the Statement of Financial Information for the Town of Ladysmith will be completed before the end of June as required by legislation.

R. Johnson was advised that the Director of Parks, Recreation and Culture is retiring as of May 31 2012 and that recruitment for a new Director is underway.

R. Johnson was advised that should Council determine that fossil fuels will not be permitted to be used as an energy source in construction of a new residence, a covenant to that effect would be registered on title.

ADJOURNMENT

CS 2012-160

It was moved, seconded and carried that this meeting of Council be adjourned at 7:57 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)