



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, FEBRUARY 1, 2016
CALL TO ORDER 5:15 P.M. FOR CLOSED SESSION
CALL TO ORDER OF REGULAR OPEN MEETING 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone
Councillor Carol Henderson

Councillor Cal Fradin
Councillor Rob Hutchins

Councillor Joe Friesenhan
Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Steve Arnett

STAFF PRESENT:

Ruth Malli
Erin Anderson
Joanna Winter

Sandy Bowden
John Manson

Felicity Adams
Clayton Postings

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:15 p.m. in order to retire immediately into Closed Session.

CLOSED MEETING

CS 2016-034

Moved and seconded:

That Council retire into Closed Session at 5:16 p.m. in order to consider the following items in accordance with section 90(1) of the *Community Charter*:

- Rise and Report on 2015 Closed Meeting Resolutions
- Human Resources Matter

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:52 p.m. with report on the following Resolution:

That Council rise and report on the following resolutions from Closed Meetings held in 2015:

- That the feasibility study on 1201 and 1251 Christie Road prepared by Ron King, ipds Property Development Corp. be received and that the document be released to Urban Forest Enterprises Ltd. and Coast Realty for information.
- That a representative of the Ladysmith Detachment of the RCMP be invited to the next Closed Council meeting to provide an update regarding issues associated with the sale and distribution of cocaine within the Ladysmith community.

- That Council direct staff to prepare a report on the availability of funds to purchase properties owned by the Ladysmith and District Credit Union at 721 First Avenue and 12, 20 and 26 Buller Street.
- That Council direct staff to obtain an appraisal of the properties on Buller Street and First Avenue owned by the Ladysmith and District Credit Union, in cooperation with the Credit Union.
- That Council direct staff to obtain an appraisal on the City Hall property at 410 Esplanade.
- That consideration of issues related to the contract for a feasibility study on the Town-owned property at 520 Jim Cram Drive be referred to the next closed meeting of Council.
- That Council request that staff seek advice from legal counsel regarding options for restricting the wearing of [...] gang colours in licenced establishments and at community events such as Ladysmith Days and Remembrance Day.
- That Council direct staff to investigate actions by other communities, including Campbell River, to control the presence of [...] gangs in local licensed establishments through wording and protocols in liquor licences.
- That Council direct staff to investigate whether any of the communities who have implemented the Bar Watch program assisted any licenced establishments to join the program.
- That Council direct staff to determine the approximate cost of demolishing existing buildings in the vicinity of Buller Street and Kitchener Street.
- That Council direct the Mayor and staff to negotiate a purchasing agreement with Ladysmith and District Credit Union for four properties located at 12, 20 and 26 Buller Street and 721 First Avenue and bring a proposed financing package back to Council.
- That Council appoint the following applicants to the Board of Variance to serve on the Board for three year terms:
 - Jan Christenson
 - Tim Horner
 - Terry Doherty
 and that staff be directed to advise all applicants of the outcome of the selection process.
- That Council direct staff to submit a counter-offer in the amount of \$920,000 for the properties owned by the Ladysmith and District Credit Union located at 12, 20 and 26 Buller Street and 721 First

Avenue, subject to financing.

- That Council waive the six-year limit on terms and reappoint Pam Fraser to the Advisory Planning Commission, and Kaien Shimizu to the Advisory Design Panel.
- That Council direct staff to review the Town's Commission and Committee structure and report back to Council with recommended options.
- That Council endorse Option 1 as presented in the Feasibility Study on 520 Jim Cram Drive prepared for the Town by Ron King of ipds Property Development Corp. to rezone the Town-owned property at 520 Jim Cram Drive to allow for four single family residential lots on the site as it currently exists.
- That staff report back to Council with proposed costing for a design charrette for Town-owned waterfront properties and Town-leased water lots.
- That Council direct staff to seek a statutory injunction against the use of DL 651 for long-term moorage as recommended by Town legal counsel in a memorandum to the City Manager dated September 23, 2015.
- That Council accept with deep regret and sincere appreciation the letter of retirement from the City Manager dated October 22, 2015.
- That Council refer the discussion of a succession plan and recruitment for the City Manager's position to a Special Meeting of Council to be held on Monday, November 23, 2015 at 6:00 p.m.
- That Council refer consideration of a Lasting Legacy Award to a Special Meeting of Council to be held on Monday, November 23, 2015 at 6:00 p.m.
- That Council approve the sale of an approximately 1.5 metre strip of the laneway adjacent to the property at 602 Sanderson Road to John Rothwell on the terms and conditions contained in the Offer to Purchase/Contract of Purchase and Sale between the Town and Mr. Rothwell dated December 4, 2015 (the "Rothwell Agreement") and authorize the Mayor and Corporate Officer to execute the Rothwell Agreement on the Town's behalf.
- That Council approve the transfer of an approximately 1.5 metre strip of the laneway adjacent to Lot 1, District Lots 41 and 67, Oyster District, Plan VIP79202 Except Part in Plan VIP80128, VIP81447 and VIP 84843 to Zenn Developments Ltd. on the terms and conditions contained in the Land Exchange Agreement

between the Town and Zenn Developments Ltd. dated December 4, 2015 (the “Zenn Agreement”) and authorize the Mayor and Corporate Officer to execute the Zenn Agreement on the Town’s behalf.

- That discussion regarding Council’s updated Strategic Plan and the recruitment process for the new Chief Administrative Officer be referred to a closed meeting of Council to take place at 6:00 p.m. on Wednesday, December 16, 2015.
- That Council direct staff to allocate up to \$32,000 from the Real Property Reserve to fund the construction of a public washroom at the Ladysmith and District Credit Union.

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called the Regular Open Meeting to order at 7:00 p.m. and acknowledged the traditional territory of the Stz’uminus First Nation.

AGENDA APPROVAL

CS 2016-035

Moved and seconded:

That Council approve the agenda for the Council meeting of February 1, 2016.

Motion carried.

MINUTES

CS 2016-036

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held January 11, 2016.

Motion carried.

CS 2016-037

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held January 18, 2016.

Motion carried.

DELEGATIONS

Judy Stafford, Nora Arajis – Cowichan Green Community 2015 Year in Review

J. Stafford presented the video “2015 in Review” produced by Cowichan Green Community, highlighting the organization’s programs and accomplishments over the past year, particularly in the area of supporting and encouraging local food production and consumption. Council thanked Ms. Stafford and the organization for their dedication to sustainability and food security.

PROCLAMATIONS

Mayor Stone proclaimed the week of February 8 to 14, 2016 as **Variety Week** in the Town of Ladysmith in recognition of the dedicated service and leadership to BC communities provided by Variety–The Children’s Charity.

Mayor Stone proclaimed the week of February 15 to 22, 2016 as

Heritage Week in the Town of Ladysmith, with the theme “Distinctive Destination: Experience Historic Places”, in recognition of the possibilities provided by BC’s distinctive destinations to stimulate tourism, attract new residents and encourage investment.

**DEVELOPMENT
APPLICATIONS**

CS 2016-038

**Development Variance Permit Application – 410 Third Avenue (Forrest)
Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A**

Moved and seconded:

That Council direct staff to proceed with statutory notice for Development Variance Permit application 3090-15-03 for Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue).

Motion carried:

OPPOSED:

Councillors Fradin and Henderson.

**Official Community Plan Amendment/Rezoning Application – Holland
Creek Development (Glencar Consultants)**

Lot 1, Block 192, District Lot 103, Oyster District, Plan EPP44156

The Director of Development Services gave a presentation with an overview of the proposed development, and confirming Council’s previous direction with respect to this application.

Glen Carey of Glencar Developments, project manager for the Holland Creek Development, responded to questions from Council and provided clarification on proposed plans for the section of the area known as Arbutus Hump.

G. Carey proposed that a special Multi-Family Development Permit Area could be designated in the development plan.

Staff and G. Carey responded to questions from Council.

Council requested that the applicant arrange a tour of the proposed development for Council.

CS 2016-039

Moved and seconded:

1. That Council direct staff to prepare a bylaw(s) to amend the Official Community Plan and to amend the Holland Creek Area Plan as outlined in this staff report from the Director of Development Services dated February 1, 2016.
2. That Council direct staff to continue to work with the applicant on the proposed voluntary contribution of land for natural parks and trails, pursuant to the Community Amenity Contribution Policy and the principles provided in this staff report.
3. That Council direct staff to work with the applicant on the rezoning part of application 3360-15-02, including legal agreements, refer the proposed rezoning to the Advisory Planning Commission and

report back to Council.

4. That Council request the applicant to host its final public meeting / presentation at least two weeks and not more than one month prior to the date of the public hearing to allow the public time to review the final proposal and ask questions prior to the formal public hearing.

Motion carried.

Moved and seconded:

CS 2016-040

That Council refer the review of the land use designation for the Arbutus Hump hillside in the Holland Creek Development to the February 15, 2016 Regular Meeting of Council.

Motion carried.

STAFF REPORTS

Rotary / Kinsmen Picnic Area Project

Moved and seconded:

CS 2016-041

That Council authorize funding for the Rotary/Kinsmen Picnic Area Project and include the project in the 2016-2020 Financial Plan, at a cost of \$22,000, with \$7,000 coming from Gas Tax Funds and \$15,000 from donations.

Motion carried.

Regional Recreation Funding Committee Appointment

Moved and seconded:

CS 2016-042

That Council appoint Mayor Stone to be the Town of Ladysmith representative on the Cowichan Valley Regional District Recreational Select Committee.

Motion carried.

Ladysmith Golf Club Maintenance Request

Moved and seconded:

CS 2016-043

That Council advise the Ladysmith Golf Club that:

- Decisions relating to additional service levels for recreational facilities or services will be reviewed following receipt of the final report of the updated Parks, Recreation and Culture Master Plan project, which is currently underway.
- Any higher level service requests will be referred to the 2017 budget deliberations.

Motion carried.

Council members expressed support for the efforts for the Ladysmith Golf Club Society and acknowledged the need to increase membership and golf course use, for the benefit of the entire community.

Development Cost Charges Program Update

Moved and seconded:

CS 2016-044

That Council:

1. Direct staff to undertake a comprehensive review of the Town's Road, Water, Sanitary, Drainage, and Parks DCC Programs,

2. Meet with Stz'uminus First Nation regarding the DCC review project and;
3. Allocate \$30,000 in the 2016 budget to fund the consulting costs associated with this project and commence the work.

Motion carried.

BYLAWS

Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2016, No. 1900

Councillor Hutchins expressed his continued frustration at the legislated limits on the ability of local governments to withdraw funds from Cemetery Care Trust Fund reserves to carry out cemetery improvements.

Moved and seconded:

CS 2016-045

That Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2016, No. 1900 be adopted.

Motion carried.

OPPOSED:

Councillor Hutchins.

QUESTION PERIOD

Members of the audience enquired about the Ladysmith Golf Course, closed meetings, and compliance with a court order by a member of the public.

ADJOURNMENT

Moved and seconded:

CS 2016-046

That this meeting of Council adjourn at 8:50 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)