



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, AUGUST 15, 2016
CALL TO ORDER 5:03 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:

Guillermo Ferrero
Geoff Goodall
Sue Bouma

Felicity Adams
Clayton Postings

Erin Anderson
Joanna Winter

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:03 p.m.

CLOSED SESSION

CS 2016-269

Moved and seconded:

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:01 p.m. in order to consider items related to the following:

- the acquisition, disposition or expropriation of land (s.90(1)(e))
- Town Commissions and Committees (s. 90 (1)(a))

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:25 p.m. with report on the following items:

- Resolution CE 2016-148, that Council reappoint the following individuals for terms ending June 30, 2017 to their respective Town Advisory Commissions:
 - Marnie Craig (Heritage Revitalization Advisory Commission)
 - Jennifer Robinson (Heritage Revitalization Advisory Commission)
 - D. Brian McLaurin (Advisory Planning Commission)
- Resolution CE 2016-149, that Council reappoint the following individuals for terms ending June 30, 2018 to their respective Town Commissions:
 - Tamara Hutchinson (Heritage Revitalization Advisory Commission)
 - Ron Kinney (Advisory Design Panel)
 - Brian Childs (Advisory Design Panel)

- Bruce Laxdal (Advisory Planning Commission)
- Tina Donovan (Advisory Planning Commission)
- Mayo McDonough (Advisory Planning Commission)
- Resolution CE 2016-150, that Council appoint the following new applicants to terms ending June 30, 2018 to Town Advisory Commissions:
 - Heritage Revitalization Advisory Commission (four vacancies)*
 - Robert J. (Bob) Darling
 - Marina Sacht
 - Harald Cowie
 - Rob Johnson
 - Advisory Planning Commission (three vacancies)*
 - Linda Mix
 - Christy Villiers
 - Jon Steininger

REGULAR OPEN MEETING

Mayor Stone called this Regular Open Meeting to order at 7:00 p.m., recognizing the traditional territory of the Stz'uminus First Nation, acknowledging 5,500 years of history and stewardship and expressing gratitude to be here.

AGENDA APPROVAL

CS 2016-270

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council as amended by the following additions:

- Include the public submission from N. Salonen regarding the Temporary Use Permit Application – 631 First Avenue (agenda item 7.6.)
- Appointment of delegates to Municipal Insurance Association of British Columbia Annual General Meeting (agenda item 10.5.)

Motion carried.

MINUTES

CS 2016-271

Moved and seconded:

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

Motion carried.

DELEGATIONS

Cindy Cawthra, Brittney Webber, Morgan McKenzie

Ladysmith Ambassadors and Committee Member

Introduction of 2016-2017 Ladysmith Ambassadors Team

Cindy Cawthra introduced 2016-2017 Ladysmith Ambassadors Brittney Weber and Morgan McKenzie. Ambassadors Webber and McKenzie provided an update for Council on their community activities since coronation. They thanked Council for the opportunity to represent the Town and updated them on past Ambassador Madeline Tremblay's succession to the BC Ambassadors' team. Council thanked the ambassadors for their support and contributions to the Town.

**Bill Drysdale, Ladysmith Expo Trail Stewardship Committee
Proposed improvements to the trail located between the railway station and Expo Legacy Building (Machine Shop)**

Bill Drysdale provided an overview of the Ladysmith Expo Trail Stewardship Committee objectives, outlining improvements they propose for the trail located between the railway station and the Expo Legacy Building. He noted that the committee will liaise with the Island Corridor Foundation and the Town, and requested future support for initiatives such as signage.

Council thanked Mr. Drysdale for his presentation and offered to provide Council support when liaising with the Island Corridor Foundation.

Moved and seconded:

CS 2016-272

That Council refer the request from the Ladysmith Expo Trail Stewardship Committee for Town support of its initiatives to staff to assist with liaison with the Island Corridor Foundation, liability, and other matters including signage, lighting, repairs and restoration.
Motion carried.

**DEVELOPMENT
APPLICATIONS**

**Development Variance Permit Application – Oyster Cove Road (Lovely)
Strata Lot 37, District Lot 56, Oyster District, Strata Plan 2009**

Moved and seconded:

CS 2016-273

That Council:

1. Issue Development Variance Permit 3090-16-05 to vary the permitted front parcel line setback for the siting of the attached garage portion of a proposed single family dwelling on Strata Lot 37, District Lot 56, Oyster District, Strata Plan 2009 (Oyster Cove Road); and
2. Authorize the Mayor and Corporate Officer to sign the Development Variance Permit.

Motion carried.

**Development Permit Application – Oyster Cove Road (Lovely)
Strata Lot 37, District Lot 56, Oyster District, Strata Plan 2009**

Moved and seconded:

CS 2016-274

That Council:

1. Issue Development Permit 3060-16-09 for Strata Lot 37, District Lot 56, Oyster District, Strata Plan 2009 (Oyster Cove Road) to establish geotechnical conditions for the development of a single family residential dwelling; and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Development Variance Permit Application – 930 Ludlow Road (Galloway)

Lot 2, District Lot 24, Oyster District, Plan 45800, except that part in Plan VIP73654

Moved and seconded:

CS 2016-275

That Council:

1. Issue Development Variance Permit application 3090-16-02 (930 Ludlow Road) for Lot 2, District Lot 24, Oyster District, Plan 45800, except that part in Plan VIP73654 (930 Ludlow Road) to vary the “The Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834” such that the timing of constructing a concrete curb, gutter, storm drainage and sidewalk along the frontage of proposed Lot 3 is deferred to the issuance of a building permit when the value of construction, as determined by the Building Bylaw, is greater than \$50,000; and

2. Authorize the Mayor and Corporate Officer to sign the Development Variance Permit.

Motion carried.

Development Variance Permit Application - Oyster Cove Road (Buckles) Strata Lot 9, District Lot 56, Oyster District, Strata Plan 2009

Moved and seconded:

CS 2016-276

That Council:

1. Issue Development Variance Permit 3090-16-06 to vary the permitted front parcel line setback for the siting of the attached garage portion of a proposed single family dwelling on Strata Lot 9, District Lot 56, Oyster District, Strata Plan 2009 (Oyster Cove Road); and

2. Authorize the Mayor and Corporate Officer to sign the Development Variance Permit.

Motion carried.

Development Permit Application – Oyster Cove Road (Buckles)

Subject Property: Strata Lot 9, District Lot 56, Oyster District, Strata Plan 2009

Moved and seconded:

CS 2016-277

That Council:

1. Issue Development Permit 3060-16-07 for Strata Lot 9, District Lot 56, Oyster District, Strata Plan 2009 (Oyster Cove Road) to establish geotechnical conditions for the development of a single family residential dwelling; and

2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Temporary Use Permit Application – 631 First Avenue (BC Housing) Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703

CS 2016-278

Moved and seconded:

That Council:

1. Issue Temporary Use Permit 3340-16-01 to allow for an extreme weather shelter to be located at 631 First Avenue (Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703) 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 3340-16-01.

Motion carried.

Opposed: Councillor Paterson

R. Morencie spoke against the location of Temporary Use Permit Application at 631 First Avenue.

**OCP and Rezoning Application – 520 Jim Cram Drive (Town-initiated)
Lot 2, District Lot 108, Oyster District, Plan VIP88238**

CS 2016-279

Moved and seconded:

That Council receive the report from the Director of Development Services regarding the neighbourhood information meeting held on July 25, 2016 about the proposed OCP amendment and rezoning of 520 Jim Cram Drive for small lot residential development.

Motion carried.

Liquor Primary Licence Application – Zack’s Lounge (530 First Avenue)

CS 2016-280

Moved and seconded:

1. That Council recommend the issuance of a Liquor Primary Licence by the BC Liquor Control and Licensing Branch to Zack’s Lounge to be located at 530 First Avenue for the following reasons:
 - The property is zoned for neighbourhood pub use
 - The hours of operation are proposed to be between 10 a.m. and 10 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays, and Sundays; and between 10 a.m. and 11 p.m. on Fridays and Saturdays
 - The limited 30 person capacity of the lounge
 - The issuance of a Business Licence for Zack’s Lounge will require the owner to adhere to Terms and Conditions for Liquor Licenced Establishments outlined in “Town of Ladysmith Liquor Licence Bylaw 2003, No. 1513”, to participate in the “Bar Watch” program, and to enter into a Good Neighbour Agreement with the Town and the RCMP.
2. That Council has reviewed and endorses the comments about the Liquor Primary License prescribed criteria provided in the Staff Report dated August 15, 2016 from the Director of Development Services.
3. That Council considered without comment the letter received as a

result of notification to the property owners, residents and businesses within 60 meters of 530 First Avenue, and the sign placed in the proposed establishment.

Motion carried.

Development Variance Permit Application - 117 Clarke Road (MacCallum)

Subject Property: Lot 1, District Lot 43, Oyster District, Plan 6424

Moved and seconded:

CS 2016-281

That Council direct staff to proceed with statutory notice to the neighbours for the modified DVP application 3090-16-04 (117 Clarke Road - MacCallum), and bring the application back to Council for deliberation at the end of the notice period.

Motion carried.

REPORTS

Municipal Services Committee Recommendations (Meeting of July 11, 2016).

Moved and seconded:

CS 2016-282

That Council:

1. Direct staff to:
 - a. Enter into a memorandum of understanding (MOU) with the Ladysmith Arts Council (LAC) to manage the Julian North Art Collection;
 - b. Reallocate \$3,500.00 from Parks, Recreation and Culture appropriated equity to fund the shipping and storage of the art collection, and amend the 2016-2020 financial plan;
 - c. Include \$500.00 annually in the operational budget beginning in 2017, to manage the Julian North Art Collection on an ongoing basis;
 - d. Provide a thank you letter from Council to Victoria Bellefeuille for her generous donation of the Reverend Julian North's artwork.
2. Proceed with recruiting representatives from community organizations having expressed interest in participating in the Canada 150 Community Committee, including Ladysmith Early Years Partnership, Ladysmith Chamber of Commerce, Ladysmith Arts Council, and the Ladysmith and District Historical Society.

Motion carried.

Protective Services Committee Recommendations (Meeting of July 11, 2016)

Moved and seconded:

CS 2016-283

That Council:

1. Request the RCMP and community policing to provide more speed watch and speed patrol on Dogwood Drive.
2. Request that Community Safety information outlets be combined with public events.

3. Encourage staff to consider including Firesmart Standards in the subdivision process.

Motion carried.

Council requested that staff provide information regarding FireSmart standards.

Moved and seconded:

CS 2016-284

That Council direct staff to report back to Council with recommendations regarding the suitability, location and message of drought/water restriction signs and their locations.

Motion carried.

Moved and seconded:

CS 2016-285

That Council direct staff to report back to Council with recommendations for enhanced speed control along Dogwood Drive, including moving signs, extension of playground zones, and other options to enhance pedestrian and traffic safety.

Motion carried.

Islander Pub Business Licence Application

Moved and seconded:

CS 2016-286

That, in accordance with Business Licence Bylaw 2003, No. 1513 as amended by Bylaw 1870, Council require the applicant for a business licence for the Islander Pub (Jason Robert Lawrence) to

- a) Participate in the Bar Watch Program and enter into a Good Neighbour Agreement; and
- b) Remove the graffiti on the building as previously directed by the Bylaw Enforcement Officer.

Motion carried.

CORRESPONDENCE

Isobel Mackenzie, Office of the Seniors Advocate

Request for Consideration of Increased Safety Initiatives for Senior Pedestrians

Moved and seconded:

CS 2016-287

That Council endorse in principle the request from the Office of the Seniors Advocate to consider increased safety initiatives targeted at senior pedestrians, including the lowering of speed limits in appropriate areas, and refer the matter to staff for investigation.

Motion carried.

Richard Tarnoff, Ladysmith Community Justice Program

Request for Town Liaison to the Community Justice Program

Moved and seconded:

CS 2016-288

That Council appoint Councillor Carol Henderson to be the Town of Ladysmith liaison to the Ladysmith Community Justice Program.

Motion carried.

**Kathy Holmes, Arts Council of Ladysmith and District
Request for Letter of Support and Lease Confirmation**

Moved and seconded:

CS 2016-289

That Council:

1. Provide the Arts Council of Ladysmith and District with a letter of support for their application for funding under the Collaborative Spaces grant program; and
2. Confirm its lease commitment to the Arts Council of Ladysmith and District; and
3. Confirm its long-term commitment to Arts, Heritage and Culture at the Machine Shop site currently occupied by the Ladysmith and District Arts Council.

Motion carried.

**Donald McInnes, Prostate Cancer Canada
Request for Support of Prostate Cancer Resolution and Awareness Initiatives**

Moved and seconded:

CS 2016-290

That Council

1. Declare the month of September to be Prostate Cancer Awareness Month; and
2. Indicate its support of the resolution to the Union of British Columbia Municipalities requesting the provincial government to make PSA testing free for all in the province to ensure all men have the opportunity to have their prostate cancer diagnosed as early as possible so that survival will be improved.

Moved and seconded:

CS 2016-291

That Council consider Resolution 2016-290 in two separate parts.

Motion carried.

Moved and seconded:

CS 2016-292

That Council declare the month of September to be Prostate Cancer Awareness Month.

Motion carried.

Moved and seconded:

CS 2016-293

That Council refer the request for support of the resolution to the Union of British Columbia Municipalities Annual General Meeting requesting that the provincial government make PSA testing free for all in the province to the Town's delegates to vote as they so choose.

Motion carried.

Appointment of Delegates to Municipal Insurance Association of British Columbia Annual General Meeting

Moved and seconded:

That Council appoint Mayor Stone as the Town of Ladysmith delegate,

CS 2016-294

and Councillors Arnett and Fradin as alternates, to the Municipal Insurance Association of British Columbia 2016 Annual General Meeting.

Motion carried.

BYLAWS

Town of Ladysmith Officers and Delegation of Authority

Bylaw 2016, No. 1905

Moved and seconded:

CS 2016-295

That Council adopt Town of Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905.

Motion carried.

QUESTION PERIOD

Members of the public enquired about the possibility of installing flashing crosswalk signs for pedestrian safety, water restriction signage, Council meeting video streaming, and the decision to sell 900 Russell Road as opposed to making it parkland.

ADJOURNMENT

Moved and seconded:

CS 2016-296

That this meeting of Council adjourn at 8:42 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (G. Ferrero)