



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, SEPTEMBER 19, 2016
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone
Councillor Joe Friesenhan
Councillor Duck Paterson

Councillor Steve Arnett
Councillor Carol Henderson

Councillor Cal Fradin
Councillor Rob Hutchins

STAFF PRESENT:

Guillermo Ferrero
Clayton Postings
Sue Bouma

Erin Anderson
Joanna Winter

Geoff Goodall
Lisa Brinkman

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:00 p.m.

CLOSED SESSION

CS 2016-300

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:

- Human Resources Matter (s.90(1)(c))
- Acquisition and disposition of property (s. 90 (1)(e))

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called this Regular Open Meeting to order at 7:03 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 2016-301

Moved and seconded:

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

- 13.1. Dog signage at Transfer Beach
- 13.2. Update re best practices for Medical Marijuana Zoning Bylaws
- 13.3. Update on Watershed 2016
- 13.4. UBCM resolutions on the above items
- 13.5. Community Events
- *Move item 12.1. "CVRD Bylaw No. 4035 – Transit Service Amendment Bylaw" to precede item 8.1. – "Development Variance Permit Application (117 Clarke Road)"*

Motion carried.

MINUTES

CS 2016-302

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held August 15, 2016.

Motion carried.

CS 2016-303

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held September 12, 2016.

Motion carried.

DELEGATIONS

Amy Melmock, Economic Development Manager, Cowichan Valley Regional District

Introduction and Community Outreach Update

CVRD Economic Development Manager, Amy Melmock, provided an overview of the Economic Development Outreach program, outlining the consultation process for the area, which will culminate in an Economic Development Strategy for the CVRD. She noted current areas of interest, such as signage, waterfront development, film, and emerging sectors such as green initiatives and technology. Ms. Melmock offered support in the Waterfront Area Plan, and recognized the need for affordable housing.

Ms. Melmock responded to questions from Council. Council thanked her for her informative presentation.

CORRESPONDENCE

Joe Barry, Cowichan Valley Regional District

CVRD Bylaw No. 4035 – Transit Service Amendment Bylaw

Erin Annis of the CVRD provided an overview of the Transit Service Amendment Bylaw. She noted that this bylaw would increase the annual CVRD requisition to cover upcoming transit expenses and fund service improvements.

CS 2016-304

Moved and seconded:

That the Town of Ladysmith consents to the adoption of CVRD Bylaw No. 4035 – Transit Service Amendment Bylaw, 2016.

Motion carried.

DEVELOPMENT APPLICATIONS

CS 2016-305

Development Variance Permit Application – MacCallum

Lot 1, DL 43, Oyster District, Plan 6424 (117 Clarke Road)

Moved and seconded:

That Council:

1. Refer consideration of Development Variance Permit Application 3090-16-04 for 117 Clarke Road to the October 4th Council meeting.
2. Direct staff to host a neighbourhood meeting in the next two weeks.
3. Request that a report from the Chief of Ladysmith Fire/Rescue regarding access to all the lots be presented at the October 4th Council meeting.

Motion carried.

520 Jim Cram Drive Official Community Plan Amendment and Zoning Bylaw Amendment

Moved and seconded:

CS 2016-306

That Council receive the staff report, dated September 19, 2016 requesting that under the Bylaws section of tonight's agenda, Council give third reading and final adoption to Bylaw 1913 and Bylaw 1914.

Motion carried.

**BYLAWS (OFFICIAL
COMMUNITY PLAN AND
ZONING**

Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 48) 2016, No. 1913

Moved and seconded:

CS 2016-307

That Council give third reading and final adoption to Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 48) 2016, No. 1913.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 6) 2016, No. 1914

Moved and seconded:

CS 2016-308

That Council give third reading and final adoption to Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 6) 2016, No. 1914.

Motion carried.

Lisa Brinkman left the meeting.

REPORTS

Vehicle Noise and Safety Concerns – Trans Canada Highway

S/Sgt. Ken Brissard of the Ladysmith RCMP Detachment responded to questions from Council on the matter of vehicle noise and safety concerns with Trans Canada Highway traffic through Ladysmith, and Larry Blatchford, resident of Ladysmith, presented his concerns.

Moved and seconded:

CS 2016-309

That Council direct staff to:

1. Request a meeting with the Ministry of Transportation and Infrastructure to discuss:
 - Erecting highway noise barriers along the Trans Canada Highway through the Town of Ladysmith.
 - Additional speed studies along the Trans Canada Highway through the Town of Ladysmith.
 - Additional options to reduce engine brake use on the highway.
2. Obtain a legal opinion on the enforcement of Town bylaws on Provincial Highways.

3. Draft letters to trucking companies operating in the area requesting compliance with speed and engine brake regulations along the Trans Canada Highway through the Town of Ladysmith.
4. Draft letters to enforcement units including the RCMP South Island Traffic Section, the Integrated Road Safety Unit and the Commercial Vehicle Safety Enforcement branch regarding brake noise, speed and illegal roadside parking.
5. Draft a letter to the Ministry of Transportation regarding these issues.
6. Follow up if responses are not received within three months.
7. Bring this issue back to Council in four months.

Motion carried.

Recommendations from the Municipal Services Committee Meeting of September 12, 2016

Moved and seconded:

CS 2016-310

That Council direct staff to :

1. Place an advertisement in local media congratulating the Lions Club on all they have achieved and contributed.
2. a) Proceed with replacing the Fire Hall roof in 2016; and
b) Authorize an increase of \$75,000 in the Fire Hall roof replacement project budget to \$225,000 with the additional funds to be drawn from the Capital Replacement Reserve.
3. Develop recommendations relating to the establishment of a new Parks, Recreation and Culture Advisory Committee.
4. Amend the 2016 Financial Plan by allocating \$11,300 from Parks Operations to the Capital Projects to fund the installation of the downtown garbage cans.

Motion carried.

Revitalization Tax Exemption Agreement – 1036711 BC Ltd

Moved and seconded:

CS 2016-311

That Council enter into a Revitalization Tax Exemption Agreement with 1036711 BC Ltd., for the property located at 1146 Rocky Creek Road (Folio 0905.018).

AMENDMENT

Moved and seconded:

CS 2016-312

That Resolution No. CS 2016-311 be amended to read as follows:
That Council enter into a Revitalization Tax Exemption Agreement with 1036711 BC Ltd., for the property located at

1146 Rocky Creek Road (Folio 0905.018), and ensure compliance with Development Permit requirements included in Schedule C of the Revitalization Agreement.

Amendment carried.

Motion as amended carried.

Properties on the Permissive Tax Exemption Bylaw for 2017

Moved and seconded:

CS 2016-313

That Council receive the staff report dated August 15, 2016, requesting that under the Bylaws portion of the agenda, Council give first three readings to Town of Ladysmith Permissive Tax Exemption Bylaw 2016, No. 1915.

Motion carried.

Proposed Two Per Cent Hotel Tax to Support Tourism Development in the Cowichan Region

Moved and seconded:

CS 2016-314

That Council:

1. Support the application by the Cowichan Valley Regional District for a two per cent Municipal and Regional District Tax on accommodation in the region to support tourism marketing and development initiatives of the Tourism Cowichan Society; and

2. Direct staff to advise the Cowichan Valley Regional District of its support.

Motion carried.

BYLAWS

Town of Ladysmith 2017 Permissive Tax Exemptions Bylaw 2016, No. 1915

Moved and seconded:

CS 2016-315

That Council give first three readings to Town of Ladysmith 2017 Permissive Tax Exemptions Bylaw 2016, No. 1915.

Motion carried.

CORRESPONDENCE

**Megan Klitch, Jenny Byford, Canadian Cancer Society
Endorsement of Smoke and Vape-free Outdoor Public Places in B.C**

Moved and seconded:

CS 2016-316

That Council endorse the recommendation of the Canadian Cancer Society for smoke and vape-free outdoor public places in British Columbia.

Motion carried.

NEW BUSINESS

Dog Signage at Transfer Beach

Moved and seconded:

CS 2016-317

That Council direct staff to review signage regarding prohibition of dogs below Tristan de Koninck Way in Transfer Beach Park and report back to Council.

Motion carried.

CS 2016-318	Staff update re best practices for Medical Marijuana Zoning Bylaws <i>Moved and seconded:</i> That Council direct staff to investigate and review best practices from other municipalities, including Vancouver, Victoria and Port Alberni, regarding medical marijuana zoning bylaws, to request feedback from the local RCMP detachment in this regard, and to bring their findings back to Council in a timely fashion. <i>Motion carried.</i>
	Update on Watershed 2016 follow up from 2014 Councillor Arnett requested an update on the Town's progress towards watershed protection. Mayor Stone provided an update on recent activities at the CVRD, noting that an upcoming pilot project is in the works.
	UBCM Resolutions Council discussed resolutions to be debated at the 2016 Union of British Columbia Municipalities Convention.
	Community Events Mayor Stone noted that he will follow up with staff regarding issuing congratulatory letters on behalf of Council to the many special event organizers in the community.
QUESTION PERIOD	Members of the public enquired about the official opening of the Waste Water Treatment Plant, marijuana bylaws, and the possibility of establishing public art that recognizes the mining, forestry and other significant historical industries of the Town.
CLOSED SESSION CS 2016-319	<i>Moved and seconded:</i> That Council resume Closed Session at 8:55 p.m. <i>Motion carried.</i>
RISE AND REPORT	Council rose from Closed Session at 9:23 p.m. with report on the following items: • Resolution CE 2016-166, that Council authorize the following staffing changes: 1. The position of Director of Corporate Services will not be filled. 2. Human Resources will report to Finance. 3. The position of Manager of Administrative Services will be renamed Manager of Legislative Services, hold the position of Corporate Officer and report directly to the CAO. 4. An exempt position of Executive Liaison will be posted and report directly to the CAO. 5. A new half-time position (exempt or union) of Communications Advisor will be created and will report to the Manager of Legislative Services.

- Resolution CE 2016-167 Item 1, that Council request that the Cowichan Valley Regional District make application to the Union of British Columbia Municipalities to approve the change in scope of the original bio-solids composting grant with respect to an alternative location for the Town of Ladysmith composting facility.
- Resolution CE 2016-169, that Council direct staff to list the Town-owned property at 900 Russell Road for sale, referencing the configuraton for park area percentage as laid out in the drawing dated June 7, 2011 and listed as option three in the staff report from the Director of Infrastructure Services dated September 19, 2016, and with a minimum of 15 per cent of the property to be preserved as open space.

ADJOURNMENT

CS 2016-320

Moved and seconded:

That this meeting of Council adjourn at 9:24 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (G. Ferrero)