

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, AUGUST 21, 2017
CALL TO ORDER 5:01 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Guillermo Ferrero	Felicity Adams	Erin Anderson
Geoff Goodall	Clayton Postings	Joanna Winter
Sue Bouma		

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:01 p.m.

CLOSED SESSION**CS 2017-247***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:

- Various matters related to section 90(1)(e) -- 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;
- Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality – Section 90 (1)(a);
- Provision of a municipal service - Section 90 (1) (k)

Motion carried.

REGULAR MEETING

Mayor Stone called this regular meeting of Council to order at 7:04 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 2017-248

Moved and seconded:

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

- Replace recommendation 1 of item 9.6., "Recommendations from the Municipal Services Committee Meeting held August 14, 2017" with the recommendations from item 9.6 on the supplemental agenda.
- Add item 13.3., "Purchase of a New Fire/Rescue Apparatus"
- Add item 13.4, "Water Filtration Plant - Grant Deadline Extension"

Motion carried.

MINUTES

CS 2017-249

Moved and seconded:

That Council approve the minutes for the following meetings:

- the July 17, 2017 Regular Meeting of Council
- the July 31, 2017 Special Meeting of Council
- the August 3rd Special Meeting of Council

Motion carried.

DEVELOPMENT APPLICATIONS

CS 2017-250

High Street Intensive Residential Development Permit

Moved and seconded:

That Council:

1. Issue Development Permit 3060-17-11 for four residential parcels on High Street (Lots 1, 2, 3 & 4, Block 124, District Lot 56, Oyster District, Plan 703A); and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Zoning Bylaw and Official Community Plan Amendment Application

1142 Rocky Creek Rd. (Ladysmith & District Credit Union, J. de Leeuw)

Moved and seconded:

CS 2017-251

That Council:

1. Consider the application to amend the Official Community Plan (OCP) and Zoning Bylaw to permit light industrial use on the properties legally described as Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132-1142 Rocky Creek Rd.).
2. Having given consideration to s. 475 of the Local Government Act (consultation during OCP development) direct staff to:

- (a) refer the OCP amendment application 3360-17-03 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding; and
 - (b) refer application 3360-17-03 to the Advisory Planning Commission for review and comment.
- 3. Direct staff to work with the property owner of the adjacent property (1130 Rocky Creek Rd.) in order to develop a comprehensive zoning solution for all of the properties in the CD-1 Zone, and if a rezoning proceeds for 1130 Rocky Creek Rd. require that the applicants host a neighbourhood information meeting to advise the community of the proposed changes for all parcels in the CD-1 Zone.
- 4. Direct staff to commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-17-03.
- 5. Approve of the discharge of covenant FB234682 and development permit EP096966 from the title of Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132-1142 Rocky Creek Rd.) if the rezoning is approved; and authorize the Mayor and Corporate Officer to execute the discharge documents.

Motion carried.

REPORTS

CS 2017-252

Allocate Proceeds from Real Property Sales

Moved and seconded:

That Council:

- 1) Allocate a portion of the proceeds from the recent property sales to satisfy the remaining debt on the Buller Street properties; and
- 2) Direct staff to amend the Financial Plan accordingly.

Motion carried.

CS 2017-253

Water Treatment Plan – Membrane Award

Moved and seconded:

That Council award the water treatment plant membrane tender to GE Power & Water for a total contract price of \$1,450,000.

Motion carried.

CS 2017-254

Clarke Road Storm Water System

Moved and seconded:

That Council:

- 1. Approve spending up to \$50,000 for the replacement of the storm water system on lower Clarke Road with the funding to come from Gas Tax and any savings from the Rocky Creek Storm

- Water Project;
2. Amend the Financial Plan accordingly.
 3. Waive the purchasing policy and direct staff to award the design of the storm water system on Clarke Road to Newcastle Engineering for a cost estimated at \$10,000.
 4. Direct staff to include the construction of the works in the developers' tendered works.

Motion carried.

Recommendations from the Municipal Services Committee Meeting held June 12, 2017

Moved and seconded:

That Council direct staff to:

CS 2017-255

1. Conduct a public consultation with Town residents on the desirability and possible content of an amendment to the "Animal and Poultry Bylaw 1994, No. 1136" to allow the keeping of hens on residentially zoned properties in the Town of Ladysmith.
2. Bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.
3. Work with School District 68 to explore options for daycare facilities in Ladysmith.
4. Explore options to establish a Child Development Centre in conjunction with provincial, school district and regional agencies.
5. Add to upcoming discussions with School District 68 options for increasing daycare space for children aged 0 to 6 years old.
6. Refer the role of the Finnish Community in Ladysmith's heritage to the Heritage Revitalization Advisory Commission to investigate ways to promote and celebrate that community.
7. Investigate and present options for design, cost and public consultation for a diversity square.
8. Paint the memorial benches at First Avenue and Gatacre Street in rainbow colours; and place a plaque of commemoration and appreciation for the Childs family on the bench, with funds of up to \$500 to come from the public relations budget.

Motion carried.

Recommendations from the Municipal Services Committee Meeting held July 10, 2017

Moved and seconded:

CS 2017-256

That Council request that Mayor Stone discuss the effects of closing First Avenue for Community festivals and events at an upcoming

meeting with the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association for feedback.

AMENDMENT

Moved and seconded:

CS 2017-257

That Resolution CS 2017-257 be amended to read as follows:

That Council request that Mayor Stone discuss the effects of closing First Avenue for Community festivals and events with the Ladysmith Chamber of Commerce, the Ladysmith Downtown Business Association and the community organizations that put on events for feedback.

Amendment carried.

Motion as amended carried.

Moved and seconded:

CS 2017-258

That Council request that staff utilize Placespeak to seek community opinion regarding the effects of street closures for special events.

Motion carried.

Recommendations from the Municipal Services Committee Meeting held August 14, 2017

Moved and seconded:

CS 2017-259

That Council:

1. a) Update the Toilet Rebate Program to include a varying rebate depending on the water efficiency of the toilet, as:
 - single 6 litre flush rebate at minimum of \$75.00; or a
 - dual flush 4.1/6 litre rebate at a minimum of \$75.00.
- b) Confirm the lifetime maximum of 2 rebates per residence or business.
- c) Require proof of proper disposal of a 13L or greater toilet.
2. a) Direct staff to investigate the feasibility and recommend a phased approach for replacing current street lights with LED units; and
- b) Direct staff to investigate the feasibility of installing Town-owned streetlights instead of using BC Hydro poles; and
- c) Request that BC Hydro improve its response time for repairing burnt out streetlights.

Motion carried.

Councillor Paterson declared a conflict of interest with the following agenda item and excused himself from the meeting.

CS 2017-260

Moved and seconded:

That Council direct staff to investigate the Festival of Lights Society's proposal to build a permanent structure promoting Light Up above the "Ladysmith Heritage by the Sea" sign at the north end of Bob Stuart Park and advise Council.

Motion carried.

Councillor Paterson returned to the meeting.

CS 2017-261

Moved and seconded:

That Council:

1. Provide the 2017 BC Summer Games Cowichan Board with a letter confirming that the Town will host as part of the upcoming summer games in 2018, Baseball (Holland Creek), Field Lacrosse (Forrest Field) and Beach Volleyball (Transfer Beach) and that the Town will cover costs associated with preparing these sites for the games; and
2. Direct staff to update the 2017-2021 financial plan and provide early budget approval for the 2018 costs associated with the BC Summer Games venues.

Motion carried.

BYLAWS

Town of Ladysmith Parks Usage Bylaw 2016, No. 1933

Moved and seconded:

CS 2017-262

That Council adopt Town of Ladysmith Parks Usage Bylaw 2017, No. 1933.

Motion carried.

CORRESPONDENCE

Sheila Malcolmson, Member of Parliament

Request for Endorsement Letter for Derelict and Abandoned Vessels Private Members Bill C-352

Moved and seconded:

CS 2017-263

That Council provide an endorsement letter for Derelict and Abandoned Vessels Private Members Bill C-352, which would amend the Canada Shipping Act, 2001 and provide for the development of a national strategy for abandoned vessels, fix vessel registration, pilot a vessel turn-in program, create good green jobs by supporting local marine salvage businesses and vessel recycling, and make Coast Guard responsible for directing the removal of abandoned vessels.

Motion carried.

UNFINISHED BUSINESS

CS 2017-264

Sale of Closed Portion of Clarke Road

Moved and seconded:

That Council approve the agreement for purchase and sale of the closed portion of Clarke Road to Robert and Nicolette MacCallum, and authorize the Mayor and Corporate Officer to execute the agreement and related documents.

Motion carried.

CS 2017-265

Town of Ladysmith 2016 Annual Report

Moved and seconded:

That Council approve the Town of Ladysmith 2016 Annual Report.

Motion carried.

CS 2017-266

Purchase of a New Fire/Rescue Apparatus

Moved and seconded:

That Council:

1. Rescind resolution CS 2017-202;
2. Confirm its intent to seek elector approval by Alternative Approval Process to borrow funds to acquire a new Fire/Rescue Apparatus;
3. Upon the receipt of elector approval, direct staff to award the contract for the purchase of a new Ladysmith Fire/Rescue Apparatus to Fort Garry Fire Trucks in the amount of \$637,581.00 plus applicable taxes.
4. Direct staff to amend the 2017 to 2021 Financial Plan to update the purchase price of the new Fire/Rescue Apparatus.

Motion carried.

CS 2017-267

Water Filtration Plant – Grant Deadline Extension

Moved and seconded:

That Council:

1. Approve the amendment to the Clean Water and Wastewater Fund Agreement granting an extension to the project completion date from March 31, 2018 to March 31, 2019;
2. Authorize the Mayor and Corporate Officer to execute the amendment; and
3. Amend the Financial Plan accordingly.

Motion carried.

QUESTION PERIOD

Members of the public enquired about surveying a portion of land near Transfer Beach Park, smoking bylaws in relation to marihuana, the allocation of the proceeds from the sale of 900 Russell Road, and the potential for booking conflicts at Transfer Beach during the BC Summer Games.

CLOSED SESSION
CS 2017-268

Moved and seconded:

That this meeting of Council recess at 8:16 p.m., and that it reconvene in closed session.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 8:43 p.m. with report on the following:

Council made the following appointments to Town Commissions and Committees for two-year terms ending June 30, 2019:

- **Advisory Design Panel - 3 vacancies**

Lorne Raymond Shaw	new application
Lacey McRae Williams	new application
Michelle Munro	new application

- **Advisory Planning Commission - 1 vacancy**

Duncan <u>Brian</u> McLaurin	existing member
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- **Heritage Revitalization Advisory Commission - 2 vacancies**

Marnie Craig	existing member
Bernardien Knol	new application

ADJOURNMENT

CS 2017-269

Moved and seconded:

That this Meeting of Council adjourn at 8:44 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)