

**MINUTES OF A PUBLIC HEARING AND REGULAR
MEETING OF COUNCIL
MONDAY, NOVEMBER 6, 2017
CALL TO ORDER 7:00 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	Lisa Brinkman	Erin Anderson
Geoff Goodall	Clayton Postings	Joanna Winter
Sue Bouma		

CALL TO ORDER

Mayor Stone called this Regular 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 2017-325***Moved and seconded:*

That Council approve the agenda for this Regular Meeting of Council for November 6, 2017 as amended by the following additions and corrections:

- Add to Item 7.3. the proposed resolution from the Interagency Group requesting authorization for an application to the Union of BC Municipalities Age Friendly Grant Program
- Add Item 12.1., "Vancouver Island Economic Alliance Summit Report"
- Add Item 12.2., "Rainbow Crosswalk"
- Add Item 12.3., "Tommy Douglas Display at the Museum"
- Add Item 12.4., "Louis Riel Day, November 16"
- Correct typos to Item 8.2. on the agenda summary and on page 61 of the agenda package.

Motion carried.

PUBLIC HEARING

Mayor Stone welcomed the members of the public and outlined the process for the Public Hearing.

He stated that the Public Hearing would be broken into two parts. The first part of the Public Hearing addressed Bylaws 1937 and 1938 and the second part of the Public Hearing addressed Bylaw 1939.

Mayor Stone advised the public that they would have the opportunity to provide their comments about the content of the Bylaws to Council, and that following the close of the Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of Council.

Public Hearing – Bylaws 1937 and 1938

Members of the public present: 6

Lisa Brinkman, Senior Planner for Development Services, introduced the agenda item and listed the following five properties as the subject of Bylaw 1937 and Bylaw 1938:

Lot 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189
1132, 1134, 1138, 1140 and 1142 Rocky Creek Road

She stated that the purpose of Bylaw 1937 was to amend the Official Community Plan to change the designation of the subject properties from “Mixed Use Waterfront” to “Industrial” and to apply Development Permit Area 5 – Industrial to the five subject properties.

Ms. Brinkman stated that the purpose of Bylaw No. 1938 was to amend the Zoning Bylaw to change the zoning from Comprehensive Development 1 – Tourist Service (CD-1) zone to the Light Industrial (I-1) zone, to permit light industrial use on the five subject properties.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on October 25, 2017 and November 1, 2017 and posted on community notice boards through-out Town, as well as on the Town’s website. The Notice was mailed and delivered to owners and tenants of 1158, 1156, 1154 and 1152 Rocky Creek Road.

A copy of the Notice, the proposed bylaws and background information considered by Council was made available at the Front Counter of City Hall for the notice period. Staff in the Development Services office was available to respond to questions prior to the public hearing.

There were no written submissions received prior to the Agenda

deadline.

Mayor Stone called for submissions to Council. Mayor Stone called for comments about Bylaws 1937 and 1938 a second and third time. Hearing no comments, Mayor Stone declared the Public Hearing for Bylaws 1937 and 1938 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

Public Hearing – Bylaw 1939

Members of the public present: 6

Lisa Brinkman, Senior Planner for Development Services, introduced the agenda item and noted that the Properties that will be 560m² or less in size within the Single Dwelling Residential – Holland Creek Area (R-1-HCA) Zone and properties within the Single Dwelling Residential – Small Lot B (R-1-B) Zone were the subject of Bylaw 1939.

Ms. Brinkman stated that the purpose of Bylaw 1939 was to amend the Zoning Bylaw to:

- Change the permitted lot coverage for buildings and structures in the “Single Dwelling Residential – Holland Creek Area (R-1-HCA)” zone from 33% to 35% for parcels that are 560m² or less in size; and
- Remove the maximum finished floor area requirement in the R-1-HCA zone and the “Single Dwelling Residential – Small Lot B Zone (R-1-B)” zone.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on October 25, 2017 and November 1, 2017 and posted on community notice boards through-out Town, as well as on the Town’s website. Due to the requirements of the Local Government Act, the Notice for Bylaw 1939 was mailed and delivered to all properties located within 60 metres of the property zoned “Single Dwelling Residential – Holland Creek Area (R-1-HCA)”.

A copy of the Notice, the proposed Bylaw and background information considered by Council was made available at the Front Counter of City Hall for the Notice period. Staff in the Development Services office was available to respond to questions prior to the public hearing.

Mayor Stone called for submissions to Council.

Jan Christenson, 378 Dogwood Drive, expressed concern regarding

smaller lots in the development's cul de sac, and the possibility of a building scheme that restricts recreational vehicle parking.

Rob Johnson, 526 1st Avenue, enquired about the rationale of the permitted lot coverage percentage increase for buildings and structures in the subject property.

Mayor Stone called for comments about Bylaw 1939 a second and third time. Hearing no further comments, Mayor Stone declared the Public Hearing for Bylaw 1939 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

**BYLAWS
(SUBJECT OF
PUBLIC
HEARING)**

CS 2017-326

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw #49, 2017, No. 1937 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #9, 2017, No. 1938

Subject Properties: Lots 1, 2, 3, 4, 5, District Lot 38, 1132 - 1140 Rocky Creek Road

Moved and seconded:

That Council receive for information the staff report from the Senior Planner regarding "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw #49, 2017, No. 1937" and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 9, 2017, No. 1938".

Motion carried.

CS 2017-327

Moved and seconded:

That Council proceed with third reading and final reading of Bylaw 1937, cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw #49, 2017, No. 1937".

Motion carried.

CS 2017-328

Moved and seconded:

That Council proceed with third reading of Bylaw 1938, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #9, 2017, No. 1938"; and refer Bylaw 1938 to the Ministry of Transportation and Infrastructure.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939

Staff responded to Council questions regarding recreational vehicle parking enforcement, zoning bylaws and covenants.

CS 2017-329 *Moved and seconded:*
That Council receive for information the staff report from the Senior Planner regarding "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939".
Motion carried.

CS 2017-330 *Moved and seconded:*
That Council proceed with third reading of Bylaw 1939, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939".
Motion carried.

CS 2017-331 *Moved and seconded:*
That Council refer Bylaw 1939 to the Ministry of Transportation and Infrastructure.
Motion carried.

L. Brinkman left the meeting.

MINUTES

CS 2017-332 *Moved and seconded:*
That Council approve the minutes for the October 16, 2017 Regular Meeting of Council.
Motion carried.

CS 2017-333 *Moved and seconded:*
That Council approve the minutes for the October 17, 2017 Special Meeting of Council.
Motion carried.

COMMITTEE REPORTS

Recommendations from the Heritage Revitalization Advisory Commission

CS 2017-334 *Moved and seconded:*
That Council refer a copy of the draft tree bylaw (2008) to the Heritage Revitalization Advisory Commission for review.
Motion carried.

Council also requested a copy of the draft bylaw.

CS 2017-335 *Moved and seconded:*
That Council enforce bylaws for façade improvements in response to concerns expressed by the Heritage Revitalization Advisory Commission regarding unauthorized façade improvements (e.g. paint colour).

Motion carried.

Moved and seconded:

CS 2017-336

That Council refer to the 2018 budget discussions the request by the Heritage Revitalization Advisory Commission to increase the 2018 training, seminar and travel budget for the Heritage Revitalization Advisory Commission by \$400.

Motion carried.

Moved and seconded:

CS 2017-337

That Council send a letter to the Ladysmith and District Historical Society requesting that the Society appoint a liaison to the Heritage Revitalization Advisory Commission in accordance with Bylaw 1760.

Motion carried.

Recommendations from the Invasive Species Advisory Committee:

Moved and seconded:

CS 2017-338

That Council refer to staff the recommendations from the Invasive Species Advisory Committee regarding the use of the CVRD invasive species management strategy and public awareness campaign as a basis for the Ladysmith plan, in order to investigate the recommendations and the CVRD strategy, and report back to Council in early January.

Motion carried.

Recommendations from the Interagency Committee

Moved and seconded:

CS 2017-339

That Council authorize an application for up to \$25,000 in funding through the Union of BC Municipalities Age Friendly Grant Program to support walkability and accessibility improvements for seniors as proposed by the Ladysmith Resources Centre Association Interagency Committee and Eldercare Project in Cowichan (EPIC) and support the Town administration with overseeing the management of this grant if successful.

Motion carried.

Moved and seconded:

CS 2017-340

That Council receive for information the November 6, 2017 Council member committee reports.

Motion carried.

REPORTS

Fire Hall Bay Expansion – Tender

Staff responded to Council's questions regarding the contingency formula for the fire hall bay expansion project.

CS 2017-341

Moved and seconded:

That Council:

1. Increase the budget for the Fire Hall Bay Expansion project by \$74,500 with the funds to come from the Fire Hall Building Reserve and \$5,500 from Fire Hall operations; and
2. Award Tender #2017-PRC-06 Fire Hall Expansion to FMI Installations; and
3. Amend the 2017 to 2021 Financial Plan accordingly.

Motion carried.

Opposed: Councillor Fradin

Water Treatment Plant Land Application

Moved and seconded:

CS 2017-342

That Council:

1. Endorse the Crown Land Tenure Application in order to secure additional lands to facilitate construction of the Town's Water Treatment Facility.
2. Appoint Koers Associates to act as the application agent for said application.

Motion carried.

2018 Council Meeting Schedule

Moved and seconded:

CS 2017-343

That Council confirm the following schedule of regular Council meetings and Municipal Services Committee meetings for 2018 and direct staff to advertise the schedule in accordance with Section 127 of the Community Charter.

Council Meetings

January 15	April 16	August 20	November 5
February 5	May 7	September 17	November 19
February 19	June 4	October 2 **	December 3
March 5	June 18	October 15	December 17
March 19	July 16		

**Tuesday, to accommodate Tour de Rock in Ladysmith

Municipal Services Committee Meetings

January 8	May 14	July 9	September 10
March 12	June 11	August 13	December 10
April 9			

Motion carried.

Adjustments to Water Billing Account

Moved and seconded:

CS 2017-344

That Council approve adjusting the water billing due to leaks for the following properties:

0479000 for \$4,257.01

1377200 for \$3,020.58

1421000 for \$5,010.01

Motion carried.

Opposed: Councillor Fradin

BYLAWS

Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941

Moved and seconded:

CS 2017-345

That Council refer "Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941" to the next Municipal Services Committee meeting for discussion.

Motion carried.

CORRESPONDENCE

Kathryn Weber

The Dog Park on Davis Road

Moved and seconded:

CS 2017-346

That Council receive the correspondence from Kathryn Weber regarding the dog park on Davis Road

Motion carried.

Moved and seconded:

CS 2017-347

That Council direct staff to consult with the neighbourhood surrounding the Davis Road dog park for recommendations and feedback regarding the park, and to return to Council with a report on these findings early in 2018.

Motion carried.

Citizens for Safe Technology

Microcell Resolution and Notice of Wireless Harm

Moved and seconded:

CS 2017-348

That Council receive for information the correspondence from Citizens for Safe Technology Microcell Resolution and Notice of Wireless Harm.

Motion carried.

Jennifer Merilees

Managing Broker, Ladysmith Branch Royal LePage

Moved and seconded:

CS 2017-349

That Council provide a letter of support for the Ladysmith Branch of Royal LePage to accompany their application to the Defibrillation

Program.
Motion carried.

NEW BUSINESS

Vancouver Island Economic Alliance State of the Island Economic Report

Councillor Arnett provided a summary of the information provided at the Vancouver Island Economic Alliance Summit and suggested that the State of the Island report be used as a resource when planning for economic and business development in Ladysmith.

Rainbow Crosswalk

Councillor Arnett shared the positive responses from the community regarding the rainbow crosswalk and reiterated the need for its upkeep.

Tommy Douglas Display at the Museum

Councillor Arnett invited Council and citizens to visit former Member of Parliament Tommy Douglas' chair at the Ladysmith Museum.

Louis Riel Day, November 16

Councillor Arnett requested that the Town use communication tools such as the website and social media to acknowledge November 16th as Louis Riel Day.

QUESTION PERIOD

Members of the public expressed concerns about the electric charging station being out of order and the dog park noise and hours of use situation. They enquired about the rationale for planning the dog park, when signs regarding hours of use and noise will be erected and whether the public would have an opportunity to present their feelings about the dog park. Members of the public also enquired about the possibility of positioning the water treatment plant at higher elevation, the legislation in relation to the effects and smell of marijuana smoke, and the possibility of changing fines in the Streets and Traffic Bylaw.

ADJOURNMENT

CS 2017-350

Moved and seconded:
That this regular meeting of Council adjourn at 8:32 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)