

TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, NOVEMBER 16, 2015
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 5:31 P.M.

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:

Ruth Malli
Felicity Adams
Joanna Winter

Sandy Bowden
John Manson

Erin Anderson
Clayton Postings

CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:31 p.m.

CLOSED MEETING

CS 2015-374

Moved and seconded:

That Council retire into Closed Session at 5:32 p.m. in order to consider the following items:

- 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

Motion carried.

REGULAR MEETING

Mayor Stone reconvened the Regular Meeting of Council at 7:00 p.m. and recognized the traditional territory of the Stz'uminus First Nation.

AGENDA

CS 2015-375

Moved and seconded:

That Council approve the agenda for the Regular Council meeting of November 16, 2015.

Motion carried.

MINUTES

CS 2015-376

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held November 2, 2015.

Motion carried.

DELEGATION

Sarah Bonar, Kathy Desaulniers

Proposed Sixth Avenue Location for Off-Leash Dog Park

Residents of properties adjoining the proposed site of an off-leash dog park in a BC Hydro right-of-way at Sixth Avenue and Methuen Street expressed concerns about the proposal and requested that the Town

withdraw its application to BC Hydro for use of the site as a dog park.

Council thanked Ms. Bonar and Ms. Desaulniers for bringing their concerns forward and indicated that there will be further opportunity for public input when Council considers the matter at a future meeting.

George Hanson, Laurie Bienert
Nanaimo Foundation

G. Hanson and L. Bienert spoke about the Nanaimo Foundation, which provides grants to charitable organizations throughout the area served by School District 68, including Ladysmith. Several Ladysmith organizations have received funds from the Foundation. The organization will be holding a community presentation on November 30 to raise local awareness and discuss the possibility of establishing a Ladysmith Endowment through the Foundation.

Council thanked the Foundation representatives and encouraged those present to attend the November 30 information meeting.

PROCLAMATIONS

Mayor Stone proclaimed the month of November 2015 as Adoption Awareness Month in the Town of Ladysmith, in recognition of the care, compassion and unselfish commitment of British Columbia adoptive families, and to remind citizens that there are currently many children and sibling groups in the province who are available for adoption.

Mayor Stone proclaimed December 3rd 2015 as the International Day of Persons with Diversabilities to help increase the inclusion of persons with disabilities, and to break down attitudinal barriers that exclude their full and effective participation as equal members of society.

**DEVELOPMENT
APPLICATIONS**

Buckingham's Browsersium Ltd. (918, 922, 928, 934, 940 Esplanade Avenue)

CS 2015-377

Moved and seconded:

That prior to the adoption of Zoning Bylaw Amendment Bylaw No. 1897 the following shall be completed to the satisfaction of the Director of Development Services:

Registration of a section 219 covenant on the title of Lot 5, Block 5, District Lot 24, Oyster District, Plan 703-A (934 Esplanade) and Lot 6, Block 5, District Lot 24, Oyster District, Plan 703-A (940 Esplanade) to secure the following voluntary commitment:

That if the lands are used for the purpose of motor vehicle sales or rentals, in any calendar month at least 20% of the motor vehicles displayed for sale or lease on the lands must be motor vehicles making use of low emission technology engines.

And that Council authorize the Mayor and Corporate Officer to execute the section 219 covenant.

Motion carried.

REPORTS

CS 2015-378

Smoking Regulations

Moved and seconded:

That Council direct staff to prepare:

1. A No Smoking/Clean Air Bylaw once Bill 14, the Tobacco Control Amendment Act, comes into force.
2. An amendment to the Ticket Utilization Bylaw to incorporate fines associated with the No Smoking/Clean Air Bylaw.
3. A Communications Strategy to ensure that the Town's position on smoking in public places is clearly communicated to the public.
4. A report on the cost of signage and communications initiatives associated with the proposed No Smoking/Clean Air Bylaw.

Motion carried.

BYLAWS

CS 2015-379

Ladysmith Road Closure and Dedication Removal Bylaw 2015, No. 1885

Moved and seconded:

That Ladysmith Road Closure and Dedication Removal Bylaw 2015, No. 1885 be adopted.

Motion carried.

CS 2015-380

Ladysmith Road Closure and Dedication Removal Bylaw 2015, No. 1896

Moved and seconded:

That Ladysmith Road Closure and Dedication Removal Bylaw 2015, No. 1896 be adopted.

Motion carried.

CORRESPONDENCE

CS 2015-381

C. Forrest, 410 Third Avenue

Development Variance Permit – Request for Review

Moved and seconded:

That Council reconsider the Development Variance Permit application for 410 Third Avenue (C. Forrest) prior to the end of the 12 month waiting period.

Motion defeated (affirmative vote of at least two-thirds of Council members required).

OPPOSED:

Councillors Arnett, Fradin and Paterson.

CS 2015-382

Michael Smith, Ladysmith Golf Course Advisory Board - Greens Maintenance

Moved and seconded:

That Council direct staff to consult with the Ladysmith Golf Club

regarding various maintenance options for the golf course and that staff report back to Council in this regard.

Motion carried.

Jeffery Stubbington, Saltair Marine Services Ltd. - Return of Propeller from the Northern Light V

Moved and seconded:

CS 2015-383

That Council direct staff to waive the Purchasing Policy (specifically the requirement to dispose of assets by way of public auction) and return the propeller from the vessel *Northern Light V* to Saltair Marine Services Ltd. so that the propeller can be used in a waterfront project in Kelsey Bay.

Motion carried.

Mike Morgan, Ladysmith Baseball Association – Electronic Scoreboard at High Street Ball Park

Moved and seconded:

CS 2015-384

That Council direct staff to work with the Ladysmith Baseball Association regarding the possible installation of an electronic scoreboard at High Street Ball Park.

Motion carried.

**UNFINISHED
BUSINESS**

The Music Hall Food Company – Patron Participation Entertainment Endorsement

Moved and seconded:

CS 2015-385

That Council advise the Liquor Control and Licensing Branch that:

1. An information letter was sent on October 14, 2015 to property owners within 60 metres of 18 Roberts Street to seek their views of the proposed change to the Music Hall liquor licence and was posted in the business window from October 15 to November 10, 2015; one email was received supporting the participation in music events and dancing at 18 Roberts Street; the addition of patron participation entertainment endorsement may create noise, however no concerns have been expressed to the Town for the proposed change to the liquor licence; and
2. The Town of Ladysmith Council supports the addition of patron participation entertainment endorsement for a food primary licence for the Music Hall Food Company at 18 Roberts Street.

Motion carried.

Ron Legault, Kinsmen Club of Ladysmith – Storage Facility for Uniforms and Equipment at Forrest Field

Moved and seconded:

CS 2015-386

That Council direct staff to work with the Kinsmen Club of Ladysmith regarding the installation of a storage facility to be used for the storage of uniforms and equipment for the Mid Isle Soccer Association and the Ladysmith Steelers Junior Football at Forrest Field.

Motion carried.

Rotary Club of Ladysmith Memorandum of Understanding – Transfer Beach Park Improvement Project

Moved and seconded:

CS 2015-387

That Council:

1. Authorize the Mayor and Corporate Officer to sign the Memorandum of Understanding with the Rotary Club of Ladysmith for planned improvements at Transfer Beach Park.
2. Direct Staff to provide a letter of support to the Rotary Club of Ladysmith regarding Phase 2 of the Transfer Beach Park Improvement Project and the installation of a shelter in the picnic area, with final design approval to be presented to Council before construction.
3. Authorize the Kinsmen Club to purchase and install a water fountain at Transfer Beach Park.

Motion carried.

Ron Legault, Kinsmen Club of Ladysmith

Request for Letter of Support

Moved and seconded:

CS 2015-388

That Council provide a letter of support for the Kinsmen Club of Ladysmith to accompany the Club's application for B.C. Gaming Commission funding.

Motion carried.

QUESTION PERIOD

Members of the public enquired about the proposed off-leash dog park and the proposed storage facility at Forrest Field.

CLOSED SESSION

Moved and seconded:

CS 2015-389

That Council retire into Closed Session at 7:54 p.m.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 8:51 p.m. with report on the following matter:

- That, subject to Council's direction to close the laneway at Sanderson Road and Stirling Drive, publication of the necessary statutory advertising related to the sale of the laneway, and Council approval of the necessary agreements of purchase and sale, Council
 1. Agree in principle to sell a 1.5 metre strip of the laneway adjacent to the property at 602 Sanderson Road to the owner of that property for \$11,300 plus taxes; and
 2. Agree in principle that in exchange for Zenn Developments Ltd. (Zenn) agreeing to dedicate a 3.0 metre wide walkway on a portion of Zenn's future development lands located at REM 1, Plan VIP 79202, Block 1399, Oyster District, to provide future public access to the adjacent park trail system, the Town will dispose of the remainder of the Laneway to Zenn and provide additional compensation to Zenn in the sum of \$11,300 as compensation for Zenn's costs to provide for the lane closure

and future lane dedication.

ADJOURNMENT

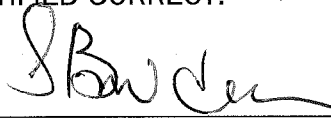
CS 2015-390

Moved and seconded:

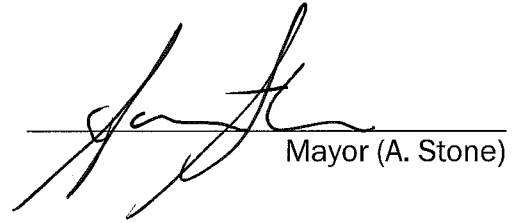
That this meeting of Council adjourn at 8:52 p.m.

Motion carried.

CERTIFIED CORRECT:

A handwritten signature in dark ink, appearing to read 'S. Bowden', written over a horizontal line.

Corporate Officer (S. Bowden)

A handwritten signature in dark ink, appearing to read 'A. Stone', written over a horizontal line.

Mayor (A. Stone)