

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, MAY 7, 2018
CALL TO ORDER 5:00 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	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 5:00 p.m.

**CLOSED SESSION
CS 2018-124***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:

- Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public - section 90 (1) (k)
- Labour relations or other employee relations - section 90 (1) (c)
- Personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity - section 90 (1) (b)
- 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 - section 90 (1) (e)

Motion carried.

REGULAR MEETING

Mayor Stone called this Open Session of Council to order at 7:01 p.m., recognizing the traditional unceded territory of the Stz'uminus First Nation and the Coast Salish people and expressing gratitude to be here.

AGENDA APPROVAL

CS 2018-125

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for Monday, May 7 2018 as amended by the following:

- Remove item 5.1., "Jennifer Woike, Cowichan 2018 BC Summer Games" as this item has been rescheduled to later in the year
- Remove item 5.2., "Mark Skelton, Community Living BC" as this item has been rescheduled to later in the year
- Add item 13.1., Sports Tourism and Mini World Cup Soccer
- Add item 13.2., "Ladysmith Ambassadors" and
- Add item 13.2., "Placemaker Project"

Motion carried.

RISE AND REPORT

Council rose at 6:47 p.m. with report on the following items:

- Resolution CE 2018-057
That Council inform the owner of the Town and Country Mobile Home Park that:
 1. Council supports the sanitary sewer servicing study to consider servicing options from the Town's Swettingham lift station to the Town and Country Mobile Home Park, but the cost for the study is the responsibility of the owner.
 2. The Town is prepared to contribute a portion of the cost of the study to extend sewer service from the Farrell Road gravity feed manhole to Town and Country Mobile Home Park.
- Resolution CE 2018-058
That Council approve, as presented, the four-year package of general wage increases, language changes, letters of understanding and benefit enhancements resulting from the collective bargaining process between the Town of Ladysmith and Canadian Union of Public Employees (CUPE) Local 401.
- Resolution CE 2018-060
That Council direct staff to draft a Commemoration Policy for Council's consideration.

MINUTES

CS 2018-126

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held April 9, 2018.

Motion carried.

CS 2018-127

Moved and seconded:

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held April 16, 2018.

Motion carried.

DELEGATION

Bill Eller and Associates

Holland Creek Bridge Crossing

Mr. Eller made a presentation to Council outlining proposed plans for a Holland Creek Bridge Crossing to be built this year that would span Holland Creek from below Colonia Drive to the Holland Creek development on the other side. His engineering and environmental consultants were also in attendance.

Mr. Eller and his consultants responded to questions from Council regarding the construction timeline, whether Mr. Eller had been in conversations with the Stz'uminus First Nation, the possibility of providing Council with renderings of the crossing and examples of similar projects in similar settings, and the impact on trail usage during construction.

Council thanked Mr. Eller for his presentation.

CS 2018-128

Moved and seconded:

That the Holland Creek Bridge Crossing project be referred to staff for comment and recommendations, and, as necessary to the Parks, Recreation and Culture Advisory Committee and the Advisory Design Panel for comment.

Motion carried.

PROCLAMATIONS

National Public Works Week

Mayor Stone proclaimed May 20 - 26, 2018 as "National Public Works Week" in the Town of Ladysmith and called upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works, and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

National Missing Children's Month and National Missing Children's Day

Mayor Stone proclaimed May as Child Find's Green Ribbon of Hope month and May 25th as National Missing Children's day. He urged all citizens to wear a green ribbon as a symbol of hope for the recovery of all missing children, and to remain vigilant in our common desire to protect and nurture the youth of our Province.

DEVELOPMENT APPLICATIONS

CS 2018-129

Zoning Amendment and Development Permit Application

Subject Property: 431 1st Avenue (Lot 10, Block 10, District Lot 56, Oyster District, Plan 703)

Moved and seconded:

That Council:

1. Proceed with first and second reading of Bylaw 1963, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963" under the Bylaws portion of this agenda.
2. Refer Bylaw 1963 to public hearing.
3. Issue Development Permit (DP) 3060-18-03 for:
 - a) form and character of site and building improvements at 431 1st Ave;
 - b) reducing off-street parking spaces for residential use at 431 1st Ave. pursuant to DPA 1 guideline 11 (e), and authorize the Mayor and Corporate Officer to sign the Development Permit.
4. Authorize the Town to enter into an Encroachment Agreement with the property owner for the purpose of allowing: a) an exterior covered staircase to be located in the lane to access the second storey of the building at 431 1st Avenue; b) a restaurant kitchen vent to be located over the lane a minimum of 3 metres above lane grade; c) front window canopies; and authorize the Mayor and Corporate Officer to sign the Encroachment Agreement.
5. Direct staff to issue a 'Highway Use Permit' (Schedule D Bylaw 1309) for improvements to a portion of the lane adjacent to the First Avenue sidewalk subject to the applicant providing engineering for the proposed works.

Motion carried.

OCP AND ZONING BYLAW AMENDMENT APPLICATION

Subject Property: 900 Russell Rd. (Lot A, District Lot 67, Oyster District, Plan EPP24148)

Moved and seconded:

That Council:

CS 2018-130

1. Consider the application (3360-17-01) to amend:

- a) The Official Community Plan (OCP) by placing the “Parks and Open Spaces” designation on the dedicated parkland.
- b) The Zoning Bylaw by changing the zoning of a portion of the property at 900 Russell Road from ‘Single Dwelling Residential’ (R-1) to ‘Single Dwelling Residential – Small Lot A’ (R-1-A) and to add park zoning.

for the property legally described as Lot A, District Lot 67, Oyster District, Plan EPP24148.

2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to refer the proposed OCP amendment (3360-18-04) to the Stz’uminus First Nation, pursuant to the Town’s Memorandum of Understanding.

3. Direct staff to work with the applicant regarding land use matters and a community amenity contribution; commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-18-04, and report the results of the Neighbourhood Information meeting to Council.

Motion carried.

BYLAWS – OFFICIAL COMMUNITY PLANNING AND ZONING

CS 2018-131

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952

Subject Properties: Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener Street)

Moved and seconded:

That Council adopt “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.51) 2018, No. 1952”.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.13) 2018, No. 1953

Subject Properties: Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener Street)

Moved and seconded:

CS 2018-132

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.13) 2018, No.1953".

Motion carried.

OCP & ZONING BYLAW AMENDMENT APPLICATION

Ladysmith Marina – D. Strongitharm – Rocky Creek Rd.

Subject Properties:

Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537

Lot 1, District Lots 81 and 86, Oyster District, Plan VIP88459

Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459

Block C, District Lot 2054, Cowichan District, Plan EPC721 (Provincial lease area)

Moved and seconded:

CS 2018-133

That Council:

1. Proceed with first and second reading of:

- a) Bylaw 1960 cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 53) 2018, No. 1960"; and
- b) Bylaw 1961 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 15) 2018, No. 1961".

2. Refer Bylaw 1960 and 1961 to public hearing.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 16) 2018, No. 1962

Subject Property: Lot 7, District Lot 38, Oyster District, Plan VIP73070

Moved and seconded:

CS 2018-134

That Council:

1. Proceed with first and second reading of Bylaw 1962 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.16) 2018, No. 1962".

2. Waive the holding of the public hearing pursuant to Section 464(2) of the *Local Government Act*.

3. Direct staff to proceed with notification of the waiver of public hearing as required by the *Local Government Act* and the

Procedures Bylaw.
Motion carried.

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963

Moved and seconded:

CS 2018-135

That Council:

1. Proceed with first and second reading of Bylaw 1963, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963.

2. Refer Bylaw 1963 to public hearing.

Motion carried.

**COMMITTEE
REPORTS**

CS 2018-136

Recommendations from the Naut'sa Mawt Steering Committee

Moved and seconded:

1. That Stz'uminus First Nation Council and Town of Ladysmith Council and send letters to Transport Canada and the Vancouver Port Authority indicating they are unhappy with the moorage of freighters in Ladysmith harbour and surrounding waters and express their concern over the lack of consultation with stakeholders.
2. That Council send a letter of support to Indigenous Services Canada in support of Stz'uminus First Nation's application to include property at the intersection of Timberlands Road and Highway No. 1 into their community reserve land, in order to secure additional groundwater for their Shell Beach and Kulleet Bay communities.

Motion carried.

Recommendations from the Waterfront Implementation Committee

Moved and seconded:

CS 2018-137

That Council adopt the Waterfront Implementation Committee Terms of Reference.

Motion carried.

Recommendations from the Heritage Revitalization Advisory Commission (March 15, 2018)

Moved and seconded:

CS 2018-138

That Council:

1. Receive the Heritage Strategic Plan 2018 Review (attached);

2. Appoint Ann Rogers as the LDHS Liaison to the Heritage Revitalization Advisory Commission, and Lesley Moore as the Alternate; and
3. Direct staff to consider the suggestions of the Heritage Revitalization Advisory Commission in the final location of the Great Street Plaque in the area of First Avenue and Gatacre Street.

Motion carried.

Recommendations from the Heritage Revitalization Advisory Commission (April 19, 2018)

Moved and seconded:

CS 2018-139

That Council:

1. Direct staff to work with the owner of 210 Buller Street to install a second plaque at the owner's cost.
2. Advise the HRAC that any changes to the Metal Collage will require approval by Council, subject to budget.

Motion carried.

Recommendations from the Municipal Services Committee

Moved and seconded:

CS 2018-140

That Council:

1. Receive the report from the Director of Financial Services regarding the opportunity to establish a Vancouver Island-wide Inter-Community Business Licence.
2. Direct staff to prepare an amendment to "Town of Ladysmith Inter-Community Business Licence Bylaw 2013, No. 1839" to establish a Vancouver Island-wide Inter-Community Business Licence.

Motion carried.

Recommendations from the Parks, Recreation and Culture Advisory Committee

Moved and seconded:

CS 2018-141

That the Parks, Recreation and Culture Advisory Committee advise Council that the committee approves in principle the sign design and the location for the Aggie Hall and field signage, provided that sightlines for traffic will not be affected.

Motion carried.

REPORTS

4th Avenue Reconstruction Plan

Moved and seconded:

That Council:

CS 2018-142

1. Endorse Options 2-5 outlined in the report from the Director of Infrastructure Services dated May 7, 2018 as the typical cross-sections for the reconstruction of Fourth Avenue.
2. Confirm that the bicycle path is to be located on Sixth Avenue from Symonds Street to Methuen and on Jamison to Root Street.
3. Direct staff to present the Fourth Avenue Reconstruction Plan to the public at an open house.
4. Direct staff to proceed with design drawings for the first phase from south of Hambrook Street to Belaire Street.

AMENDMENT

Moved and seconded:

CS 2018-143

That Council amend item 4 in resolution CS 2018-142 to read as follows:

Direct staff to proceed with design drawings for the first phase from Belaire Street to White Street.

Motion carried.

Motion as amended carried.

Bollards on 1st Avenue

Moved and seconded:

CS 2018-144

That Council:

1. Direct staff to move forward with the installation of nine bollards on 1st Avenue utilizing ductile iron decorative bollard R-7592 from Reliance Foundry.
2. Confirm that the first nine bollards will be installed across the frontage of 528 1st Avenue.
3. Continue to budget \$30,000 each year until all 160 bollards on 1st Avenue have been installed.

Motion carried.

OPPOSED: Councillors Fradin and Friesenhan

4th Avenue Repairs (Rocky Creek Crossing)

Moved and seconded:

CS 2018-145

That Council:

1. Direct staff to move forward with the construction of a pre-cast concrete bridge structure over Rocky Creek on 4th Ave.
2. Omit approach slabs from the design.
3. Upon conformation by the project geotechnical Engineer that spread footings are suitable for this project, delete piles.
4. Direct staff to revise the Rock Creek Culvert Project budget to \$1,032,000 with the additional funds to come from the Infrastructure Reserve, the Water Reserve and Prior Year Surplus, and amend the 2018-2022 Financial Plan.

Motion carried.

OPPOSED: Councillors Fradin and Friesenhan

Appointment of Chief, Ladysmith Fire/Rescue

Moved and seconded:

CS 2018-146

That Council appoint Ray Delcourt as Chief, Ladysmith Fire/Rescue in accordance with Town of Ladysmith Fire Department Bylaw 1965, No. 832, effective April 1, 2018.

Motion carried.

Adjustments to Water Billing Accounts

Moved and seconded:

CS 2018-147

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

115300 for \$4621

7040400 for \$4,062.

Moved and seconded:

CS 2018-148

That Resolution CS 2018-147, to approve water billing adjustments, be referred to staff for bylaw and insurance clarification.

Referral motion carried.

Council Remuneration Committee

Councillor Henderson left the meeting at 9:17 p.m., during discussions on resolution 2018-149 and prior to calling of the question.

Moved and seconded:

CS 2018-149 That Council appoint a Select Committee on Council Remuneration, to report to Council with recommendations prior to September 30, 2018.
Motion carried.

OPPOSED: Councillor Arnett

BYLAWS

Town of Ladysmith Financial Plan Bylaw 2018, No. 1956

Moved and seconded:

CS 2018-150 That Council adopt “Town of Ladysmith Financial Plan Bylaw 2018, No. 1956”.
Motion carried.

Town of Ladysmith Tax Rates Bylaw 2018, No. 1957

Moved and seconded:

CS 2018-151 That Council adopt “Town of Ladysmith Tax Rates Bylaw 2018, No. 1957”.
Motion carried.

Water Parcel Tax Bylaw 2018, No. 1958

Moved and seconded:

CS 2018-152 That Council adopt “Water Parcel Tax Bylaw 2018, No. 1958”.
Motion carried.

Sewer Parcel Tax Bylaw 2018, No. 1959

Moved and seconded:

CS 2018-153 That Council adopt “Sewer Parcel Tax Bylaw 2018, No. 1959”.
Motion carried.

Town of Ladysmith Smoking Regulation Bylaw, 2017, No. 1936

Moved and seconded:

CS 2018-154 That Council:

1. Read Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936 a first, second and third time and refer the bylaw to the Minister of Health;
2. Direct staff to mount appropriate “No Smoking” signage at the entrance to parks, public spaces and Town-owned buildings;
3. Direct staff to implement a communications and public education strategy to support the introduction of Bylaw 1936; and
4. Request that the Cowichan Valley Regional District amend “CVRD Clean Indoor Air and Control of Smoking Regulation Bylaw 1995, No. 1672” to remove the Town of Ladysmith.

Motion carried.

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

Moved and seconded:

CS 2018-155

That Council:

1. Approve the Communications Plan for amendments to Streets and Traffic Bylaw 1309 regulating parking and use of boulevards, and
2. Give first three readings to Streets and Traffic Bylaw 1309, Amendment Bylaw 2018, No. 1941.

Motion carried.

Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945

Moved and seconded:

CS 2018-156

That Council adopt "Town of Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945".

Motion carried.

CORRESPONDENCE

Cindy Shelest

Freighters Parked in Front of Homes in Ladysmith

Moved and seconded:

CS 2018-157

That Council receive the correspondence from Cindy Shelest to Sheila Malcolmson expressing concerns regarding current anchoring of freighters in Ladysmith harbor and neighbouring waters.

Motion carried.

**The Society for the Prevention of Cruelty to Animals (SPCA)
On-call Service Change to Assist Stray, Sick or Injured Animals**

Moved and seconded:

CS 2018-158

That Council refer the correspondence from the SPCA, dated April 24, 2018, regarding emergency on-call service to assist stray, sick or injured animals after hours to staff for review and recommendations.

Motion carried.

Bill Drysdale and Chuck Forest

The Ladysmith Station Revitalization Project

Moved and seconded:

CS 2018-159

That Council refer the correspondence from Bill Drysdale and Chuck Forest, dated May 1, 2018 regarding the Ladysmith Expo Trail Stewardship Committee's Station Revitalization Project to staff for review, consultation with the Island Corridor Foundation

and recommendations with respect to liability, scheduling and possible impact on implementation of the Waterfront Area Plan.
Motion carried.

NEW BUSINESS

Sports Tourism and 2018 Mini World Cup Soccer Tournament

Councillor Arnett commended the organizers of the 2018 Mini World Cup Soccer Tournament and noted that it was an outstanding example of sports tourism.

Moved and seconded:

CS 2018-160

That Council send a letter to Mid-Isle Soccer congratulating them on the outstanding success of the 2018 Mini World Cup Soccer Tournament, and thanking them for their contribution to sports tourism in the Town of Ladysmith.

Motion carried.

Ladysmith Ambassadors Coronation Event

Councillor Paterson summarized the Ladysmith Ambassador Coronation event and praised the candidates for their hard work and commitment.

Moved and seconded:

CS 2018-161

That Council send a letter of congratulations to the incoming Ladysmith Ambassadors, and a letter of thanks to the outgoing ambassadors.

Motion carried.

Ladysmith Placemaker Project

Moved and seconded:

CS 2018-162

That Council send a letter to the Placemaker Project members, thanking them for their previous polished presentation and well-considered plans.

Motion carried.

QUESTION PERIOD

Members of the public enquired about whether Council had consulted with business owners prior to making their decision to install bollards on 1st Avenue, as well as the possibility of testing one bollard in a highly trafficked area before going ahead with a more comprehensive plan, whether the Town had a policy regarding the filming of movies in downtown Ladysmith, the consideration of scooter paths on the streets of Ladysmith, and how the amended Streets and Traffic bylaw will affect the homeless.

ADJOURNMENT

CS 2018-163

Moved and seconded:

That this regular meeting of Council adjourn at 9:40 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)