

**MINUTES OF A REGULAR MEETING OF COUNCIL**  
**MONDAY, AUGUST 20, 2018**  
**CALL TO ORDER 5:00 P.M.**  
**COUNCIL CHAMBERS, CITY HALL**

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**COUNCIL MEMBERS PRESENT:**

Mayor Aaron Stone

Councillor Steve Arnett

Councillor Cal Fradin

Councillor Joe Friesenhan

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 2018-286***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:

- labour relations or other employee relations - section 90 (1) (c)
- 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)
- 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 7:00 p.m., recognizing the traditional territory of the Stz'uminus First Nation and the Coast Salish people and expressing gratitude to be here.



## AGENDA APPROVAL

**CS 2018-287**

*Moved and seconded:*

That Council approve the agenda for this Regular Meeting of Council for Monday, August 20, 2018 as amended by the following:

- Add item 13.4., "Environmental Compliance - Contractors"
- Add item 13.5., "Official Town Thank you Letters Regarding Ladysmith Days"
- Add item 13.6., "Council Remuneration Meeting"

*Motion carried.*

## MINUTES

**CS 2018-288**

*Moved and seconded:*

That Council rescind the adoption of the June 28, 2018 minutes and re-adopt as amended.

*Motion carried.*

**CS 2018-289**

*Moved and seconded:*

That Council approve the minutes of the Regular Meeting of Council held July 16, 2018.

*Motion carried.*

## DEVELOPMENT APPLICATIONS

**Riparian Development Permit Application -1399 Developments, Inc.**

**Subject Property: DL 143, Oyster District and Lot 4, Block 1399, Oyster District, Plan VIP75559 and That part of District Lot 110, and of unsubdivided land, Oyster District, containing 27.99 acres more or less, as shown on Plan 13RW, except part in Plan VIP7643**

Staff, Julie Budgen of Corvidae Environmental Consulting, and the proponent, Bill Eller, responded to Council's questions about the Holland Creek Crossing Riparian Development Permit application and landscaping plan.

**CS 2018-290**

*Moved and seconded:*

That Council:

1. Issue Development Permit 3060-18-09 to permit land alteration, habitat restoration and construction of the road and engineered arch culvert bridge to connect Colonia Drive over Holland Creek to access Lot 5, Block 1399, Oyster District, Plan VIP75559; and
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-18-09.

**CS 2018-291**

**\*Amendment\***

*Moved and seconded:*

That Resolution CS 2018-290 be amended to read as follows:

That Council:

1. Issue Development Permit 3060-18-09 to permit land alteration, habitat restoration and construction of the road and engineered arch culvert bridge to connect Colonia Drive over Holland Creek to access Lot 5, Block 1399, Oyster District, Plan VIP75559 subject to the condition that the landscape bond be increased from \$12,300 to \$50,000; and
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-18-09.

*Amending motion carried.*

**CS 2018-292**

**\*Amendment\***

*Moved and seconded:*

That Resolution CS 2018-290 be amended to read as follows:

That Council:

1. Issue Development Permit 3060-18-09 to permit land alteration, habitat restoration and construction of the road and engineered arch culvert bridge to connect Colonia Drive over Holland Creek to access Lot 5, Block 1399, Oyster District, Plan VIP75559 subject to the condition that the landscape bond be increased from \$12,300 to \$50,000;
2. Direct staff to ensure that equipment used to construct the bridge will use biofuels and environmentally friendly fluids, and that the biologist's report is updated accordingly.
3. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-18-09.

*Amending motion carried.*

OPPOSED: Councillor Fradin

*Main motion as amended carried.*

OPPOSED: Councillors Fradin and Friesenhan

**CS 2018-293**

*Moved and seconded:*

That Council move item 12.4., "Ladysmith Fire Rescue Request to Build a Memorial Open Shelter" to the next agenda item.

*Motion carried.*

**Ladysmith Fire Rescue**

**Request to Build a Memorial Open Shelter**

Fire Chief Ray Delcourt introduced the agenda item and the rationale behind it.

**CS 2018-294**

*Moved and seconded:*

That Council approve the request by Ladysmith Fire Rescue in their correspondence dated August 10, 2018, to build a memorial shelter on the existing cement pad next to their flag pole.

*Motion carried.*

**CS 2018-295**

**Development Permit Application 3060-18-07 - 1148 and 1150 Rocky Creek Road**

**Subject Properties: Lots A and B, District Lot 38, Oyster District, Plan EPP36585**

*Moved and seconded:*

That Council:

1. Issue Development Permit 3060-18-07 to permit an industrial development at 1148 and 1150 Rocky Creek Road
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-18-07
3. Authorize the Mayor and Corporate Officer to sign the release of EP96966 (DP00-08), FB178787 (DP 07-03) and FB21999- (DP 08-18) from the certificate of titles of Lots A and B, District Lot 38, Oyster District, Plan EPP36585.

*Motion carried.*

**CS 2018-296**

**Rezoning Application 920 1<sup>st</sup> Avenue (Ladysmith Health Care Auxiliary Thrift Store addition)**

**Subject Properties: Lot 2, Block 30, District Lot 24, Oyster District, Plan 703A (920 First Ave.)**

*Moved and seconded:*

That Council:

1. Consider the application (3360-18-08) to amend the Zoning Bylaw by rezoning the property at 920 1<sup>st</sup> Avenue from Live-Work Residential (R-2-LW) to Downtown Commercial (C-2) to permit commercial use.
2. Direct staff to commence the preparation of the Zoning Bylaw amendment for application 3360-18-08, with the intent to waive the public hearing on the matter.

*Motion carried.*

**OCP and Zoning Bylaw Amendment Application - 314 Buller Street (LRCA Affordable Housing Project)**

**Subject Property: Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A**

Marsh Stevens, President of the Board of the Ladysmith Resources Centre Association, and David Poiron, architect for the project,

answered Council's questions regarding building shape, exterior finishes and landscaping plans.

**CS 2018-297**

*Moved and seconded:*

That Council:

1. Has considered the application (3360-18-09) to amend:
  - (a) The Official Community Plan by designating 314 Buller Street from "Institutional" to "Multi-Family Residential" with a density of 180 units per hectare for a Ladysmith Resources Centre Association rental housing development; and
  - (b) The Zoning Bylaw by rezoning 314 Buller Street from "Institutional (P-1)" to a multi-unit residential zone that permits a density of 180 units per hectare for a Ladysmith Resources Centre Association rental housing development; (for the property legally described as Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A)
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 3360-18-09 to the Stz'uminus First Nation, pursuant to the Memorandum of Understanding between the Town and the Stz'uminus First Nation; and
  - (b) Refer application 3360-18-09 to the Advisory Planning Commission for review and comment.
3. Direct staff to:
  - (a) Work with the applicant regarding land use matters (i.e., housing agreement)
  - (b) Report the results of the Neighbourhood Information meeting to Council; and
  - (c) Commence the preparation of the Official Community (OCP amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-18-09 (314 Buller Street).

*Motion carried.*

**COMMITTEE  
REPORTS**

**CS 2018-298**

*Moved and seconded:*

That Council receive for information the August 20, 2018 Council member committee reports.

*Motion carried.*

## REPORTS

CS 2018-299

### Determination Whether to Hold By-Election for Vacant Council Seat

*Moved and seconded:*

1. That the Town of Ladysmith not hold a by-election to fill the Council seat left vacant by the resignation of Coun. Carol Henderson, in accordance with s. 54(2) of the *Local Government Act*.
2. That the Mayor appoint the respective alternates to replace former Councillor Carol Henderson on the commissions and committees to which she was appointed.

*Motion carried.*

CS 2018-300

### Development Application Process Review 2018

*Moved and seconded:*

That Council direct staff to:

1. Prepare the following amendments to "Development Application Procedures Bylaw 2008, No. 1667":
  - a. Require pre-application meetings for planning applications
  - b. Require complete planning applications to be submitted prior to staff review
  - c. Amend the requirement for a neighbourhood information meeting for a rezoning application, if the application is OCP consistent, and for all DVP applications
  - d. Remove the requirement for the completion of the Sustainable Development Checklist
  - e. Remove the two-stage process for the consideration of DVP applications, so that staff may proceed to notification for all applications
  - f. Update legislative references.
2. Consider the recommended improvements regarding streamlining the committee referral process following the current Commissions and Committees Review.
3. Proceed with completing conceptual design and cost analysis for expanding the Public Works/Engineering office to accommodate Development Services.

*Motion carried.*

CS 2018-301

*Moved and seconded:*

That Council direct staff to:

1. Include funding in the Development Services and Engineering operational budgets for preparing and updating development application forms, process guides and checklists.
2. Prepare an amendment to "Officers and Delegation of Authority

Bylaw 2016, No. 1905" to delegate the issuance of Riparian Development Permits and Hazard Land Development Permits to the Director of Development Services.

*Motion carried.*

OPPOSED: Councillors Fradin and Friesenhan

**Direction to submit grant applications for the ICP – Green Infrastructure Environmental Quality Sub-stream**

*Moved and seconded:*

CS 2018-302

That Council:

1. Direct staff to submit an application for grant funding for Holland Dam Upgrade through the *ICIP – Green Infrastructure: Environmental Quality Sub-stream*; and
2. Supports the project and commits to the Town's share (\$3,400,000) of the project.

*Motion carried.*

**Second Quarter Financial Update – Operating and Capital Budgets**

*Moved and seconded:*

CS 2018-303

That Council receive for information purposes the financial report for the period ending June 2018.

*Motion carried.*

**2019 – 2023 Financial Plan Deliberation dates**

*Moved and seconded:*

CS 2018-304

That Council refer the 2019 – 2023 Financial Plan deliberations to the next Mayor and Council.

*Motion carried.*

**Adjustments to Water Billing Accounts**

*Moved and seconded:*

CS 2018-305

That Council approve adjusting the water billing due to leaks for the property account number 1306000 for the amount of \$3,843.26.

*Motion carried.*

**Youth Plan Report**

*Moved and seconded:*

CS 2018-306

That Council:

1. Adopt the Ladysmith Youth Plan as presented.
2. Refer the plan to the December meeting of Council for the next Mayor and Council to establish a Youth Council.

*Motion carried.*



## **BYLAWS**

**CS 2018-307**

### **Property Maintenance Bylaw and Bylaw Compliance Policy**

*Moved and seconded:*

That Council:

1. Give first, second and third readings to "Ladysmith Property Maintenance Bylaw 2018, No. 1970".
2. Adopt the Bylaw Compliance Policy as presented in the staff report from the Director of Development Services dated August 20, 2018.

*Motion carried.*

**CS 2018-308**

### **Amendments to Council Procedure Bylaw**

*Moved and seconded:*

That Council give first, second and third readings to "Town of Ladysmith Council Procedure Bylaw 2009, No. 1966, Amendment Bylaw (No. 2), 2018, No. 1971".

*Motion carried.*

## **CORRESPONDENCE**

**CS 2018-309**

### **Ministry of Transportation and Infrastructure – Highway Safety Study**

*Moved and seconded:*

That Council receive for information the response from the Ministry of Transportation, dated July 25, 2018 regarding their plans to undertake a traffic safety study on the section of Highway 1 through Ladysmith between Davis Road and Christie Road.

*Motion carried.*

**CS 2018-310**

### **Ladysmith Search and Rescue – Possibility of Leasing Land for more Permanent Storage of Ladysmith Search and Rescue Materials**

*Moved and seconded:*

That Council refer to staff the request by Ladysmith Search and Rescue in their correspondence dated July 22, 2018, to lease land from the Town of Ladysmith in order to build a structure to contain their operational equipment.

*Motion carried.*

Councillor Paterson declared a conflict of interest with the next agenda item due to his association with the Kinsmen Club and left the meeting.



**Ladysmith Kinsmen**

**Request to Hold a Beer Garden in Conjunction with Arts on the Avenue**

**CS 2018-311**

*Moved and seconded:*

That Council approve the request by the Ladysmith Kinsmen in their correspondence dated August 7, 2018, to hold a beer garden on 1<sup>st</sup> Avenue in conjunction with the Arts Council during the Arts on the Avenue event on Saturday, August 25, 2018.

*Motion carried.*

Councillor Friesenhan requested that in future Arts on the Avenue move to Spirit Square.

Councillor Paterson returned to the meeting.

**NEW BUSINESS**

**Rainbow Crossings**

**CS 2018-312**

*Moved and seconded:*

That Council send a letter to the Board of Trustees of School District 68 and the principals of Ladysmith Primary School, Ladysmith Intermediate School and Ladysmith Secondary School, informing them that the Town is considering installing additional rainbow crosswalks in the community and enquiring whether the schools and district would welcome such an addition in their respective areas.

*Motion carried.*

**MIA Voting Delegate for the Annual General Meeting of the Municipal Insurance Association of BC**

**CS 2018-313**

*Moved and seconded:*

That Council appoint Mayor Stone as the voting delegate and Councillor Arnett as alternate voting delegate for the Annual General Meeting of the Municipal Insurance Association of BC on September 11, 2018 during the annual convention of the Union of BC Municipalities.

*Motion carried.*

**Appointment of Deputy Approving Officer**

**CS 2018-314**

*Moved and seconded:*

That Council appoint Ryan Bouma as Deputy Approving Officer.

*Motion carried.*

**Environmental Compliance – Contractors**

Councillor Arnett enquired as to staff protocol when contractors do not follow the Town's environmental standards.

**Official Town Thank you Letters Regarding Ladysmith Days**

*Moved and seconded:*

**CS 2018-315**

That Council send thank you letters to the RCMP, Ladysmith Search and Rescue, Citizens on Patrol and Town staff, thanking them for their assistance with Ladysmith Days.

*Motion carried.*

**Council Remuneration Meeting**

Councillor Arnett was advised that the Council Remuneration Meeting is an open meeting.

**UNFINISHED  
BUSINESS**

**Ladysmith Lions Club's Request for Signage at Little League Park on High Street**

*Moved and seconded:*

**CS 2018-316**

That, having considered the historical information supplied by the Ladysmith Lion's Club, Council approve the installation of proposed signage at the Little League baseball park on High Street, as originally requested by the Ladysmith Lions Club in their correspondence dated July 4, 2018.

*Motion carried.*

**QUESTION PERIOD**

Members of the public complimented the Director of Finance regarding the clarity of the Financial Update report, expressed concerns regarding the Holland Creek crossing structure design and maintenance, as well as the timeline of the fishing window and the Holland Creek Riparian Development Permit Application. Members of the public also made suggestions regarding additional rainbow crosswalks and enquired about the status of the commission and committee review and the Town's policy regarding Council members attending the Union of British Columbia Municipalities Convention.

**CLOSED SESSION**

*Moved and seconded:*

**CS 2018-317**

That this meeting of Council recess at 9:18 p.m., and that it reconvene in closed session.

*Motion carried.*

**RISE AND REPORT**

Council rose at 10:07 p.m. with report on the following:  
Resolutions CE 090, 091, 092 (rise and report of resolutions from 2017 and 2018).

## ADJOURNMENT

CS 2018-318

*Moved and seconded:*

That this regular meeting of Council adjourn at 10:04 p.m.

*Motion carried.*

CERTIFIED CORRECT:

  
\_\_\_\_\_  
Corporate Officer (J. Winter)

  
\_\_\_\_\_  
Mayor (A. Stone)

