

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, SEPTEMBER 17, 2018
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

| | | |
|-------------------------|--------------------------|---------------------------|
| Mayor Aaron Stone | Councillor Steve Arnett | Councillor Joe Friesenhan |
| Councillor Rob Hutchins | Councillor Duck Paterson | |

COUNCIL MEMBERS ABSENT:

Councillor Cal Fradin

STAFF PRESENT:

| | | |
|-------------------|------------------|---------------|
| Guillermo Ferrero | Felicity Adams | Erin Anderson |
| Geoff Goodall | Clayton Postings | Joanna Winter |
| Kim Fowler | Sue Bouma | |

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:00 p.m.

**CLOSED SESSION
CS 2018-333***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:

- 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)
- 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)
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - section 90 (1) (i)

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.

AGENDA APPROVAL

CS 2018-334

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for Monday, September 17, 2018 as amended by the following additions:

- Item 12.2., "Metis Nation BC Annual General Meeting"
- Item 12.3., "Union of British Columbia Municipalities Resolution B 148"

Motion carried.

RISE AND REPORT

Council rose at 6:13 p.m. without report

MINUTES

CS 2018-335

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held August 20, 2018.

Motion carried.

CS 2018-336

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held August 30, 2018.

Motion carried.

CS 2018-337

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held September 4, 2018.

Motion carried.

CS 2018-338

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held September 7, 2018.

Motion carried.

DELEGATIONS

**Amy Melmock, Economic Development Manager, Cowichan Valley Regional District
Ladysmith Economic Development Strategy**

Amy Melmock, Economic Development Manager for the Cowichan Valley Regional District, introduced the Ladysmith Economic Development Strategy to Council, organizing her presentation around the topics of partnership, process and priorities. She acknowledged the Ladysmith Strategy Partners - noting how their partnership helped identify local economic opportunities and development priorities - and reviewed the process used to develop

immediate and medium-term priorities, as well as goals for strengthening the local economy.

Ms. Melmock advised Council that some of the immediate economic development priorities include the Arts and Heritage Hub, trail development, and a walking tour application, while some of the medium term priorities include marina expansion, aquaculture, post-secondary facility development, and residential development. She completed her presentation by reviewing plans for next steps, and noted that the Ladysmith Economic Development Strategy is a foundational document for use in the pursuit of funding.

Council asked Ms. Melmock questions, praised the comprehensive report and thanked her for her presentation.

DEVELOPMENT APPLICATIONS

CS 2018-339

Coach House Intensive Residential Development Permit Application – 1125 Third Avenue (L. Lamontagne)
Subject Property: Lot 7, District Lot 144, Oyster District, Plan 12499

Moved and seconded:

That Council:

1. Issue Development Permit 3060-18-11 to permit the issuance of a building permit for the construction of a two-storey coach house on Lot 7, District Lot 144, Oyster District, Plan 12499 (1125 Third Avenue)
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

CS 2018-340

Moved and seconded:

That Council refer the matter of two-storey coach houses to the incoming Council for consideration.

Motion carried.

BYLAWS – OFFICIAL COMMUNITY PLAN AND ZONING

CS 2018-341

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 11) 2018, No. 1944

Subject Property: Lot 1, District Lot 41, Oyster District, Plan 11706, Except Part in Plans 43985, VIP58153 and VIP79598 (618 Farrell Road)

Moved and seconded:

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 11) 2018, No. 1944”.

Motion carried.

Rezoning Application Thrift Store Addition - 920 1st Avenue (J. Anderson)

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

Moved and seconded:

CS 2018-342

That Council:

1. Proceed with first and second readings of Bylaw 1976 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.19) 2018, No.1976.
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.

REPORTS

New Noise Bylaw

Moved and seconded:

That Council direct staff to:

CS 2018-343

1. Reference the table in the report by the Bylaw Compliance Officer dated September 17, 2018 in drafting a new noise bylaw,
2. Include a review of engine retardant brakes in drafting a new noise bylaw; and
3. Ensure consistency with Ministry of Transportation and Highways legislation in the creation of the bylaw.

Motion carried.

Arts and Heritage Hub Concept Planning

Moved and seconded:

CS 2018-344

That Council receive for information the Arts and Heritage Hub Concept Planning report.

Motion carried.

Licensed Cannabis Cultivation, Processing and Research

Moved and seconded:

That Council:

CS 2018-345

1. Proceed with first and second reading of "Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No.20) 2018, No. 1978" under the Bylaws portion of the agenda;
2. Waive the holding of the public hearing for Bylaw 1978 pursuant to s. 464(2) of the *Local Government Act*; and
3. Direct staff to proceed with notification of the waiver of public hearing as required by the *Local Government Act*.
4. Direct staff to bring forward amendments to the Business

Licence Bylaw with respect to locational criteria, odour abatement and licence fees for cannabis cultivation, processing and research.

Motion carried.

Public Consultation on the Retail Sale of Cannabis in Ladysmith

Moved and seconded:

CS 2018-346

That Council:

1. Approve the proposed public survey on the retail sale of cannabis in Ladysmith
2. Direct that the survey be mailed to every household in Ladysmith

Motion carried.

Moved and seconded:

CS 2018-347

That Council direct staff to investigate recent regulations regarding cannabis cultivation restrictions and adjust the public survey accordingly if necessary.

Motion carried.

Aggie Play Space Project Update

Moved and seconded:

CS 2018-348

That Council authorize staff and volunteers to continue the project plan relating to the installation of play space equipment at Aggie play area, with recognition that some adjustments to the original concept will be required to ensure the least impact on existing trees.

Motion carried.

OPPOSED: Councillor Friesenhan

Solid Waste Contract Extension

Moved and seconded:

CS 2018-349

That Council direct staff to extend the existing contract for up to one year for solid waste collection services with Waste Connections.

Motion carried.

Rocky Creek Road Storm & Water Services, Construction Services

Moved and seconded:

CS 2018-350

That Council direct staff to waive the purchasing policy in order to complete the storm and water service upgrade along the existing properties of 1148, 1150, 1152 and 1154 Rocky Creek Road utilizing the Town's Time and Material contract with David Stalker Excavating.

Motion carried.

OPPOSED: Councillor Friesenhan

BYLAWS

CS 2018-351

Town of Ladysmith Smoking Regulation Bylaw, 2018, No. 1936

Moved and seconded:

That Council rescind third reading of Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936, and repeat third reading as amended to incorporate changes suggested by Island Health.

Motion carried.

CS 2018-352

Town of Ladysmith Council Procedure Bylaw 2009, No. 1966, Amendment Bylaw (No. 2), 2018, No. 1971

Moved and seconded:

That Council adopt "Town of Ladysmith Council Procedure Bylaw 2009, No. 1966, Amendment Bylaw (No. 2), 2018, No. 1971".

Motion carried.

CS 2018-353

2019 Permissive Tax Exemptions Bylaw 2018, No. 1972

Councillor Arnett declared a conflict of interest with aspects of this agenda item due to his association with the Ladysmith Maritime Society and left the meeting.

Moved and seconded:

That Council give first, second and third readings to "2019 Permissive Tax Exemptions Bylaw 2018, No. 1972".

Motion carried.

OPPOSED: Councillor Friesenhan

Councillor Arnett returned to the meeting.

CS 2018-354

Town of Ladysmith Development Procedures Bylaw 2008, Bylaw 1667, Amendment Bylaw No. 4, 2018, No. 1973

Moved and seconded:

That Council give first, second and third readings to "Town of Ladysmith Development Procedures Bylaw 2008, Bylaw 1667, Amendment Bylaw No. 4, 2018, No. 1973."

Motion carried.

CS 2018-355

Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 6, 2018, No. 1974

Moved and seconded:

That Council give first, second and third readings to "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 6, 2018, No. 1974".

Motion carried.

Town of Ladysmith Officers and Delegation of Authority Bylaw 1905, Amendment Bylaw (No.2) 2018, No. 1977

Moved and seconded:

CS 2018-356

That Council give first, second and third readings to Town of Ladysmith Officers and Delegation of Authority Bylaw 1905, Amendment Bylaw (No.2) 2018, No. 1977.

Motion carried.

Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No.20) 2018, No. 1978

Moved and seconded:

CS 2018-357

That Council:

1. Give first and second reading to "Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No.20) 2018, No. 1978".
2. Waive the holding of the public hearing for Bylaw 1978 pursuant to s. 464(2) of the *Local Government Act*; and
3. Direct staff to proceed with notification of the waiver of public hearing as required by the *Local Government Act*.

Motion carried.

CORRESPONDENCE

Jolinne Ibbotson

Offer to Donate A Logging Artifact

Moved and seconded:

CS 2018-358

That Council:

1. Accept with gratitude the offer by Jolinne Ibbotson in her correspondence dated August 17, 2018 to donate to the Town a logging artifact called a "Swifter"; and
2. Approach the Industrial Heritage Society to house the artifact in the interim, until the Public Arts Strategy has been adopted and a final destination has been approved.

Motion carried.

BC Soccer Association

#RespectAll Initiative

Moved and seconded:

CS 2018-359

That Council receive for information the correspondence from the BC Soccer Association regarding the #RespectAll Initiative.

Motion carried.

Ladysmith Golf Society

Request for Financial Assistance

Moved and seconded:

CS 2018-360

That Council direct staff to develop a service agreement with the Ladysmith Golf Society for Council consideration and review in the

context of the Parks Master Plan.

Motion carried.

Ladysmith Resources Centre Association

Request for Fire Suppression System

Moved and seconded:

CS 2018-361

1. That Council refer to staff for review the request by the Ladysmith Resources Centre Association in their correspondence dated June 11, 2018, to install a Guardian Shield fire suppression system; and
2. That prior to Town approval, the system is reviewed and authorized by the Fire Chief, the Town's insurer and any other authorities required.

Motion carried.

NEW BUSINESS

Welcoming Figure at Ladysmith Secondary School

Moved and seconded:

CS 2018-362

That Council direct staff to explore the availability of funding up to \$2000 for the Ladysmith Secondary School Welcoming Figure unveiling event, and report to Council with a recommendation.

Motion carried.

Moved and seconded:

CS 2018-363

That Council send a letter to the Stz'uminus First Nation Council and community inviting them to match the Town's financial support for the Ladysmith Secondary School Welcoming Figure unveiling event.

Motion carried.

Metis Nation British Columbia Annual General Meeting

Councillor Arnett summarized his experience at the recent Metis Nation British Columbia annual general meeting.

Moved and seconded:

CS 2018-364

That the Town honour Louis Riel Day on November 16 by publishing a proclamation and by raising the Metis flag.

Motion carried.

Councillor Arnett offered to donate the Metis flag to the Town.

Union of British Columbia Municipalities Resolution B 148

Councillor Arnett requested that the Union of British Columbia Municipalities Resolution B 148 be reflected in the report from the Council Remuneration Committee.

QUESTION PERIOD

Members of the public enquired about additional costs potentially associated with the Arts and Heritage Hub Concept Plan, the smoking bylaw as it relates to cannabis, plans to deal with the condition of Oyster Bay Road, the possibility of relocating the Tourism and Visitor Information Centre to make it more accessible for recreational vehicles, and Lot 5 of the Waterfront Area Plan.

ADJOURNMENT

CS 2018-365

Moved and seconded:

That this regular meeting of Council adjourn at 8:59 p.m.

Motion carried.

CERTIFIED CORRECT:



Corporate Officer (J. Winter)



Mayor (A. Stone)

