

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, NOVEMBER 19, 2018
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Amanda Jacobson
Councillor Robert Johnson	Councillor Tricia McKay
Councillor Duck Paterson	Councillor Marsh Stevens
Councillor Jeff Virtanen	

STAFF PRESENT:

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

CALL TO ORDER

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

CLOSED SESSION

CS 2018-439

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:

- 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)
- Stz'uminus First Nation Memorandum of Understanding - sections 90 (1) (i), (j), (k): 90 (2) (b)

Motion carried.

**REGULAR OPEN
MEETING**

Mayor Stone called this Meeting of Council to order at 7:00 p.m., recognizing the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2018-440

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for November 19, 2018.

Motion carried.

RISE AND REPORT

Council rose from closed session at 6:01 p.m. with report on the following resolution:

- CE 2018-133

That Council receive for information the report by the Project Manager of the Waterfront Area Plan Implementation, dated November 19, 2018, regarding the status of acquiring Lot 5 in the Waterfront Area Plan.

MINUTES

CS 2018-441

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held October 15, 2018.

Motion carried.

CS 2018-442

Moved and seconded:

That Council approve the minutes of the Inaugural Meeting of Council held November 5, 2018.

Motion carried.

HEARING

Property Maintenance Matter 441 Parkhill Terrace

R. Mac Nair, Bylaw Compliance Officer for the Town of Ladysmith, circulated photos taken earlier in the day that demonstrated the current condition of the property 441 Parkhill Terrace. She responded to questions from Council and noted that a significant improvement had taken place in the last week.

The Owner of 441 Parkhill Terrace designated a speaker to address Council and to respond to Council's questions. He provided background information, outlined the steps taken so far and requested additional time to complete the clean-up.

Moved and seconded:

That Council:

CS 2018-443

1. Direct staff to issue a Notice to the Owner of the property, situated at 441 Parkhill Terrace, Ladysmith, BC (legally described as Lot 27, District Lot 52, Oyster District, Plan 11855) to clean up the unsightly accumulation on the property and remove the unlicensed vehicles, refuse, discarded material,

rotting wood and piles of dead vegetation by December 31, 2018, pursuant to the provisions of the “Ladysmith Property Maintenance Bylaw 2018, No. 1970.”

2. Authorize the work to be carried out by the Town or its contractors, if the Owner is in default of such removal being undertaken by December 31, 2018, and the expense charged to the Owner of the property. If unpaid on December 31st in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

Motion carried.

R. MacNair left the meeting.

DELEGATION

Staff Sergeant Ken Brissard, Detachment Commander, Ladysmith RCMP

Request for Increase of One Municipally-funded Regular Member

Staff Sergeant Ken Brissard summarized the reasoning behind the request for an increase of one municipally-funded regular member for the detachment. He responded to questions regarding work load, twenty-four hour policing, the new cannabis laws, and the effect of court-time on scheduling for the detachment.

Council thanked Staff Sergeant Brissard for his presentation.

Moved and seconded:

CS 2018-444

That Council increase the Town of Ladysmith’s Royal Canadian Mounted Police Detachment from 7 to 8 members, and begin implementing this increase in 2019, to be fully funded in 2020.

Motion carried.

PROCLAMATION

Louis Riel Day

Mayor Stone proclaimed November 16, 2018 as Louis Riel Day in the Town of Ladysmith, recognizing the enormous contribution Louis Riel made to the development of this country and commemorating the 133rd anniversary of his death.

DEVELOPMENT APPLICATIONS

Zoning Bylaw Amendment Application (C. Ronald) - 10910 Westdowne Road

Subject Property: Lot B, District Lot 72, Oyster District, Plan EPP20506

Moved and seconded:

CS 2018-445

That Council, having considered the application (3360-18-11) to amend the Zoning Bylaw for the property legally described as Lot B,

District Lot 72, Oyster District, Plan EPP20506 (10910 Westdowne Road) to

- a) add 'storage yard' as a site specific principal permitted use;
 - b) add a definition of 'contractor tool crib'; and
 - c) amend the definition of 'storage yard' to include RVs, boats, and contractor tool cribs:
1. Direct staff to commence the preparation of the Zoning Bylaw amending bylaw for application 3360-18-11 (10910 Westdowne Road).
 2. Direct that prior to presenting the Zoning Bylaw amending bylaw to Council for consideration, the owners of 10910 Westdowne Road shall complete the following:
 - Obtain a building permit for the retaining wall;
 - Obtain a demolition permit for the dwelling; and
 - Connect the property to the Town of Ladysmith water system as required by DVP 11-01 and Covenant CA2774644; and
 - Submit the riparian landscape bond of \$1200 (DP 18-06).

Motion carried.

CS 2018-446

Moved and seconded:

That Council direct staff to investigate the number of shipping containers permitted on industrial zoned properties in other municipalities for the purpose of storage, and report back to Council.

Motion carried.

Development Permit Renewal (Front Forty Ventures) - 1201 & 1251 Christie Road

Subject Properties: Lots 7 & 8, District Lot 147, Oyster District, Plan 85271

CS 2018-447

Moved and seconded:

That Council:

1. Issue Development Permit (DP) 3060-18-15 to renew DP 3060-16-03 for Lots 7 & 8, District Lot 147, Oyster District, Plan 85271 (1201 & 1251 Christie Rd) to permit a 66 townhouse development, subject to the applicant submitting a bond in the amount of 100% of the onsite landscaping.
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

OPPOSED: Councillors Jacobson and Johnson

Councillor Stevens declared a conflict of interest with the following two agenda items due to his role on the board of the Ladysmith Resources Centre Association and excused himself from the meeting.

Temporary Use Permit (C. Wood) – 631 1st Avenue (Ladysmith Resources Centre Association)

Subject Property: Parcel B (being a consolidation of Lots 9 and 10, see CA5603565), District Lot 56, Oyster District, Plan 703

Moved and seconded:

That Council:

CS 2018-448

1. Direct staff to proceed with statutory notice for Temporary Use Permit (TUP) application 3340-18-02 from the Ladysmith Resource Centre Association for 631 1st Avenue (to replace TUP 3340-16-01); and
2. Require the applicant to host a neighbourhood information meeting regarding TUP application 3340-18-02 and provide a report regarding the public input received at the meeting.

Amendment

Moved and seconded:

CS 2018-449

That resolution CS 2018-448 be amended to read as follows:

That Council:

1. Direct staff to proceed with statutory notice for Temporary Use Permit (TUP) application 3340-18-02 from the Ladysmith Resources Centre Association for 631 1st Avenue (to replace TUP 3340-16-01) and include the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association in the statutory notice.
2. Require the applicant to host a neighbourhood information meeting regarding TUP application 3340-18-02 and provide a report regarding the public input received at the meeting.

Amending motion carried.

Main motion as amended carried.

**BYLAWS – OFFICIAL
COMMUNITY PLAN
AND ZONING**

OCP & Zoning Bylaw Amendment Application (D. Poiron) – 314 Buller Street

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

Moved and seconded:

That Council:

CS 2018-450

1. Receive the report from the Ladysmith Resources Centre Association (LRCA) Neighbourhood Information Meeting for the

- 314 Buller Street development proposal.
2. Proceed with first and second reading of Bylaw 1982, cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 55) 2018, No. 1982".
 3. Proceed with first and second reading of Bylaw 1983, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983".
 4. Proceed with first, second and third reading of "Housing Agreement Bylaw 2018, No. 1984" and support in principle the terms and conditions of the Housing Agreement.
 5. Refer Bylaws 1982 and 1983 to public hearing.
- Motion carried.*

Councillor Stevens returned to the meeting.

REPORTS

CS 2018-451

Long Term Borrowing – Water Filtration Plant

Moved and seconded:

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Spring Borrowing Session, six million dollars (\$6,000,000) as authorized through Town of Ladysmith Water Filtration Plan Loan Authorization Bylaw 2016, No. 1920 and that the Cowichan Valley Regional District be requested to consent to our borrowing over a twenty-five (25) year term and include the borrowing in a Security Issuing Bylaw.

Motion carried.

Machine Shop and Site

Norm Hotson of Hotson Architecture joined the meeting via telephone to answer Council's questions.

CS 2018-452

Moved and seconded:

That Council:

1. Receive the Machine Shop Pre-Design Report drafted by Hotson Architecture;
2. Receive the Machine Shop Structural Report drafted by Herold Engineering;
3. Direct staff to commence the next phases of the Machine Shop Restoration Project relating to design and construction, focusing on identified structural and code improvements;
4. Direct staff to contract with Hotson Architecture to continue as project lead for the Machine Shop Restoration Project, specific to implementation phases (design, securing contractor and construction) at a cost up to \$250,000 and waive the Purchasing Policy accordingly; and

5. Continue to include the Machine Shop Users Advisory Group and tenants in project updates.

Motion carried.

Investing in Canada Program Fund Options

Moved and seconded:

CS 2018-453

That, having considered the applicability of both the Lot 108/Forrest Field Expansion and the Waterfront Arts and Heritage Hub initiatives, Council direct staff to proceed with an infrastructure funding application to implement the Arts and Heritage Hub Concept Plan under the Investing in Canada Program.

Motion carried.

2019 Council Meeting Schedule

Moved and seconded:

CS 2018-454

That Council:

Confirm the following schedule of regular Council meetings and Municipal Services Committee meetings for 2019 and direct staff to advertise the schedule in accordance with Section 127 of the Community Charter.

Council Meetings

January 7	April 1	July 15	November 4
January 21	April 15	August 19	November 18
February 4	May 6	September 16	December 2
March 4	June 3	October 8**	December 16
March 18	June 17	October 21	

**Tuesday, to accommodate Tour de Rock in Ladysmith

Municipal Services Committee Meetings

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

Motion carried.

Parking Lot Request from Ladysmith Maritime Society

Moved and seconded:

CS 2018-455

That Council refer the request from the Ladysmith Maritime Society regarding provision of a marina parking lot to staff for investigation and to report back to Council.

Motion carried.

Quarterly Financial Plan Update

Moved and seconded:

CS 2018-456

That Council:

1. Direct staff to install a hygiene facility at the Bio-solids composting site in the amount of \$50,000 with funds to come from cost savings in the sewer department, and amend the financial plan accordingly.
2. Receive the financial report for the period ending September 2018 for information purposes.

Motion carried.

Councillor Johnson commended staff for the thorough and accessible staff report.

Council Remuneration Policy

Moved and seconded:

CS 2018-457

That Council:

1. Adopt the draft Council Remuneration Policy.
2. Under the Bylaws section of this agenda, give first, second and third readings to Council Remuneration Bylaw 2018, No. 1986.

Motion carried.

BYLAWS

Council Remuneration Bylaw 2018, No. 1986

Moved and seconded:

CS 2018-458

That Council give first, second and third readings to "Council Remuneration Bylaw 2018, No. 1986".

Motion carried.

CORRESPONDENCE

Minister Fraser – Waterfront Area Remediation

Moved and seconded:

CS 2018-459

That Council receive the correspondence from the Minister of Indigenous Relations and Reconciliation regarding the Waterfront Area Plan, and request Mayor Stone to pursue the matter with the minister in concert with Chief John Elliott.

Motion carried.

Island Health – Notice of Proposed Changes to Terms and Conditions of Operating Permit

Moved and seconded:

CS 2018-460

That Council receive for information the correspondence from Island Health, dated October 30, 2018, regarding the extension of the completion date of the construction schedule for the Water Filtration plant.

Motion carried.

Ladysmith and District Arts Council – Recommendation for Town of Ladysmith First Poet Laureate

Moved and seconded:

CS 2018-461

That Council refer to the Parks, Recreation and Culture Advisory Committee the recommendation by the Ladysmith and District Arts Council in their correspondence dated October 18, 2018, to appoint John Edwards as the first poet laureate for the Town of Ladysmith.

Motion carried.

Councillor Johnson declared a conflict of interest with the following agenda item due to his position on the board of the Ladysmith Historical Society and excused himself from the meeting.

Ladysmith and District Historical Society - Request for Letter of Support for Funding Application (Canada Cultural Spaces)

Moved and seconded:

CS 2018-462

That Council provide a letter of support for the Ladysmith and District Historical Society application for funding through the Canada Cultural Spaces Program.

Motion carried.

Councillor Johnson returned to the meeting.

Cynthia Damphousse – Request to Reconsider the Decision about the Road between Churchill and McKinley

Moved and seconded:

CS 2018-463

That Council receive the correspondence from Cindy Damphousse regarding the McKinley/Churchill secondary access road, and advise that the road will be opened as an alternative access route when required by conditions on 4th Avenue in the vicinity of the Rocky Creek crossing.

Motion carried.

Amy Melmock, Manager, Economic Development Division, Cowichan Valley Regional District

Request for Support for the Ladysmith Investment Attraction Strategy

Moved and seconded:

CS 2018-464

That Council contribute \$10,000 to the Investment Attraction Initiative as requested by the Cowichan Valley Regional District in their correspondence dated November 15, 2018, in order to profile the advantages of living, working and investing in Ladysmith.

Motion carried.

NEW BUSINESS

Notice of Motion

As requested by Councillor Johnson, the following motion will be placed on the agenda for the December 3, 2018 Council meeting:

That Council:

1. Direct staff to review present plans for the installation of some 160 bollards along 1st Avenue in the downtown core
2. Direct staff to report back by the end of February 2019 with three options for consideration, including complete costing, timeframe for installation and a safety factor that will protect downtown shoppers and buildings; and
3. Authorize the expenditure of up to \$3,000 for this review.

QUESTION PERIOD

There were no questions from the public.

ADJOURNMENT

CS 2018-465

Moved and seconded:

That this Regular Meeting of Council adjourn at 9:38 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)