

**A REGULAR MEETING
OF THE TOWN OF LADYSMITH COUNCIL
AGENDA
5:00 P.M.**

Tuesday, November 17, 2020

This meeting will be held electronically as per Ministerial Order No. M192

1. CALL TO ORDER

Call to Order 5:00 p.m. in Open Session, in order to retire immediately into Closed Session.

Members of the public are welcome to attend all Open Meetings of Council, but may not attend Closed Meetings.

2. CLOSED SESSION

Recommendation

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- negotiations and related discussions respecting the proposed provision of a municipal service - section 90(1)(k)

3. OPEN MEETING (7:00 P.M.)

Please follow this link to view the meeting:

<https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for November 17, 2020.

5. RISE AND REPORT- Items from Closed Session

Item from the Closed Meeting of Council held November 3, 2020

CE 2020-148

That Council:

1. Approve the renewal of the lease agreement with land owner Paul Jorjorian for use of 17 and 25 Roberts Street as a municipal parking lot for a period of three (3) years at a rate of \$775 per month in 2021; \$800 per month in 2022; and \$825 per month in 2023, plus applicable taxes;
2. Authorize the Mayor and Corporate Officer to execute the agreement.

6. MINUTES

6.1. Minutes of the Regular Meeting of Council held November 3, 2020

Recommendation

That Council approve the minutes of the Regular Meeting of Council held November 3, 2020.

7. PROCLAMATIONS

7.1. National Child Day

Mayor Stone has proclaimed November 20, 2020 as National Child Day in the Town of Ladysmith.

8. 2021 BUDGET WORKSHOP: FINALIZE WATER AND SEWER UTILITY AND INTRODUCE CAPITAL BUDGET

8.1. Budget Presentation

8.2. 2021 Water Sewer and Preliminary Capital Plan

Recommendation

That Council:

1. Direct staff to prepare an amendment to the Water Rates Bylaw 1999, No.1298 to increase each consumption rate by 3%, effective January 1, 2021;
2. Confirm the Sewer Rates remain the same;
3. Direct staff to prepare the 2021 Sewer Parcel Tax Bylaw at \$350; and
4. Direct staff to prepare the 2021 Water Parcel Tax Bylaw at \$459.

8.3. Public Input and Questions

Residents can submit questions to Council via email at info@ladysmith.ca during the meeting.

9. DEVELOPMENT APPLICATIONS

9.1. Development Permit and Development Variance Permit for Multi-family Development at 107 Rollie Rose Drive (Lot 13)

Recommendation

That Council:

1. Issue Development Variance Permit 3090-20-04 to vary the maximum height of a principal building from 10m to 14.9m, and to reduce the number of parking stalls from 2.0 to 1.5 per dwelling unit with two or more bedrooms, for a multi-family residential use located on Lot 13 District Lot 103 Oyster District Plan EPP75579 (107 Rollie Rose Drive)
2. Issue Development Permit 3060-20-09 for a multi-family residential development on Lot 13 District Lot 103 Oyster District Plan EPP75579 (107 Rollie Rose Drive) on the condition that:
 - a) the permittee provide security in the amount of \$5,000 to be used in the event of damage to the Streamside Protection and Enhancement Area (SPEA) resulting from a contravention of Development Permit 3060-20-09; and
 - b) the permittee provide security in the amount of \$180,547 in the event that conditions respecting landscaping in Development Permit 3060-20-09 are not satisfied.
3. Authorize the Mayor and Corporate Office to sign Development Variance Permit 3090-20-04 and Development Permit 3060-20-09.

10. REPORTS

10.1. Official Community Plan Review

Recommendation

That Council:

1. Approve the Official Community Plan Steering Committee Terms of Reference attached as Appendix A to the report from the Director of Development Services;
2. Approve the Official Community Plan Project Charter attached as Appendix B to the report from the Director of Development Services;
3. Endorse a legal budget of \$7,000 and incidentals budget of \$10,000 for the Official Community Plan Review ; and
4. Direct staff to increase the Official Community Plan Development budget from \$150,000 to \$220,000 with \$200,000 to come from Gas Tax, \$10,283 to come from the OCP Reserve, and \$9,717 to come from General Government Reserves.

10.2. UBCM Community to Community (C2C) Forum Program Application

Recommendation

That Council:

1. Authorize staff to apply to the Union of BC Municipalities, for up to \$5,000 during the December 2020 application intake for the Regional Community to Community Forum Program to support a community forum with the Stz'uminus First Nation Council, to be held prior to March 31, 2021; and
2. Approve the allocation of up to \$5,000 as the Town's contribution.

11. BYLAWS

11.1. Bylaw Status Sheet

There are currently no bylaws awaiting consideration.

12. CORRESPONDENCE

12.1. Correspondence dated November 9, 2020, from Ladysmith Family and Friends (LaFF)

Recommendation

That Council consider whether it wishes to sponsor the Ladysmith Family and Friends 12 days of Holiday Cheer fundraiser by:

- Sponsoring a specific Holiday Cheer Day; and/or
- Sponsoring the LaFF Holiday Cheer Crate(s); and/or
- Another option identified by Council; or
- Receive the correspondence for information.

13. NEW BUSINESS

14. UNFINISHED BUSINESS

14.1. Mayor's Reconsideration of Resolution No. CS 2020-322 Holland Creek Supply Main (Phase 2) Tender Award

In accordance with Section 131 of the *Community Charter*, the Mayor may require Council reconsideration of a matter, and vote again on a matter that was the subject of a vote. The Mayor may initiate a reconsideration either at the same Council meeting as the vote took place, or within 30 days following that meeting. Therefore, Mayor Stone requests reconsideration of Resolution No. CS 2020-322, defeated at the November 3, 2020 Regular Council Meeting, as follows:

"That Council award the contract for the Holland Creek Supply Main (Phase 2) to Don Mann Excavating Ltd. for \$288,298.50 including GST."

Recommendation

That Council reconsider Resolution No. CS 2020-322 regarding the Holland Creek Supply Main (Phase 2) Tender Award.

Note: If the motion to reconsider is successful, the original motion from November 3, 2020 is again on the floor.

14.1.1. Holland Creek Supply Main (Phase 2), Negotiated Schedule

Note: The following recommendation may proceed if Council reconsiders Resolution No. CS 2020-322 and awards the tender to Don Mann Excavating Ltd.

Recommendation

That Council direct staff to include in the contract with Don Mann Excavating Ltd. a construction period of 45 days plus up to 3 days in the spring to complete final preparations and paving for the Holland Creek Supply Main (Phase 2).

15. QUESTION PERIOD

Residents can submit questions to Council via email at info@ladysmith.ca during the meeting.

- Persons wishing to address Council must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must include their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council

16. ADJOURNMENT