

MINUTES OF A PUBLIC HEARING AND  
SPECIAL MEETING OF COUNCIL  
MONDAY, MAY 14, 2018  
CALL TO ORDER 5:30 P.M.  
COUNCIL CHAMBERS, CITY HALL

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**COUNCIL MEMBERS PRESENT:**

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Joe Friesenhan
Councillor Carol Henderson	Councillor Rob Hutchins	Councillor Duck Paterson

**COUNCIL MEMBERS PRESENT:**

Councillor Cal Fradin

**STAFF PRESENT:**

Guillermo Ferrero	Felicity Adams	Geoff Goodall
Clayton Postings	Joanna Winter	Sue Bouma

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**CALL TO ORDER**

Mayor Stone called this Special Meeting of Council to order at 5:30 p.m. in order to retire immediately into Closed Session.

**CLOSED SESSION**  
**CS 2018-164**

*Moved and seconded:*

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 6:30 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)

*Motion carried.*

**PUBLIC HEARING &  
SPECIAL COUNCIL  
MEETING**

Mayor Stone called this Public Hearing and Open Session of Council to order at 7:02 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 2018-165

*Moved and seconded:*

That Council approve the agenda for this Public Hearing and Special Meeting of Council for Monday, May 14, 2018 with the following amendment:

- Remove Item 8.3., "Water Filtration Tender Award" as the engineers have not completed their review of construction tenders received.

*Motion carried.*

## RISE AND REPORT

Council rose from Closed Session at 6:07 p.m. without report.

## PUBLIC HEARING

Mayor Stone welcomed the members of the public and outlined the Public Hearing process.

He stated that the public would have the opportunity to provide their comments to Council about the content of Bylaws 1950 and 1951. He noted that written submissions received prior to the agenda deadline were included in the agenda package, and submissions received after that time were provided separately to Council.

Mayor Stone advised the public that following the close of the Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of Council.

Mayor Stone stated that in accordance with the *Local Government Act*, a Public Hearing is not an opportunity for debate or to have questions answered, but rather an opportunity for members of the public to provide their input and comments on the bylaws. He stated that there would be an opportunity for Council to respond to questions and comments during debate on the bylaws following the close of the Public Hearing.

### **Public Hearing – Bylaws 1950 and 1951**

*Members of the public present: 84*

Felicity Adams, Director of Development Services, introduced the following bylaws as the subject of the Public Hearing:

- Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 50) 2018, No. 1950
- Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951

She stated that the purpose of Bylaw 1950 is to amend the Official Community Plan (OCP) by:

- Replacing the 1997 Waterfront Area Plan with the 2018 Waterfront Area Plan
- Replacing the guidelines for Development Permit Area 1 - Waterfront (DPA 1) with new DPA 1- Maritime
- Making text amendments to update issues, principles, goals and policies and adding a new graphic for neighbourhood population growth
- Amending Land Use Designations, DPAs and Transportation maps
- Amending the Land Use Designations and applicable DPAs for 5 parcels that are no longer within the area covered by the Waterfront Area Plan

Ms. Adams stated that the purpose of Bylaw 1951 is to amend the Zoning Bylaw Map for a 1.96 hectare portion of the property legally described as Lot 4, District Lots 8G, 11G, 24 and 56, Oyster District, Plan 45800. The subject property is located within the Residential 1 land use designation in the proposed Waterfront Area Plan which permits multi-family residential building form and character that supports:

- Up to 6-storey apartment-style buildings, with lower heights along the street, and with upper-storey setbacks;
- Approximately 1.5-2.0 floor space ratio; and
- Density of approximately 115 units per hectare.

She noted that Bylaw 1951 proposes to change the zoning of this property from 'Waterfront Reserve (CD-4) Zone' to 'Medium Density Residential (R-3) Zone' to permit multiple-unit residential development. The Bylaw includes site-specific conditions related to building height, building setbacks for the top floor of the building if over 2 storeys, maximum density of 115 units per hectare of land area subject to underground parking for the residents, and new definitions for building end and building side.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on May 2 and May 9, 2018 and posted on community notice boards through-out Town, as well as on the Town's website.

The Notice was mailed and delivered to the subject properties and properties located within 60 metres of the properties that are the subject of the bylaws.

A copy of the Notice, the proposed Bylaw and background information considered by Council was made available at the Front Counter of City Hall for the notice period. Staff in the Development Services office were available to respond to questions prior to the public hearing.

Mayor Stone called for submissions to Council.

*Bill Drysdale, 816 Malone Rd*, expressed support for the bylaws, but recommended that a hotel replace the residential plans in bylaw 1951. He also expressed concern for the habitat of the purple martins.

*Deena Beeston, 614 Brown Drive*, expressed support for the bylaws with reservations, sharing concern about the inadequate residential parking affecting public parking; she stated that she wanted to see the Waterfront Area Plan move forward in a way that enhances the beach area and does not impinge on the standard of living in Ladysmith.

*Gord Horth, 324 Gatacre Street*, spoke in support of the bylaws and commented that the waterfront area plan is a balanced approach that provides jobs, restores the health of the harbor and respects the Town's history.

*Tony Oostendorp, 146 Arbutus Crescent*, recommended that the Town designate some commercial development in the waterfront area for medical services as a way to help attract doctors to the community.

*Glenn Reid of Aho Road* spoke against the bylaws and the waterfront area plan, and noted that development would destroy the natural beauty of the waterfront.

*Hilary Eveno, 731 Malone Road*, spoke in support of the bylaws, but expressed her opposition to the proposed residential development.

*Don Garnier, 238 Bayview Avenue*, expressed concerns about the residences and the potential impact on traffic.

*Rob Johnson, 526 1<sup>st</sup> Avenue*, expressed concerns that changes to

the Jewel would change the character and feeling of the park. He noted that parkland is a gift to future generations and commented on potential traffic issues. He questioned what percentage of the costs of development would be covered by the sale of the Jewel, and recommended that if the Jewel was sold, the proceeds from the sale could be used to boost water supply protection instead.

Kim Lamoureux, *Ryan Place*, stated that she is in favour of the Waterfront Area Plan, except for the proposed residential development. She expressed concern with public beach access and the potential for too many people at Transfer Beach..

*Gerry Beltgens, 305 Bayview Avenue*, spoke in support of the bylaws, and noted that over 50 per cent of the waterfront area would continue to be parkland. He commented that the waterfront area plan is good work and an opportunity for thoughtful development.

*Kindry Mercer , Western Forest Products*, reminded Council and those present that Western Forest Products is the Town's industrial partner on the waterfront.

*Eva Vincent, 713 Colonia*, expressed her opposition to Bylaw 1951, noting that the residential development will adversely affect special events and make Transfer Beach a place for the elite.

*Blair Beeston, 614 Brown Drive*, asked that park space not be destroyed, and noted that future increases in population will require more parkland, not less.

*Cathy O'Toole, 433 French Street*, spoke against the bylaws and commented that the elite feeling of condos and housing on the waterfront will interfere with regular public use. She also expressed concerns about traffic and crash statistics with the increase of population in the area.

*Alana Newton, 10980 Westdowne Road*, spoke in favour of the bylaws. She reviewed her participation in the waterfront area plan charrette and described both the plan and the process as inclusive, well thought out and sustainable.

Mayor Stone called for comments about Bylaw 1950 and 1951 a second time.

*Tony Oostendorp, 146 Arbutus Crescent,* recommended maintaining flexibility in the plan so that a centrally located railroad station could be added for the future.

*Rob Johnson, 526 1<sup>st</sup> Avenue,* enquired whether the Town had come to agreement with the owners of Lot 5, which is included in the Waterfront Area Plan area.

*Tony Beckett, 610 Esplanade,* expressed wholehearted support for the bylaws, noting that he is directly affected by the waterfront area plan due to the location of his residence. He suggested that the waterfront area plan offers less topographically challenging walking opportunities for citizens, as opposed to the hilly conditions in the rest of the town.

*Glenn Reid of Aho Road,* recommended that Council leave the park unchanged as part of their legacy to the Town.

*Starla Parkin, Saltair Marine Services,* noted that Ladysmith is very dependent on the industrial harbour businesses and cautioned that Nanaimo lost many of their industrial harbour businesses when they developed their waterfront.

*Gord Horth, 320 Gatacre Street,* noted that the waterfront area plan was thoughtful and inclusive and will revitalize the waterfront with a full spectrum of amenities. He pointed out that the Jewel has not been used by the public for years.

*Eva Vincent, 713 Colonia,* asked if the process would have to go to an Alternative Approval Process.

Mayor Stone called for comments about Bylaw 1950 and 1951 a third time.

*Tony Beckett, 610 Esplanade,* recommended that Council make certain to get a fair price for the Jewel.

*Glen McKenzie, 517 Warren Street,* spoke against the bylaws, stating that the Town has difficulty taking care of the current infrastructure, and further development will make it even harder.

Hearing no further comments, Mayor Stone declared the Public Hearing for Bylaws 1950 and 1951 closed and stated that no further submissions or comments from the public or interested

persons could be accepted by members of Council.

## **BYLAWS (SUBJECTS OF PUBLIC HEARING)**

**Official Community Plan Amendment (Waterfront Area Plan and consequential amendments) and Rezoning of a portion of Lot 4, Plan 45800 (The Jewel) - Bylaws 1950 and 1951**

Mayor Stone and members of Council provided responses to some of the questions and concerns raised during the Public Hearing.

*Moved and seconded:*

**CS 2018-166**

That Council:

1. Proceed with third reading and final adoption of Bylaw 1950, cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 50) 2018, No. 1950".
2. Proceed with third reading of Bylaw 1951, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951".
3. Direct staff to refer Bylaw 1951 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

*Motion carried.*

## **PROCLAMATIONS**

### **Be a Home Town Tourist**

Mayor Stone proclaimed June 16 & 17, 2018 to be "Hometown Tourist Weekend" in the Town of Ladysmith, British Columbia. He encouraged all local residents to become acquainted with their community, and in so doing become supporters of local business, attractions and ambassadors for visitors to this area.

## **REPORTS**

### **Regional Sport Tourism Grant Subcommittee Representative**

**CS 2018-167**

*Moved and seconded:*

That Council forward the CVRD request of appointing a member to the Regional Sport Tourism Grant Subcommittee to the Parks, Recreation and Culture Advisory Committee (PRCAC), and request that the Parks, Recreation and Culture Advisory Committee recommend to Council two members (one being an alternate) to sit on the Regional Sport Tourism Grant Subcommittee.

*Motion carried.*

## **Parks, Recreation and Culture Fees and Charges Review**

*Moved and seconded:*

That Council:

**CS 2018-168**

1. Refer the following proposed amendments to Town of Ladysmith Community Centre Facilities Fee and Charges Bylaw 2015 No. 1884, to the Parks, Recreation and Culture Advisory Committee for review and comment:
  - Increase admission and pass fees by two per cent per year, effective September 1, 2018 and September 1, 2019 and September 1, 2020 and continue to not charge admission for seniors over the age of eighty and children under the age of three;
  - Increase facility rental fees, park permit fees and sport field light fees by two per cent per year, effective September 1, 2018 and September 1, 2019 and September 1, 2020;
  - Remove three- and six-month pass options from the Fees and Charges;
  - Maintain family admission and pass rates at the current fees;
  - Add rental fees for the lower recreation space at Frank Jameson Community Centre known as the “rec room” at the same rate as the gymnasium.

2. Direct staff to consult with the major facility users requesting feedback relating to proposed facility rental rates and provide report back to Council.

*Motion carried.*

## **BYLAWS**

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

*Moved and seconded:*

**CS 2018-169**

That Council adopt “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941”.

*Motion carried.*

**New Election and Assent Voting Bylaw 1964**

*Moved and seconded:*

**CS 2018-170**

That Council give first, second and third readings to “Town of Ladysmith Election and Assent Voting Bylaw 2018, No. 1964”.

*Motion carried.*

## **CORRESPONDENCE**

**Forrest Field Upgrade Initiative Committee**

**Update on Forrest Field (Lot 108) Upgrade Initiative Proposal**



CS 2018-171

*Moved and seconded:*

That Council:

1. Receive the letter from the Forrest Field Upgrade Initiative Committee regarding the proposed improvements at the Forrest Field Sports Complex; and
2. Appoint Councillor Arnett to represent the Town of Ladysmith on the committee, with Councillor Hutchins as alternate.

*Motion carried.*

## NEW BUSINESS

Councillor Paterson informed Council and the public that the climbing poles at Transfer Beach need to be replaced and requested donations.

Councillor Arnett noted that the Ladysmith Days Celebration on August 4<sup>th</sup> and 5<sup>th</sup> needs extra volunteers. Mayor Stone added that the BC Summer Games events held in Ladysmith July 19<sup>th</sup> - 22<sup>nd</sup> also need volunteers.

## QUESTION PERIOD

Members of the public enquired about municipal services and population increases, as well as Council's degree of interaction with its partners.

## ADJOURNMENT

CS 2018-172

*Moved and seconded:*

That this special meeting of Council adjourn at 8:41 p.m.

*Motion carried.*

CERTIFIED CORRECT:



Corporate Officer (J. Winter)



Mayor (A. Stone)

