

**MINUTES OF A PUBLIC HEARING AND
REGULAR MEETING OF COUNCIL
MONDAY, JANUARY 21, 2019
CALL TO ORDER 7:00 P.M.
921 – 1ST AVENUE, EAGLES HALL**

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

Councillor Robert Johnson

STAFF PRESENT:

Geoff Goodall	Felicity Adams	Erin Anderson
Clayton Postings	Joanna Winter	Kim Fowler
Sue Bouma		

CALL TO ORDER

Mayor Stone called this Public Hearing and Open Session of Council to order at 7:00 p.m., recognizing the traditional territory of the Stz'uminus people.

AGENDA APPROVAL

CS 2019-014

Moved and seconded:

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for Monday, January 21, 2019.

Motion carried.

MINUTES

CS 2019-015

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held January 10, 2019.

Motion carried.

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

PUBLIC HEARING

Mayor Stone 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 1982 and 1983. He noted that written submissions received prior to the agenda deadline had been included in the agenda package. There were no written submissions received after the agenda deadline.

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 to Council. He stated that there would be an opportunity for Council to consider public hearing input during debate on the bylaws following the close of the Public Hearing.

Public Hearing – Bylaws 1982 and 1983

Members of the public present: 27

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

- Bylaw 1982, cited as “Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.55) 2018, No.1982”; and
- Bylaw 1983, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 21), 2018, No. 1983”.

Ms. Adams noted that the following property was the subject of the Bylaw amendment:
314 Buller Street

She stated that the purpose of Bylaw 1982 was to amend:

- (1) The text of the Official Community Plan (OCP) by adding two new policies to:
 - (i) Encourage rental tenure housing in multi-unit developments; and
 - (ii) Support that greater density may be achieved through the provision of not-for-profit rental tenure housing

where a housing agreement is established with the Town.

- (2) The OCP 'Land Use' map by designating the property at 314 Buller Street as "Multi-Family Residential".
- (3) The OCP 'Development Permit Area' map by placing "Multi-Unit Residential Development Permit Area (DPA 4)" on the subject property, and
- (4) The Development Permit Area Guidelines by adding new guidelines to 'DPA 4 – Multi-Unit Residential' relating to parking variance requests and building setback variance requests.

Ms. Adams advised that the purpose of Bylaw 1983 is to amend the Zoning Bylaw by adding:

- a definition for 'residential rental tenure' and
- a new zone called 'Comprehensive Development 5 - Community Housing Zone (CD-5)' which would be applied to the property located at 314 Buller Street.

Ms. Adams informed Council that the principal use of the new CD-5 Zone is multi-unit dwellings with residential rental tenure. The zone permits up to 180 dwelling units per hectare, and a maximum building height of 12.5 metres. The zone also permits accessory home-based business, recreation activity space for the residents and assembly use.

Ms. Adams noted that to secure the affordable not-for-profit rental tenure housing amenity, a housing agreement between the Town and the owner, Ladysmith Resources Centre Association, had been directed by Council, which is secured through the proposed Housing Agreement Bylaw 1984. She advised Council that if the OCP and Zoning amendments were supported, this bylaw would be considered for final adoption at the same time as Bylaws 1982 and 1983.

Ms. Adams reviewed with Council the following proposed terms and conditions in the Housing Agreement:

- 100% of the housing units in the development (36units) must be rental units and must be owned and operated by an incorporated not-for-profit organization;
- 70% of the units (25 units) must be Affordable Units, meaning they must be occupied by renters whose income is equal to or less than the Housing Income Limit (HIL) for

Nanaimo.

- An annual report is provided by the Owner, LRCA, to the Town that confirms that the conditions of the Housing Agreement are being met, and that this report is provided initially at time of the building permit application and on January 15 of each year.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on January 10 and January 17, 2019 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 property and properties located within 60 metres of the properties that are the subject of the bylaws.

A copy of the Notice, the proposed Bylaws 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.

The applicant, Guido Weisz of the Ladysmith Resources Centre Association, made a presentation to Council, noting that there is a shortfall of rental housing and a significant need for affordable housing in Ladysmith. He expressed gratitude for having received preliminary approval to access funding from the provincial government, and noted that this funding specifies program and policy requirements.

The project architect, David Poiron, explained that the height, density and use of the building were the focus of the public hearing. He reviewed the composition of the project, noting that it will incorporate inclusive and integrated spaces, with the intent of creating a cohesive community and social network.

Mayor Stone called for submissions to Council.

Quvi Taylor, 429 Buller Street, expressed their support for the bylaws as presented, noting that the project fills a need in Ladysmith for ethical, responsible and affordable housing.

Bill Vershere, 641 3rd Avenue, expressed his concern regarding traffic speed at the three-way stop intersection on Buller Street. He recommended that the intersection be changed to a four-way stop to improve safety.

Mayor Stone called a second and third time for submissions to Council.

Hearing no further comments and receiving no additional written submissions, Mayor Stone declared the Public Hearing for Bylaws 1982 and 1983 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)

CS 2019-016

**Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 55) 2018, No. 1982; and
Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983**

**Subject Property: 314 Buller Street
(Lot A, DD B92367, of Block 76, District Lot 56, Oyster District, Plan 703A)**

The correct version of Bylaw 1983 was circulated to Council.

Moved and seconded:

That Council:

1. Proceed with third reading of Bylaw 1982 cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.55) 2018, No. 1982".
2. Proceed with third reading of Bylaw 1983 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983".
3. Direct staff to refer Bylaw 1983 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

Motion carried.

Council took a brief recess at 7:19 p.m. before resuming the regular Council meeting at 7:23 p.m.

Councillor Stevens returned to the meeting.

BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING)

CS 2019-017

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954

Subject Property: Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in plan VIP89355 (1240 Fourth Avenue)

Moved and seconded:

That Council adopt "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954".

Motion carried.

CS 2019-018	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 14) 2018, No. 1955 Subject Property: Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in plan VIP89355 (1240 Fourth Avenue) <i>Moved and seconded:</i> That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 14) 2018, No. 1955". <i>Motion carried.</i>
PROCLAMATIONS	BC Aware Days Mayor Stone proclaimed January 28 to February 5, 2019 as BC Aware Days in the Town of Ladysmith.
REPORTS	Infrastructure Grant Approval for First Phase of the Arts & Heritage Hub Concept Plan, Waterfront Area Plan <i>Moved and seconded:</i> That Council: 1. Direct staff to submit an application for grant funding for the Arts & Heritage Hub Concept Plan Phase I through the <i>Investing in Canada Infrastructure Program—Rural and Northern Communities</i>; and 2. Support the project and commit to its share (\$430,500) of the project, with the funds to come from reserves. <i>Motion carried.</i>
CS 2019-019	
CS 2019-020	Downtown Public Washroom <i>Moved and seconded:</i> That Council: 1. Advise Ladysmith Kinsmen Club of a grant opportunity and the intention of the Town to submit an application for funding for the remainder of the downtown public washroom project, and request that the Club continue to work as a partner in the development of the downtown washrooms; and 2. Direct staff to submit an application to the Canada - British Columbia Investing in Infrastructure Program (Community, Culture and Recreation) for the downtown washroom project, with a budget of \$150,000.00; and 3. Support the project and commit to its share (\$40,500) of the project, with funds to come from reserves; and 4. Direct staff to include in the 2020-2024 Financial Plan \$26,000.00 for servicing and maintenance of the downtown washrooms. <i>Motion carried.</i>

CS 2019-021	Ladysmith Golf Club Society Financial Support Request <i>Moved and seconded:</i> That Council direct staff to renew the maintenance agreement between the Town of Ladysmith and the Ladysmith Golf Club Society for two years, in order to provide cutting of the rough area and irrigation maintenance of the course, as well marketing and promotional support. <i>Motion carried.</i>
CS 2019-022	Letter of Support for Coast Salish Development Corporation Grant Application <i>Moved and seconded:</i> That Council provide a letter of support to the Coast Salish Development Corporation's application for environmental remediation of a portion of the Ladysmith Harbour to the Rural and Northern Communities fund. <i>Motion carried.</i>
BYLAWS	Town of Ladysmith Inter-Community Business Licence 2013, No. 1839, Amendment Bylaw 2019, No. 1991
CS 2019-023	<i>Moved and seconded:</i> That Council give first, second and third readings to "Town of Ladysmith Inter-Community Business Licence 2013, No. 1839, Amendment Bylaw 2019, No. 1991". <i>Motion carried</i>
CORRESPONDENCE	The Honourable François-Philippe Champagne, P.C., M.P., Minister of Infrastructure and Communities
CS 2019-024	Recommendation to Submit the Ladysmith Waterfront Area Plan to the Provincial Ministry of Community Affairs and Housing <i>Moved and seconded:</i> That Council receive for information the correspondence dated December 14, 2018 from the Honourable François-Philippe Champagne, Minister of Infrastructure and Communities, regarding funding consideration for the Ladysmith Waterfront Area Plan and direct staff to continue discussions with the Province of British Columbia. <i>Motion carried.</i>
NEW BUSINESS	2019 Conference Attendance
CS 2019-025	<i>Moved and seconded:</i> That Council authorize Mayor Stone, Councillor McKay, Councillor Jacobson, Councillor Stevens and Councillor Paterson to attend the Association of Vancouver Island and Coastal Communities annual

convention from April 11 to 13, 2019 in Powell River;
Motion carried.

Staff advised Council that they would report back at the February 4th Council meeting with research related to a potential resolution to the Association of Vancouver Island and Coastal Communities regarding the waiving of federal goods and services tax, and provincial sales tax on building materials for affordable rental housing projects.

CS 2019-026 *Moved and seconded:*
That Council authorize Mayor Stone to attend the Federation of Canadian Municipalities 2019 Convention in Quebec City from May 30 to June 2, 2019 at an estimated cost of \$4,000.
Motion carried.

CS 2019-027 *Moved and seconded:*
That Council authorize Mayor Stone, Councillor McKay, Councillor Jacobson, Councillor Stevens and Councillor Paterson to attend the Union of British Columbia Municipalities annual convention September 23-27, 2019, in Vancouver.
Motion carried.

QUESTION PERIOD There were no questions from members of the public.

ADJOURNMENT

CS 2019-028 *Moved and seconded:*
That this regular meeting of Council adjourn at 8:04 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)