



**MINUTES OF A PUBLIC HEARING &  
REGULAR MEETING OF COUNCIL  
Monday, April 1, 2019  
7:00 P.M.  
Council Chambers, City Hall**

**Council Members Present:**

Mayor Aaron Stone  
Councillor Duck Paterson  
Councillor Amanda Jacobson  
Councillor Rob Johnson

Councillor Tricia McKay  
Councillor Marsh Stevens  
Councillor Jeff Virtanen

**Staff Present:**

Guillermo Ferrero  
Felicity Adams  
Erin Anderson  
Geoff Goodall

Clayton Postings  
Joanna Winter  
Sue Bouma  
Mike Gregory

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**1. CALL TO ORDER (7:03 p.m.)**

Mayor Stone called this Public Hearing and Regular Meeting of Council to order at 7:03 p.m., recognizing the traditional territory of the Stz'uminus People.

Mayor Stone congratulated the Royal Canadian Legion, Branch 171 on their 75th Anniversary and expressed his honour to be included in their celebration on the weekend.

Mayor Stone also thanked Council for working with the Festival of Lights team to put lights up in the trees for the summer festivities.

**2. AGENDA APPROVAL**

**CS 2019-113**

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for April 1, 2019.

*Motion Carried*

### 3. 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 1994 and 1995. He noted that there were no written submissions received prior to the agenda deadline, and 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 outlined that 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.

#### 3.1 Official Community Plan Amendment and Zoning Bylaw Amendment, Bylaws 1994 and 1995

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

- Bylaw 1994, cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 57) 2019, No. 1994"
- Bylaw 1995, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 24) 2019, No. 1995"

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

379 Davis Road

She stated that the purpose of Bylaw 1994 is to amend the Official Community Plan (OCP) by changing the land use designation of the property at 379 Davis Road from "General Commercial" to "Single Family Residential", and to remove the Commercial Development Permit Area (DPA 3) from that property.

Ms. Adams advised that the purpose of Bylaw 1995 is to amend the Zoning Bylaw by rezoning 379 Davis Road from "Shopping Centre Commercial (C-5)" to "Single Dwelling Residential (R-1)", and to remove the 379 Davis Road site specific regulation from the C-5 Zone.

She added that there is a s. 219 Land Title Act covenant (CA1262671) registered on the title of the subject property from a previous rezoning. This covenant was secured in 2009 when the property was previously zoned from R-1 to C-5. The C-5 zone permits multi-unit residential units on the upper floors and each unit would provide a \$1000 amenity contribution. Council has approved discharge of this covenant, if the rezoning is approved.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on March 21 and 28, 2019 and posted on community notice boards throughout Town, as well as on the Town's website. The Notice was mailed and delivered to the subject properties and all properties located 60 metres of the subject property.

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.

No written submissions regarding proposed Bylaw 1994 and 1995 were received.

Mayor Stone called for submissions to Council.

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

Hearing no comments and receiving no written submissions, Mayor Stone declared the Public Hearing for Bylaws 1994 and 1995 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

#### **4. BYLAWS - SUBJECT OF THE PUBLIC HEARING**

##### **4.1 379 Davis Road: "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 57) 2019, No. 1994" and "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.24) 2019, No.1995"**

**CS 2019-114**

That Council:

1. Proceed with third reading of "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 57) 2019, No. 1994"; and

2. Proceed with third reading of "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.24) 2019, No.1995".
3. Direct staff to refer Bylaw 1995 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

*Motion Carried*

## **5. MINUTES**

### **5.1 Minutes of the Regular Meeting of Council held March 18, 2019**

#### **CS 2019-115**

That Council approve the minutes, as amended, of the Regular Meeting of Council held March 18, 2019.

*Motion Carried*

## **6. DELEGATION**

### **6.1 Terri Mattin, Cowichan Housing: Attainable Housing Strategy**

Terri Mattin, Executive Director of Cowichan Housing, made a presentation to Council regarding the organization's efforts to address housing affordability and attainability challenges in the region through the Attainable Housing Strategy, which aims to increase housing rentals, maintain rental supply, address housing supports and create innovative affordable ownership options.

Ms. Mattin requested Council's and staff's feedback on the Attainable Housing Strategy draft report by April 15th and asked for their endorsement of the strategy. She also invited Council to consider how they might further the implementation plan.

Ms. Mattin responded to Council's questions. Council commended her and the Cowichan Housing Association for the important work they do for citizens in the area.

#### **CS 2019-116**

That Council refer discussion of the draft Attainable Housing Strategy report to the next meeting of the Municipal Services Committee.

*Motion Carried*

**7. DEVELOPMENT APPLICATIONS**

**7.1 Development Variance Permit 3090-19-01 (538 Selinger Place)**

**CS 2019-117**

That Council, having considered the input received, deny the request for Development Variance Permit 3090-19-01 to vary the maximum height for a dwelling at 538 Selinger Place.

*Motion Carried*

OPPOSED: Councillors Johnson and Paterson

**8. COMMITTEE REPORTS**

**8.1 Municipal Services Committee**

**CS 2019-118**

That Council:

1. Continue with the proposed community consultation on the retail sale of cannabis in Ladysmith.
2. Approach the Ladysmith Fishermen's Wharf Association (Ladysmith Harbour Authority) expressing their interest in providing a representative from the Town to sit on the board of the Association.

*Motion Carried*

**CS 2019-119**

That Council refer discussions regarding the recommendations included in the Ladysmith Traffic Safety through the Highway 1 Corridor report provided by the Ministry of Transportation and Infrastructure and completed by Binnie Consulting back to the Municipal Services Committee to review in more detail with reference to population projections, accident statistics and public input.

*Motion Carried*

**8.2 Ladysmith Interagency Committee**

**CS 2019-120**

That Council receive for information the minutes of the Ladysmith Interagency Committee meeting held March 14, 2019.

*Motion Carried*

**8.3 Protective Services Committee**

Councillor Paterson declared a conflict of interest with the next agenda item due to his association with the Kinsmen Club and excused himself from the meeting.

**CS 2019-121**

That Council waive the Aggie Hall rental fee for the Ladysmith Kinsmen's Emergency Preparedness Open House.

*Motion Carried*

**8.4 Parks, Recreation & Culture Committee**

Councillor Paterson returned to the meeting.

**CS 2019-122**

That Council move forward with the purchase of a Sequoia tree to be planted at Transfer Beach in recognition of the local government profession.

*Motion Carried*

OPPOSED: Councillor Johnson

**CS 2019-123**

That Council refer the matter of a tree and bench dedication process to staff for consideration and clarification, and report back to Council.

*Motion Carried*

**9. REPORTS**

**9.1 Community Planning Advisory Committee**

**CS 2019-124**

That Council:

1. Adopt the terms of reference for the Community Planning Advisory Committee.
2. Direct staff to recruit citizen members for the Community Planning Advisory Committee.

3. Direct staff to prepare amendments to Bylaw 1667 cited as "Town of Ladysmith Development Approval Procedures Bylaw 2008, No. 1667" to facilitate referrals to the new Community Planning Advisory Committee.
4. Direct staff to prepare amendments to Bylaw 1176 cited as "Sign and Canopy Bylaw 1995, No. 1176" to remove the referral of every sign application in the Downtown Specified Area to the Heritage Revitalization Advisory Commission.

*Motion Carried*

## **9.2 Parks, Recreation & Culture Advisory Committee Terms of Reference**

### **CS 2019-125**

That Council approve the amended Terms of Reference for the Parks, Recreation and Culture Advisory Committee, effective immediately.

*Motion Carried*

## **9.3 Ladysmith and District Historical Society Additional Funding**

### **CS 2019-126**

That Council provide additional funding to the Ladysmith and District Historical Society by:

1. Reallocating Heritage Revitalization Advisory Committee funding for professional development in the amount of \$1,600 to the Ladysmith and District Historical Society; and
2. Reallocating \$1,500 from the Heritage budget to Ladysmith and District Historical Society to promote heritage in Ladysmith and amend the service agreement.

*Motion Carried*

### **CS 2019-127**

That Council provide additional one-time funding in the amount of \$15,000 to the Ladysmith and District Historical Society by utilizing \$5,000 set aside for the seismic tax incentive program and \$10,000 set aside for the Heritage Inventory update.

*Motion Carried*

**10. BYLAWS**

**10.1 Town of Ladysmith Heritage Revitalization Advisory Commission Repeal Bylaw 2019, No. 2005**

**CS 2019-128**

That Council adopt Town of Ladysmith Heritage Revitalization Advisory Commission Repeal Bylaw 2019, No. 2005.

*Motion Carried*

OPPOSED: Councillor Johnson

**10.2 Town of Ladysmith Economic Development Commission Repeal Bylaw 2019, No. 2006**

**CS 2019-129**

That Council adopt Town of Ladysmith Economic Development Commission Repeal Bylaw 2019, No. 2006.

*Motion Carried*

**10.3 Town of Ladysmith Environment Commission Repeal Bylaw 2019, No. 2007**

**CS 2019-130**

That Council adopt Town of Ladysmith Environment Commission Repeal Bylaw 2019, No. 2007.

*Motion Carried*

**10.4 Town of Ladysmith Development Cost Charges Bylaw 2019, No. 2008**

**CS 2019-131**

That Council:

1. Proceed with first three readings of Bylaw No. 2008 cited as "Town of Ladysmith Development Cost Charges Bylaw 2019, No. 2008."
2. Refer Bylaw No. 2008 to the Inspector of Municipalities for approval.
3. Direct staff to amend the Development Cost Charges (DCC) Bylaw Review Policy to add to the annual review of the DCC Bylaw, a review of the percentage change in the BC consumer price index pursuant to BC Reg. 130/2010.

*Motion Carried*



**11. NEW BUSINESS**

**11.1 Council Appointments to External Committees (Mayor Stone)**

Mayor Stone informed Council that in response to the Committee and Commissions review, as well as best practices which recommend political body members not be assigned to members of staff committees, he was rescinding committee appointments to the Interagency Committee and Ladysmith Early Years Committee. He noted that Town staff serve on these groups, and referred discussion about Council appointments to community agencies to the upcoming strategic planning process.

**12. QUESTION PERIOD**

Members of the public thanked Council for delaying decisions regarding the Ministry of Transportation and Infrastructure report on traffic safety through the Highway 1 Corridor, and requested that part of the Protective Services Committee's mandate involve keeping local traffic statistics.


A member of the public requested Council's attendance at the April 16<sup>th</sup> Ladysmith and District Historical Society Annual General Meeting at the Masonic Hall.


**13. ADJOURNMENT**

**CS 2019-132**

That this regular meeting of Council adjourn at 8:48 p.m.

*Motion Carried*

  
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Mayor (A. Stone)

  
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Corporate Officer (J. Winter)

