



**MINUTES OF A PUBLIC HEARING AND
SPECIAL MEETING OF COUNCIL**

**Monday, June 24, 2019
7:00 P.M.
Council Chambers, City Hall**

Council Members Present:

Councillor Duck Paterson
Councillor Amanda Jacobson
Councillor Rob Johnson

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Council Members Absent:

Mayor Aaron Stone

Staff Present:

Guillermo Ferrero
Geoff Goodall
Joanna Winter

Lisa Brinkman
Mike Gregory
Sue Bouma

1. CALL TO ORDER (7:00 p.m.)

Deputy Mayor Virtanen called this Public Hearing and Special Meeting of Council to order at 7:00 p.m., recognizing the unceded and traditional territory of the Stz'uminus people.

2. AGENDA APPROVAL

CS 2019-236

That Council approve the agenda for this Public Hearing and Special Meeting of Council for June 24, 2019, as amended to include the following:

- Item 7.1. "Western Forest Products Fence Encroachment"

Motion Carried

3. PUBLIC HEARING AND SPECIAL MEETING

Deputy Mayor Virtanen 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 1989 and 1990, but that first staff would introduce the Bylaws and review statutory requirements.

Deputy Mayor Virtanen noted that one written submission about the Bylaws had been received prior to the Tuesday agenda deadline and had been included in the Agenda package. He advised the public that everyone who wished to speak to Council would have the opportunity to be heard, and that the content of their submissions would be made public and form a part of the public record for this hearing.

Deputy Mayor Virtanen stated that it is not appropriate in a public hearing for members of Council to engage in debate with speakers, but they might ask clarifying questions after a citizen has spoken. He reminded 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 verbally, electronically or in writing.

3.1 Official Community Plan Bylaw Amendment and Zoning Bylaw Amendment Bylaws 1989 & 1990

Members of the public present: 4

3.1.1 Introduction of Bylaws and Statutory Requirements - Senior Planner, Development Services

Lisa Brinkman, Senior Planner, introduced the following bylaws as the subject of the Public Hearing:

- Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 56) 2019, No. 1989
- Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 23) 2019, No. 1990

Ms. Brinkman noted that the following property was the subject of the Bylaw amendments:

422 First Ave.

Legally described as Lot A, District Lot 56, Oyster District, Plan VIP67911

She stated that Bylaw 1989 proposed to amend the Official Community Plan by adding a new policy that states that a higher floor space ratio may be supported for the restoration of downtown buildings that are on the Community Heritage Register.

Ms. Brinkman advised the public that Bylaw 1990 proposed to amend the Downtown Commercial (C-2) zone in the Zoning Bylaw by adding the following site specific regulations for the property at 422 First Avenue:

- The floor space ratio may be 2.0;
- Building height may be 14 metres, with an enclosed stair tower that may protrude 2.5 metres;
- The fourth storey must be setback 2.7 metres from front parcel line and 1.5 metres from the exterior side parcel line; and
- Nine off-street parking spaces are required onsite.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on June 13 and June 20, 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 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.

The one written submission received prior to the Agenda deadline is included in the Public Hearing agenda package.

A Public Information Meeting about the development proposal was held by the applicant on December 6, 2018 and the applicant is in attendance to answer questions, if needed.

3.1.2 Submissions

Deputy Mayor Virtanen noted the submission by Lori Evans included in the agenda package.

3.1.3 Call for Submissions to Council (Three Times) - Deputy Mayor Virtanen

Deputy Mayor Virtanen called for submissions to Council.

Deputy Mayor Virtanen called for submissions to Council a second time.

Deputy Mayor Virtanen called for submissions about Bylaws 1989 and 1990 a third and final time.

3.1.4 Declaration that the Public Hearing for Bylaws 1989 & 1990 is Closed - Mayor Stone

Hearing no comments and receiving no submissions, Deputy Mayor Virtanen called the Public Hearing for Bylaws 1989 and 1990 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 Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 56) 2019, No.1989 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 23) 2019, No. 1990

CS 2019-237

That Council:

1. Proceed with third reading of "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 56) 2019, No. 1989."
2. Proceed with third reading of "Town of Ladysmith Zoning Bylaw, 2014, No. 1860, Amendment Bylaw (No. 23) 2019, No.1990".
3. Direct staff to refer Bylaw 1990 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 June 17, 2019

CS 2019-238

That Council approve the minutes of the Regular Meeting of Council held June 17, 2019.

Motion Carried

6. COMMITTEE REPORTS

6.1 Recommendations from the Municipal Services Committee Meeting held June 10, 2019

CS 2019-239

That Council direct staff to prepare:

- a) A Development Cost Charges (DCC) reduction bylaw affordable rental housing policy, including eligibility conditions that could be considered on an individual project basis
- b) A bylaw to repeal the current DCC reduction bylaw for not-for-profit rental housing (Bylaw 1804).
- c) A bylaw to amend the Downtown DCC reduction (waiver) Bylaw 1781 to add a five year sunset clause.

Motion Carried

Councillor Stevens expressed a conflict of interest with the agenda item recommendation that referenced the Ladysmith Resources Centre Association, and excused himself from the meeting for that portion of the discussion.

CS 2019-240

That Council direct staff to prepare a project specific Development Cost Charges (DCC) reduction bylaw (100% waiver) for the 36-unit Ladysmith Resources Centre Association not-for-profit affordable rental housing development at 314 Buller Street.

Motion Carried

Councillor Stevens returned to the meeting.

CS 2019-241

That Council approve the amended Payment and Signing Authority Policy.
Motion Carried

7. NEW BUSINESS

7.1 Western Forest Products Fence Encroachment

CS 2019-242

That Council:

1. Approve an encroachment agreement with Western Forest Products for them to install a 5 foot high page wire fence along their Rocky Creek Road property frontage with an approximate setback from the back of curb of 6 to 8 feet.
2. Authorize the Mayor and Corporate Officer to sign the agreement.

Motion Carried

8. ADJOURNMENT

CS 2019-243

That this Special Meeting of Council adjourn at 7:25 p.m.
Motion Carried

Mayor (A. Stone)

Corporate Officer (J. Winter)