



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, July 6, 2021

5:00 P.M.

This meeting was held electronically as per Ministerial Order No. M192

Council Members Present:

Mayor Aaron Stone

Councillor Amanda Jacobson

Councillor Rob Johnson

Councillor Tricia McKay

Councillor Duck Paterson

Councillor Marsh Stevens

Councillor Jeff Virtanen

Staff Present:

Allison McCarrick

Erin Anderson

Chris Barfoot

Jake Belobaba

Geoff Goodall

Donna Smith

Christina Hovey

Ryan Bouma

Mike Gregory

Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:00 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2021-214

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:

- personal information about an identifiable individual who is being considered for a municipal award or honour - section 90(1)(b);
- litigation or potential litigation affecting the municipality - section 90(1)(g); and
- negotiations and related discussions respecting the proposed provision of a municipal service - section 90(1)(k).

Motion Carried

3. OPEN MEETING AND ACKNOWLEDGEMENT (6:00 P.M.)

Mayor Stone called the Public Hearing and Regular Meeting of Council to order at 6:00 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

4. AGENDA APPROVAL

CS 2021-215

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for July 6, 2021 as amended to include public submissions received between the publication of the agenda and 3:00 p.m. today regarding the following agenda item:

- "Lounge Area Endorsement - Bayview Brewing Company at 202-204 Dogwood Drive"

Motion Carried

5. PUBLIC HEARING

5.1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 40) 2021, No. 2078"

Members of the Public Present: 9

5.1.1 Outline of Public Hearing Process - Mayor Stone

Mayor Stone outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaw No. 2078.

He advised that staff would introduce the proposed bylaw amendment, followed by public submissions. He reminded the public that the content of submissions would be made public and form a part of the public record for the Hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw, although they may ask clarifying questions. He advised that once everyone had an opportunity to be heard, the Public Hearing would be closed and no further submissions or comments could be accepted by members of Council.

5.1.2 Introduction of Bylaw and Statutory Requirements - Director, Development Services

Jake Belobaba, Director of Development Services, introduced the following bylaw as the subject of the Public Hearing:

- "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 40) 2021, No. 2078".

Mr. Belobaba advised Council that Bylaw No. 2078 would allow single unit dwellings constructed prior to June 15, 2021 as a permitted use in the C-2, C-4 and R-3 zones.

Mr. Belobaba also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith-Chemainus Chronicle newspaper on June 24, 2021 and July 1, 2021, and was posted on the Town's website as well as on various community notice boards. A copy of the notice, the proposed bylaw, and background information was made available at the front counter of City Hall and Development Services, and on the Town's website for the notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing. The Town had not received any written submissions relating to Bylaw No. 2078 by 3:00 p.m. on July 6, 2021.

5.1.3 Submissions

5.1.4 Call for Submissions to Council (Three Times) - Mayor Stone

Mayor Stone called for submissions to Council.

Mayor Stone called for submissions to Council a second time.

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

Mayor Stone asked the Corporate Officer, D. Smith, if any submissions had been received via email. The Corporate Officer advised that no submissions had been received.

5.1.5 Declaration that the Public Hearing for Bylaw No. 2078 is Closed - Mayor Stone

Hearing no comments and receiving no submissions, Mayor Stone called the Public Hearing for Bylaws No. 2078 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

6. BYLAWS - OFFICIAL COMMUNITY PLAN AND ZONING (SUBJECT OF PUBLIC HEARING)

6.1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 40) 2021, No. 2078"

CS 2021-216

That, subject to any additional matters raised at the Public Hearing, Council:

1. Proceed with third reading of "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 40) 2021, No. 2078"; and
 2. Direct staff to refer Bylaw No. 2078 to the Ministry of Transportation and Infrastructure pursuant to section 41(3) of the *Community Charter*.
- Motion Carried*

7. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 5:37 pm with report on the following:

CE 2021-100

That Council approve the installation of a historical interpretive sign with a short biography of former Mayor Kathleen 'Kay' Grouhel, including her notable contributions to the Town.

CE 2021-101

That Council direct staff to issue a 'call for poetry' themed around Kathleen 'Kay' Grouhel, with the selected poem stamped (embedded) in concrete along the pathway leading to Transfer Beach.

CE 2021-102

That Council rise and report immediately on Recommendation Nos. 1 and 2 of the staff report dated July 6, 2021 regarding public recognition for former Mayor Kathleen 'Kay' Grouhel.

8. MINUTES**8.1 Minutes of the Public Hearing and Regular Meeting of Council held June 15, 2021****CS 2021-217**

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held June 15, 2021.

Motion Carried

8.2 Minutes of the Special Meeting of Council held June 29, 2021**CS 2021-218**

That Council approve the minutes of the Special Meeting of Council held June 29, 2021.

Motion Carried

9. DELEGATIONS**9.1 Barry Riordan, Economic Development Division, Cowichan Valley Regional District**

Barry O'Riordan, Manager of Economic Development Cowichan, updated Council on the state of the regional economy, highlighting the organization's strategic foci on sector development and business retention, attraction and expansion in the wake of the Covid-19 pandemic.

Council thanked Mr. O'Riordan for his presentation and his work in the region.

10. DEVELOPMENT APPLICATIONS

10.1 Development Permit Application – 340 2nd Avenue

CS 2021-219

That Council issue Development Permit 3060-21-05 to allow for construction of a five unit townhouse at 340 2nd Avenue (Lot B, District Lot 56, Oyster District Plan, VIP65505), subject to the provision of an \$18,065.00 security bond for landscaping.

CS 2021-220

AMENDMENT

That Resolution CS 2021-219 be amended to read "... and provision of a bicycle rack."

Amendment Carried

Resolution CS 2021-219, as amended, reads:

That Council issue Development Permit 3060-21-05 to allow for construction of a five unit townhouse at 340 2nd Avenue (Lot B, District Lot 56, Oyster District Plan, VIP65505), subject to the provision of an \$18,065.00 security bond for landscaping and provision of a bicycle rack.

Main Motion, as Amended, Carried

10.2 Coach House Development Permit Application - 509 Kitchener Street

Christina Hovey, Senior Planner, declared a conflict of interest related to Agenda Item 10.2 as she is a co-owner of the subject property, and vacated the meeting at 6:39 p.m.

CS 2021-221

That Council issue Development Permit 3060-21-09 for a two-storey coach house at 509 Kitchener Street (Lot 5 Block 126 District Lot 56 Oyster District Plan 703A).

Motion Carried

Ms. Hovey returned to the meeting at 6:40 p.m.

10.3 Zoning Amendment Application for Multi-Dwelling Residential at 940 Esplanade Avenue

CS 2021-222

That Council not give readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 41) 2021, No. 2079” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 42) 2021, No. 2080”.

Motion Carried

11. COMMITTEE MINUTES

11.1 Public Art Task Group - June 3, 2021

CS 2021-223

That Council receive for information the minutes of the June 3, 2021 meeting of the Public Art Task Group.

Motion Carried

11.2 Parks, Recreation and Culture Advisory Committee - June 16, 2021

CS 2021-224

That Council receive for information the minutes of the June 16, 2021 meeting of the Parks, Recreation and Culture Advisory Committee.

Motion Carried

11.3 Official Community Plan Steering Committee - June 22, 2021

CS 2021-225

That Council receive for information the minutes of the June 22, 2021 meeting of the Official Community Plan Steering Committee.

Motion Carried

12. REPORTS

12.1 Financial Plan Amendment: FJCC Pool Chlorine Conversion

CS 2021-226

That Council direct staff to amend the 2021-2025 Financial Plan to include \$35,000 for a chlorine conversion for the pool at Frank Jameson Community Centre with the funds to come from the Parks & Recreation Appropriated Equity Reserve.

Motion Carried

12.2 Adjustment to Water Billing Account

CS 2021-227

That Council waive the 45-day requirement to make necessary repairs and provide a water leak adjustment for \$3,193.98 for billing account #001 1376000.

Motion Carried

12.3 CCRF Funding Application for Downtown Refresh

CS 2021-228

That Council direct staff to submit a grant application for the Canada Community Revitalization Fund (CCRF) requesting grant funding for the Downtown Revitalization Project and confirm that the Town's portion will be funded from the General Government Reserves and the Real Property Reserve.

Motion Carried

OPPOSED: Councillor Johnson

12.4 Single Axle Gravel Truck

CS 2021-229

That Council award the purchase of a single axle gravel truck to P+R Truck Center for \$253,084.16, including GST.

Motion Carried

12.5 2020 Annual Municipal Report

CS 2021-230

That Council approve the Town of Ladysmith 2020 Annual Municipal Report.

Motion Carried

13. CORRESPONDENCE

13.1 Correspondence dated April 30, 2021 from the Ladysmith Minor Softball Association

CS 2021-231

That Council direct staff to work with the Ladysmith Minor Softball Association to investigate the feasibility of constructing a small two storey building at the Aggie Sports Field closest to Symonds Street for the purpose of storage and scorekeeping, with a clubhouse above and improvements to the existing hillside spectator viewing area, as proposed in the correspondence dated April 30, 2021 from the Ladysmith Minor Softball Association.

Motion Carried

13.2 Correspondence dated June 24, 2021 from Rotary Club of Ladysmith re: Lot 108

CS 2021-232

That Council confirm its previous approval of the Lot 108 Plan and provide a letter for the Rotary Club of Ladysmith's Capital Projects Grant application, confirming support for the following items identified in the Plan:

- construction of a universally accessible walkway around the site perimeter trail of the Lot 108 Community Park;
- installation of outdoor exercise stations; and
- that the Town will manage and control, in perpetuity, from completion of construction and installation of the walkway and the outdoor exercise stations at the expense of the Town.

Motion Carried

14. UNFINISHED BUSINESS

14.1 Lounge Area Endorsement - Bayview Brewing Company at 202-204 Dogwood Drive

Councillor Stevens declared a conflict of interest related to Agenda Item 16.1. as he is a contiguous property owner and friend of the applicant, and vacated the meeting at 7:29 p.m.

CS 2021-233

That Council recommend issuance of a Lounge Area Endorsement by the BC Liquor and Cannabis Regulation Branch to Bayview Brewing Company to be located at 202-204 Dogwood Drive for the following reasons:

- the property is zoned for neighbourhood pub and microbrewery use;
- the hours of operation are proposed to be between 11am and 9pm on Sundays, Mondays, Tuesdays, Wednesdays and Thursdays, and 11am and 11pm on Fridays and Saturdays;
- the limited 30 person indoor capacity and 24 person patio capacity of the lounge;
- the impact of noise on the community in the immediate vicinity of the proposed lounge area is expected to be minimal; and
- the general impact on the community is expected to be minimal.

Motion Carried

Councillor Stevens returned to the meeting at 7:34 p.m.

15. QUESTION PERIOD

The applicant for the 940 Esplanade zoning amendment application commented on the future of the property.

16. ADJOURNMENT

CS 2021-234

That this Regular Meeting of Council adjourn at 7:37 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)