



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, July 20, 2021  
6:30 P.M.

This meeting will be 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

Chris Barfoot

Jake Belobaba

Donna Smith

Julie Thompson

Ryan Bouma

Mike Gregory

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### 1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 6:30 p.m., in order to retire immediately into Closed Session.

### 2. CLOSED SESSION

#### CS 2021-235

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 holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality - section 90(1)(a).

*Motion Carried*

**3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 P.M.)**

Mayor Stone called the Regular Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

Mayor Stone recognized that today marks 150 years since British Columbia entered confederation. He noted that this is a time for us to reflect on both the positive and negative parts of our Province's history and to listen more as we move forward with truth and reconciliation.

**4. AGENDA APPROVAL**

**CS 2021-236**

That Council approve the agenda for this Regular Meeting of Council for July 20, 2021.

*Motion Carried*

**5. RISE AND REPORT- Items from Closed Session**

The following items from the Closed Meeting of Council held July 6, 2021 were reported:

**CE 2021-105**

That Council:

1. Authorize the Mayor and Corporate Officer to sign the Land Use Agreement with School District No. 68 for use of a portion of the École Davis Road Elementary School site located at 444 Parkhill Terrace, excluding the building, for parks and recreation purposes, for a five year term ending June 30, 2026;
2. Continue to allocate funds in the operational budget for the purposes of maintaining the École Davis Road Elementary School site as outlined in the Agreement; and
3. Rise and report on Recommendation Nos. 1 and 2 once the agreement has been signed by both parties.

Council rose from the Closed Session held July 20, 2021 at 6:33 p.m. without report.

## 6. MINUTES

### 6.1 Minutes of the Regular Meeting of Council held July 6, 2021

#### **CS 2021-237**

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held July 6, 2021.

*Motion Carried*

## 7. DELEGATIONS

### 7.1 Regional Emergency Program

April Diver, CVRD Emergency Program Coordinator and John Elzinga, CVRD General Manager of Community Services provided an overview of the recent Emergency Program evaluation and governance model options for a proposed regional emergency program, including preparedness response, recovery and mitigation in the Cowichan Valley Regional District.

Council thanked Ms. Diver and Mr. Elzinga for their presentation and their work in Ladysmith and the region.

#### 7.1.1 CVRD Emergency Program Service

##### **CS 2021-238**

That Council:

1. Approve the establishment of a single regional Emergency Management Organization for all Cowichan area local authorities including the Town of Ladysmith; and
2. Through the newly established Cowichan Emergency Management Organization, implement through a phased approach, the recommendations in the CVRD "Emergency Management in Cowichan" report completed in December 2020.

*Motion Carried*

OPPOSED: Councillor Johnson

## 8. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING

### 8.1 Zoning Bylaw & OCP Amendment Application – 10864 Westdowne Road

#### CS 2021-239

That Council:

1. Having considered sections 475 and 476 of the *Local Government Act*, and in particular the matters set out in s.475 subsections (2)(a) and (b) related to Zoning Bylaw and Official Community Plan amendment applications for 10864 Westdowne Road, resolve that:
  - i. The following persons, organizations and authorities are the only entities that are appropriate to consult in connection with the Official Community Plan amendment:
    - a. Stz'uminus First Nation;
    - b. School District 68 (Nanaimo-Ladysmith);
    - c. Cowichan Valley Regional District;
    - d. BC Ministry of Transportation and Infrastructure;
    - e. BC Ministry of Environment and Climate Change Strategy;
    - f. Island Health;
  - ii. Consultation should be early, but need not be ongoing;
  - iii. The consultation process described in the staff report dated July 20, 2021 is sufficient in respect to the proposed Official Community Plan amendment; and
  - iv. Staff be directed to refer application 3360-20-08 to the entities set out in 1(i)(a) for consultation in the manner described in the staff report dated July 20, 2021;
2. Give first and second reading to "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 67) 2021, No. 2081";
3. Consider Bylaw No. 2081 in conjunction with the Town's Financial Plan, the Town's Liquid Waste Management Plan, and the Cowichan Valley Regional District's Solid Waste Management Plan pursuant to section 477(3) of the *Local Government Act*;
4. Give first and second reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 43) 2021, No. 2082";

5. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw No. 2081 and Bylaw No. 2082;
6. Require that the owner of the subject property (10864 Westdowne Road), prior to adoption of Bylaw No. 2081 and Bylaw No. 2082:
  - i. Apply for the necessary permits and remediate the damaged riparian area on the subject property, under the supervision of a qualified environmental professional;
  - ii. Provide an assessment from a Registered Onsite Wastewater Practitioner to verify if the existing on-site septic system is in good repair, and to verify its location on the subject property;
  - iii. Register a covenant to the title of the subject property, legally described as Lot A District Lot 72 Oyster District Plan VIP80408, in favour of the Town, at the cost of the property owner, and using the Town's legal counsel, to secure the following:
    - a. That the subject property be required to connect to the new water main, currently under construction by a neighbouring property owner, within six months of Island Health permitting the connection or within six months of the new main connecting to the Town's water system, whichever comes first;
    - b. That the property owner be required to complete construction of the new water main up to and including the length of the subject property frontage, should the neighbouring property owner fail to complete the construction; and
    - c. That the subject property be required to connect to municipal sanitary sewer within two years of it being available to the area.

**CS 2021-240**

That Council defer consideration of Resolution CS 2021-239 regarding the Zoning Bylaw & Official Community Plan Amendment applications for 10864 Westdowne Road, until such time as a boundary expansion proposal for the adjacent property is duly considered by Council.

*Motion Carried*

OPPOSED: Councillor Virtanen

## 9. COMMITTEE MINUTES

### 9.1 Committee of the Whole Recommendations - July 13, 2021

#### **CS 2021-241**

That Council direct staff to:

1. Proceed with Option 3 - lighting conversion for Bob Stuart Park with project costs to be funded by remaining funds from the recent themed lighting project at City Hall; and
2. Investigate funding options related to Option Nos. 1 and 2 provided in the staff report dated July 13, 2021, and report back to Council.

*Motion Carried*

#### **CS 2021-242**

That Council direct staff to work with the RCMP in the promotion of the Block Watch programs.

*Motion Carried*

#### **CS 2021-243**

That Council direct staff to work with the Vancouver Island Health Authority and the Ladysmith Community Gardens Society to discuss the possibility of using a portion of the former hospital property for community gardens.

*Motion Carried*

#### **CS 2021-244**

That Council request that the Parks, Recreation & Culture Advisory Committee provide recommendations to Council on ways that Brown Drive Park can be used to its full potential, including the possible creation of a Parks Implementation Plan.

*Motion Carried*

#### **CS 2021-245**

That Council direct staff to provide a report for a future meeting of Council with design and costing for painted lines or, preferably, low-level physical barrier bike lanes (both sides) from Bayview to Methuen and key intersection treatment at 1st Avenue and Methuen Street to be included in the 2021-2022 budget.

*Motion Carried*

OPPOSED: Councillor Johnson

**CS 2021-246**

That Council direct staff to work with Ministry of Transportation staff to reduce the shoulder width on the highway from the base of the Bayview bicycle path to Davis Road by moving the no-post barrier over, to leave a wider path for Active Transportation.

*Motion Carried*

OPPOSED: Councillor Johnson

**10. REPORTS**

**10.1 Public Recognition for Former Mayor Kathleen 'Kay' Grouhel**

**CS 2021-247**

That Council direct staff to include \$8,000 in the 2022-2026 Financial Plan for the installation of a historical interpretive sign and a poem embedded into concrete to recognize former Mayor Kathleen Grouhel.

*Motion Carried*

OPPOSED: Councillor Johnson

**10.2 OCP Engagement Strategy and Expanded Scope**

OCP consultants Jennifer Fix and Jeremy Murphy, ahne Studio, were in attendance and responded to Council's questions regarding the proposed strategy and expanded scope.

**CS 2021-248**

That Council:

1. Endorse the Official Community Plan engagement strategy shown in Attachment A of the staff report dated July 20, 2021;
2. Having considered s. 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that:
  - a. the Town will consult with:
    - i. The Board of the Cowichan Valley Regional District, and that consultation will be early and ongoing;
    - ii. The Board of the Regional District of Nanaimo and that consultation will be early but need not be ongoing;
    - iii. The Council of the District of North Cowichan and that consultation will be early but need not be ongoing;

- iv. The Stz'uminus First Nation and that consultation will be early and ongoing;
  - v. The Hul'qumi'num Treaty Group and that consultation will be early but need not be ongoing;
  - vi. The Snuneymuxw First Nation and that consultation will be early but need not be ongoing;
  - vii. School District 68 and that consultation will be early and ongoing;
  - viii. BC Hydro and that consultation will be early but need not be ongoing;
  - ix. The Ministry of Transportation and Infrastructure and that consultation will be early and ongoing; and
  - x. The Agricultural Land Commission and that consultation will be early and ongoing;
- b. The consultation process described in the staff report dated July 20, 2021 is sufficient in respect to the proposed Official Community Plan review; and
3. Increase the Official Community Plan review project budget by \$87,000 with funds to be allocated from the Canada Community-Building Fund revenues and amend the 2021 budget accordingly.

*Motion Carried*

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

#### **CS 2021-249**

That Council direct staff to:

1. Prepare the following amendments to "Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2018, No. 1968":
    - o Increase admission and pass fees by 2 percent per year, effective November 1, 2021, September 1, 2022, and September 1, 2023;
    - o Increase facility rental fees, park permit fees and sport field light fees by 2 percent per year, effective November 1, 2021, September 1, 2022 and September 1, 2023;
    - o Add the Kinsmen Picnic Shelter Half-Day Rental Rate;
    - o Add the Sportsmen Shelter Full-Day and Half-Day Rental Rates;
- and



2. Begin a consultation process with the primary local sport clubs on the impacts of the introduction of grass sport field rental rates to membership fees.

*Motion Carried*

#### **10.4 BC Active Transportation Infrastructure Grant Application**

##### **CS 2021-250**

That Council direct staff to amend the 2021-2025 Financial Plan to include the Colonia/Delcourt Active Transportation Project at a cost of \$425,000 with the Town's portion of \$127,500 to come from the Appropriated Equity Reserve, and submit an application to the BC Active Transportation Infrastructure Grant Program for funding to:

- a. Construct sidewalks, crosswalks, and bike sharing road markings for a priority project along Colonia Drive from Brown Drive Park to Malone Road and along Delcourt Avenue;
- b. Purchase two pedestrian/cyclist counters to monitor the success of newly installed sidewalk and road markings;
- c. Purchase three e-bike charging stations and bike racks, to be installed in the Downtown, Brown Drive Park and Transfer Beach; and
- d. Complete the works identified in (a), (b) and (c) prior to March 2023.

*Motion Carried*

## **11. BYLAWS**

### **11.1 "Film Bylaw 2021, No. 2045"**

#### **CS 2021-251**

That Council adopt "Film Bylaw 2021, No. 2045".

*Motion Carried*

#### **CS 2021-252**

That Council rescind Town of Ladysmith "Film Production Policy 13-6750-B".

*Motion Carried*

**11.2 "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2021, No. 2046"**

**CS 2021-253**

That Council adopt "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2021, No. 2046".

*Motion Carried*

**11.3 "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.62) 2021, No. 2047"**

**CS 2021-254**

That Council adopt "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.62) 2021, No. 2047".

*Motion Carried*

**11.4 "Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2021, No. 2048"**

**CS 2021-255**

That Council adopt "Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2021, No. 2048".

*Motion Carried*

**11.5 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.31) 2021, No. 2049"**

**CS 2021-256**

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.31) 2021, No. 2049".

*Motion Carried*

**11.6 "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2021, No. 2050"**

**CS 2021-257**

That Council adopt "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2021, No. 2050".

*Motion Carried*

**11.7 "Filming Reserve Bylaw 2021, No. 2071"**

**CS 2021-258**

That Council adopt "Filming Reserve Bylaw 2021, No. 2071".

*Motion Carried*

**12. CORRESPONDENCE**

**12.1 Letter dated July 5, 2021 from Ladysmith Resources Centre Association**

**CS 2021-259**

That Council provide a letter of support for the Ladysmith Resources Centre Association grant application through the United Way requesting funding to contribute to an Intake Worker position, as outlined in their letter dated July 5, 2021.

*Motion Carried*

**13. QUESTION PERIOD**

There were no questions submitted by the public.

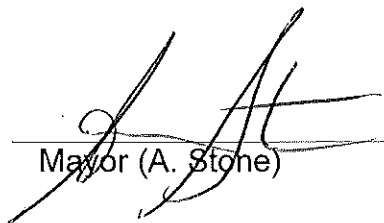
**14. ADJOURNMENT**

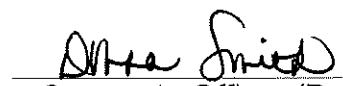
**CS 2021-260**

That this Regular Meeting of Council adjourn at 9:09 p.m.

*Motion Carried*

CERTIFIED CORRECT:

  
\_\_\_\_\_  
Mayor (A. Stone)

  
\_\_\_\_\_  
Corporate Officer (D. Smith)