



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, November 16, 2021

6:00 P.M.

City Hall Council Chambers

410 Esplanade

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
Gerry Fukakusa
Julie Thompson
Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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.

Mayor Stone took a moment to recognize Louis Riel Day, in honour of Metis heritage and the contributions of Louis Riel. He thanked former Councillor Arnett for his commitment to ensuring this day would be recognized by the Town each year and also thanked members of the Metis Nation who attended the raising of the Metis flag at City Hall.

2. AGENDA APPROVAL

CS 2021-360

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for November 16, 2021 with the following amendments:

- Item 4.1. "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091" - Add 2 public submissions received after publication of the agenda; and
- Refer item 14.1. "Standing and Community Committee Representatives" to the November 30th Special Meeting of Council.

Motion Carried

3. PUBLIC HEARING

3.1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091"

Subject Property: 431 1st Avenue (Lot 10, District Lot 56, Oyster District, Plan 703, Except That Part Lying to the North West of a Line Drawn Parallel to the North Westerly Boundary from a Point on the South Westerly Boundary, Distant 63 Feet from the Westerly Corner Thereof.)

Members of the public present: 5

3.1.1 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. 2091.

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.

3.1.2 Introduction of Bylaw and Statutory Requirements - Planner, Development Services

Julie Thompson, Planner, Development Services, introduced "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091" as the subject of the Public Hearing.

Ms. Thompson advised that Bylaw No. 2091 would amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860" by increasing the permitted floor space ratio from 1.0 to 1.7 and reducing the minimum rear setback from 3.0m to 2.6m to facilitate the construction of a fourth dwelling unit within the attic space of the existing building on the subject property.

Ms. Thompson also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on November 4 & 11, 2021, was posted on the Town's website as well as on various community notice boards, and mailed and delivered to all properties located within 60 metres of the subject property. 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.

3.1.3 Submissions

The Town received no written submissions relating to Bylaw No. 2091.

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

Mayor Stone invited the applicants to make a submission to Council.

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.

No one wished to speak regarding "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091" for the property located at 431 1st Avenue.

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.

3.1.5 Declaration that the Public Hearing for Bylaw No. 2091 is Closed - Mayor Stone

Hearing no comments and receiving no submissions, Mayor Stone declared the Public Hearing for Bylaw No. 2091 closed at 6:07 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

4. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING (SUBJECT OF PUBLIC HEARING)

4.1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091" (431 1st Avenue)

CS 2021-361

That Council:

1. Give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091"; and
2. Direct staff to refer Bylaw No. 2091 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the *Transportation Act*.

Motion Carried

5. MINUTES

5.1 Minutes of the Regular Meeting of Council held November 2, 2021

CS 2021-362

That Council approve the minutes of the Regular Meeting of Council held November 2, 2021.

Motion Carried

5.2 Minutes of the Special Meeting of Council held November 9, 2021

CS 2021-363

That Council approve the minutes of the Special Meeting of Council held November 9, 2021.

Motion Carried

6. PROCLAMATIONS

6.1 Adoption Awareness Month

Mayor Stone proclaimed November 2021 as Adoption Awareness Month in the Town of Ladysmith.

7. 2022 BUDGET WORKSHOP: FINALIZE WATER AND SEWER UTILITY AND INTRODUCE CAPITAL BUDGET

7.1 Budget Presentation

Staff gave a presentation that reviewed details of the proposed sewer and water budgets for 2022 and introduced the capital projects. Staff responded to Council's questions.

7.2 2022 Water, Sewer and Preliminary Capital Plan

CS 2021-364

That Council direct staff to prepare an amendment to "Waterworks Regulation Bylaw 1999, No.1298" to increase each consumption rate by 5%, effective January 1, 2022.

Motion Carried

CS 2021-365

That Council direct staff to prepare the following bylaws:

1. 2022 Sewer Parcel Tax Bylaw at \$350; and
2. 2022 Water Parcel Tax Bylaw at \$459.

Motion Carried

7.3 Public Input and Questions

There were no questions submitted by the public.

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit Application – 643 John Wilson Place

CS 2021-366

That Council:

1. Issue Development Variance Permit 3090-21-12 to allow a secondary suite on a parcel with a frontage of 10.0m at 643 John Wilson Place; and

2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-12.

Motion Carried

OPPOSED: Councillor Paterson

9. COMMITTEE MINUTES

9.1 Public Art Task Group - September 28, 2021

CS 2021-367

That Council receive for information the minutes of the September 28, 2021 meeting of the Public Art Task Group.

Motion Carried

9.2 Parks, Recreation and Culture Advisory Committee - October 20, 2021

CS 2021-368

That Council receive for information the minutes of the October 20, 2021 meeting of the Parks, Recreation and Culture Advisory Committee.

Motion Carried

9.3 Committee of the Whole Recommendations - November 9, 2021

CS 2021-369

That Council:

1. Approve the Water Conservation Plan Policy as presented in the staff report dated November 9, 2021.
2. Direct staff to create a policy for setting security deposit amounts for work on Town streets as described in the staff report dated November 9, 2021.
3. Approve the "Themed Lighting Policy" as presented in the staff report dated November 9, 2021, and that the lights over the sidewalk chess board area on 1st Avenue be included as one of the locations where lighting was installed in 2021.
4. Direct staff to prepare a report outlining the process and timeline required to establish a Poverty Reduction Task Group as recommended in the Poverty Reduction Strategy final report presented to Council on August 20, 2021.

Motion Carried

10. REPORTS

10.1 Council Chambers Audio-Visual System at Seniors Centre

CS 2021-370

That Council allocate \$100,000 from the COVID-19 Safe Restart Reserve and amend the 2021-2025 Financial Plan accordingly in order to fund the installation of a new audio-visual system to enable Council Meetings to be held at the Seniors Centre at 630 2nd Avenue.

Motion Carried

OPPOSED: Councillor Johnson

11. BYLAWS

11.1 Bylaw No. 2092 (Council Procedure Bylaw Amendment)

CS 2021-371

That Council adopt "Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (#4) 2021, No. 2092".

Motion Carried

11.2 Bylaw No. 2094 (Dog License Fees)

CS 2021-372

That Council give first, second and third readings to "Dog Licensing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2021, No. 2094."

Motion Carried

11.3 Bylaw Status Sheet

12. CORRESPONDENCE

12.1 Ladysmith Resources Centre Association

CS 2021-373

That Council receive for information the Shelter Services Transition Plan Update dated November 3, 2021, from the Ladysmith Resources Centre Association.

Motion Carried

OPPOSED: Councillors Jacobson and Stevens

12.2 Ladysmith Healthcare Auxiliary

CS 2021-374

That the Mayor, on behalf of Council, write a letter to the Ladysmith Healthcare Auxiliary expressing gratitude for their generous donation of \$11,077.50, as indicated in their letter dated November 4, 2021, for the purchase of 6 AEDs to be installed at the Frank Jameson Community Centre, Aggie Hall, Transfer Beach, Ladysmith Seniors Centre, Ladysmith Community Marina and the Ladysmith Resources Centre Association.

Motion Carried

12.3 Cowichan Valley Regional District

CS 2021-375

That Council, in response to correspondence received November 8, 2021, provide a letter of support to the Cowichan Valley Regional District for its application to renew the two percent Municipal and Regional District Tax on accommodation within the boundaries of the CVRD to support tourism marketing and development initiatives.

Motion Carried

12.4 Ladysmith Family and Friends

CS 2021-376

That Council allocate up to \$1,500 from the Grants in Aid budget to donate to the Ladysmith Family and Friends "It Takes a Village" fundraiser, as requested in their letter dated November 9, 2021.

Motion Carried

14. QUESTION PERIOD

There were no questions submitted by the public.

15. ADJOURNMENT

CS 2021-377

That this Regular Meeting of Council be adjourned at 8:11 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)