



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, April 5, 2022

7:00 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  
Ryan Bouma

Donna Smith  
Julie Thompson  
Sue Bouma  
Andrea Hainrich

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## 1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called this 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.

## 2. AGENDA APPROVAL

### **CS 2022-080**

That Council approve the agenda for this Regular Meeting of Council for April 5, 2022 as amended to include the following changes:

- Item 5.2, "Development Variance Permit Application – 901 Hanington Road"  
Add a public submission received after publication of the agenda;
- Items 8.1- 8.4, Bylaw Nos. 2105, 2087, 2088, and 2089  
Remove the bylaws from the agenda as required LTO registration has not been received; and
- Add Item 9.1, "Association of Vancouver Island and Coastal Communities Convention - Council Verbal Updates".

*Motion Carried*

### **3. MINUTES**

#### **3.1 Minutes of the Regular Meeting of Council held March 15, 2022**

##### **CS 2022-081**

That Council approve the minutes of the Regular Meeting of Council held March 15, 2022.

*Motion Carried*

### **4. DELEGATIONS**

Due to unforeseen circumstances, the Chamber representative was delayed in arriving to the meeting.

##### **CS 2022-082**

By unanimous consent Council agreed to consider Item 4.1, Chamber of Commerce delegation later in the meeting, once the representative arrived.

### **5. DEVELOPMENT APPLICATIONS**

#### **5.1 Development Variance Permit Application - 432 Methuen Street**

##### **CS 2022-083**

That Council:

1. Issue Development Variance Permit 3090-21-13 to vary the following sections of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to allow an accessory building at 432 Methuen Street:
  - a. section 5.9(g), to allow the accessory building to have a second storey;
  - b. section 5.15, to allow the accessory building to be within a sight triangle; and
  - c. section 10.6.5(e), to decrease the exterior side and rear yard setbacks for the accessory building from 1.5 metres to 0.3 metres; and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-13.

*Motion Carried*

#### **4.1 Delegation - Chamber of Commerce**

Millie Stirling, Economic Development Coordinator for Island Coastal Economic Trust (ICET) and incumbent Executive Director of the Ladysmith Chamber of Commerce, provided an update to Council regarding the Tourism/Economic Development program. She highlighted the success of the Shop Local initiative, the Locals Love Ladysmith

campaign, provided an overview of other Chamber initiatives and plans for the future.

Ms. Stirling responded to Council's questions. Council thanked Ms. Stirling for her presentation and dedication in promoting Ladysmith.

## **5.2 Development Variance Permit Application – 901 Hanington Road**

### **CS 2022-084**

That Council:

1. Issue Development Variance Permit 3090-21-08 to vary the following sections of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to facilitate construction of a single unit dwelling at 901 Hanington Road:
  - a. Section 10.2.5.a), to increase the maximum height of a principal building from 9.0m to 12.2m;
  - b. Section 10.2.5.d), to increase the maximum perimeter wall height from 9.14m to 10.5m; and
  - c. Section 5.19.c), to increase the maximum retaining wall height from 3.0m to 3.5m; and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-08.

*Motion Carried*

### **CS 2022-085**

That Council direct staff to send a letter to the property owners of the shared easement at 901 Hanington Road, encouraging them to upgrade the roadway to address safety and stormwater management concerns.

*Motion Carried*

## **6. COMMITTEE MINUTES**

### **6.1 Community Planning Advisory Committee - March 2, 2022**

#### **CS 2022-086**

That Council receive the minutes of the Community Planning Advisory Committee meeting held March 2, 2022.

*Motion Carried*

## 7. REPORTS

### 7.1 UBCM Community to Community (C2C) Forum Program Application

#### CS 2022-087

That Council:

1. Authorize staff to apply to the Union of BC Municipalities April 2022 application intake for the Regional Community to Community Forum Program for up to \$5,000 to support a community forum between the Councils of Stz'uminus First Nation and the Town of Ladysmith, to be held prior to March 31, 2023; and
2. Approve the allocation of up to \$5,000 as the Town's contribution.

*Motion Carried*

### 7.2 Request to Opt Out of CVRD Fireworks Sale and Discharge Regulation Bylaw

#### CS 2022-088

That Council:

1. Request that the Cowichan Valley Regional District Board permit the Town of Ladysmith to opt out of "Cowichan Valley Regional District Bylaw No. 39 – Fireworks Sale and Discharge Regulation Bylaw, 1970"; and
2. Direct staff to prepare a bylaw for the sale, possession and discharge of fireworks in the Town of Ladysmith.

*Motion Carried*

OPPOSED: Councillor Johnson

### 7.3 Distribution of 2022 Property Taxes

#### CS 2022-089

That Council direct staff to:

1. Prepare the 2022-2026 Financial Plan and 2022 Tax Rates bylaws based on Option 2 of the staff report dated April 5, 2022, allocating a 3.8% increase after non-market change and phasing in a Class 5 rate; and
2. Prepare the 2022 Property Tax Rates bylaw based on the "Alternative Municipal Tax Collection Scheme" with a due date of July 4, 2022 and a 2% penalty on outstanding current taxes and unclaimed home owner grants as of the end of day on July 4, 2022 and a further 8% penalty on balances outstanding as of the end of day on September 15, 2022.

*Motion Carried*

**8. BYLAWS**

**8.1 Bylaw Status Sheet**

**9. NEW BUSINESS**

**9.1 Association of Vancouver Island and Coastal Communities (AVICC)  
Convention - Council Verbal Update**

Mayor Stone and Councillors Johnson, McKay, Paterson and Stevens reported on their attendance at the recent AVICC Convention in Victoria and the impactful sessions that they attended.

**10. QUESTION PERIOD**

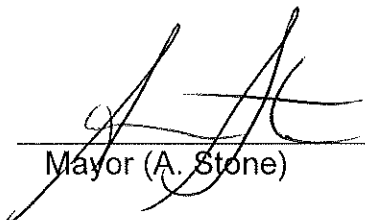
A member of the public thanked Council and staff for their hard work, and enquired about specific logistics regarding the Development Variance Permit process for 432 Methuen Street.

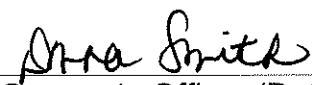
**11. ADJOURNMENT**

**CS 2022-090**

That this Regular Meeting of Council be adjourned at 9:16 p.m.

*Motion Carried*

  
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Mayor (A. Stone)

CERTIFIED CORRECT  
  
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Corporate Officer (D. Smith)