



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, November 15, 2022

7:00 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Mayor Aaron Stone
Councillor Ray Gourlay
Councillor Amanda Jacobson
Councillor Tricia McKay

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma
Matt O'Halloran
Richard Frost

Chris Geiger
Trish McConnell
Christina Hovey
Julie Thompson
Andrew Wilson
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:00 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2022-266

That, in accordance with section 90 of the *Community Charter*, Council retire into Closed Session in order to consider items related to the following:

- (1)(e) the acquisition, disposition or expropriation of land or improvements;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege;
- (1)(g) litigation or potential litigation affecting the municipality; and
- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or between a provincial government and a third party.

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 also welcomed Matt O'Halloran, the new Corporate Officer, and took a moment to recognize and express his gratitude to Save-on Foods and the Kinsmen Club for their donations of food and labour at last week's Official Community Plan pancake breakfast.

4. AGENDA APPROVAL

CS 2022-267

That Council approve the agenda for this Regular Meeting of Council for November 15, 2022 as amended to include public submissions for the following items, received after publication of the agenda:

- Item 9.1 "Development Variance Permit Application 3090-22-08: 260 Bayview Avenue"
- Item 9.3 "Referral for Non-Medical Cannabis Retail Store: Unit 16, 370 Davis Road (Flight Cannabis Company)"

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:37 p.m. without report.

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held October 25, 2022

CS 2022-268

That Council approve the minutes of the Regular Meeting of Council held October 25, 2022.

Motion Carried

6.2 Minutes of the Inaugural Meeting of Council held November 1, 2022

CS 2022-269

That Council approve the minutes of the Inaugural Meeting of Council held November 1, 2022.

Motion Carried

7. DELEGATIONS

7.1 Ladysmith RCMP Detachment Update

Sergeant Tim Desaulniers, Acting Non-Commissioned Officer in Charge, provided an update to Council regarding the RCMP detachment's areas of focus and their staffing situation.

Council thanked Sergeant Desaulniers and expressed their desire for greater staffing stability.

7.2 Rogers Communications Cell Tower Proposal on 6th Avenue

Delegates Margit Lieder, Brian Johnson and Tara Kulak McDonnell were not in attendance.

7.3 Rogers Communications Cell Tower Proposal on 6th Avenue

Gordon Sedola, of the Concerned Citizens Group, presented a petition against the proposed Rogers cell tower location.

Gwen Burton addressed Council and expressed concerns regarding the public consultation process for the proposed cell tower location.

The Mayor requested that a copy of Ms. Burton's presentation be kept on file.

8. PROCLAMATIONS

8.1 Louis Riel Day

Mayor Stone declared November 16, 2022 as Louis Riel Day in the Town of Ladysmith.

9. DEVELOPMENT APPLICATIONS

9.1 Development Variance Permit Application 3090-22-08 – 260 Bayview Avenue

CS 2022-270

That Council issue Development Variance Permit 3090-22-08 to vary section 10.7.5 (c) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to decrease the rear parcel line setback for the principal building from 7.5 metres to 2.91 metres for Lot A of a proposed 2- lot subdivision at 260 Bayview Avenue.

Motion Carried

Councillor Gourlay declared a conflict of interest related to Agenda Item 9.2 as he had previously submitted a letter to the Town regarding the project, and vacated the meeting at 7:29 p.m.

9.2 Development Variance Permit 3090-22-01 and Development Permit 3060-21-08 - 1201 & 1251 Christie Road

CS 2022-271

That Council issue:

1. Development Variance Permit 3090-22-01 to vary section 10.11.5.a) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to increase the height for a multi-unit dwelling from 10 metres to 12.5 metres at 1201/1251 Christie Road (PID: 031-682-006); and
2. Development Permit 3060-21-08 to allow for construction of three five-unit townhouse dwellings and a three-storey multi-unit dwelling at 1201/1251 Christie Road, subject to the applicant providing a landscape security in the amount of \$105,475.

Motion Carried

Councillor Gourlay returned to the meeting at 7:40 p.m.

9.3 Referral for Non-Medical Cannabis Retail Store – Unit # 16, 370 Davis Road ("Flight Cannabis Co.")

CS 2022-272

That Council, having considered the general impact on the community and the views of residents pursuant to section 33 of the *Cannabis Control and Licensing Act*:

1. Recommend that the Province issue a licence for a non-medical cannabis retail store at Unit # 16, 370 Davis Road for "Flight Cannabis Co."; and
2. Pursuant to section 13.5 of the Cannabis Licensing Regulation, provide the following reasons for the recommendation:
 - the proposed location of "Flight Cannabis Co." falls within the specified area approved by Council for the retail sale of cannabis
 - Council has no concerns about the impact of the proposed non-medical cannabis retail store at Unit #16, 370 Davis Road.

Motion Carried

10. COMMITTEE MINUTES

10.1 Committee of the Whole Recommendations - November 8, 2022

CS 2022-273

That Council:

1. Approve Asset Retirement Obligations Policy No. 05-1835-A, which will take effect on January 1, 2023.
2. Approve Snow and Ice Removal Policy No.11-5400-A.

Motion Carried

10.2 Poverty Reduction Task Group - October 6, 2022

CS 2022-274

That Council receive the minutes of the Poverty Reduction Task Group meeting held October 6, 2022.

Motion Carried

10.3 Parks, Recreation & Culture Advisory Committee - October 19, 2022

CS 2022-275

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held October 19, 2022.

Motion Carried

10.4 Community Planning Advisory Committee - November 2, 2022

CS 2022-276

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

Motion Carried

11. 2023-2027 FINANCIAL PLAN DISCUSSIONS - INTRODUCTION OF GENERAL OPERATIONS

11.1 Presentation and Council Discussion

Staff gave a presentation that reviewed details of the general operations budget and responded to Council's questions.

11.2 Public Input and Questions

There were no questions submitted by the public.

11.3 2023 Financial Plan – General Operations

CS 2022-277

That Council approve an additional full-time position of Parks Maintenance Worker II starting January 1, 2023.

Motion Carried

OPPOSED: Mayor Stone and Councillor Jacobson

CS 2022-278

That Council approve temporary part-time positions of Development Services Administration Assistant and Planner starting January 1, 2023 with the funding to come from reserves.

Motion Carried

OPPOSED: Councillors McKay, Stevens and Virtanen

CS 2022-279

That Council approve an additional \$87,000 in the 2023-2027 Financial Plan for Pavement Maintenance.

Motion Carried

CS 2022-280

That Council approve an additional \$8,000 for additional Public Engagement software.

Motion Carried

OPPOSED: Councillor Jacobson

12. REPORTS

12.1 UBCM - Community Emergency Preparedness Fund Grant Application

CS 2022-281

That Council:

1. Support Ladysmith Fire/Rescue's application to the UBCM Community Emergency Preparedness Fund Volunteer & Composite Fire Department Equipment & Training grant for fire fighting equipment for low to medium rise buildings; and
2. Confirm its willingness to provide overall grant management subject to receipt of grant funding.

Motion Carried

12.2 Penalties due to Title Changes

CS 2022-282

That Council authorize the Director of Finance to use up to \$1,000 to pay the 2022 penalty amounts for property taxes and utility accounts for mobile homes where the updated ownership information was not received from BC Assessment at time of billing.

Motion Carried

OPPOSED: Councillor Jacobson

12.3 Parks, Recreation & Culture Capital Projects and Recent Facility Repair Updates

CS 2022-283

That Council direct staff to amend the 2022-2026 Financial Plan by allocating up to \$27,305 from the remaining cost savings funds for the Food Bank demolition and Transfer Beach Concession projects to the Transfer Beach projects and other facility maintenance.

Motion Carried

12.4 “Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125”

CS 2022-284

That Council give first three readings to “Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125”.

Motion Carried

13. BYLAWS

13.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) 2022, No. 2113”

CS 2022-285

That Council:

1. Give first, second and third readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) 2022, No. 2113”.
2. Refer Bylaw 2113 to to the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act.

Motion Carried

14. CORRESPONDENCE

14.1 Cowichan Valley Regional District (CVRD)

CS 2022-286

That Council direct staff to inform the CVRD of their desire to participate in the development of a regional approach to fireworks regulations, as requested by the Cowichan Valley Regional District in their correspondence dated October 24, 2022.

Motion Carried

14.2 Ladysmith Family and Friends (LaFF)

CS 2022-287

That Council allocate up to \$1500 from the Grants in Aid budget in sponsorship of the Ladysmith Family and Friends 19th "Winter Celebration" fundraiser, as requested in their email dated November 9, 2022.

Motion Carried

14.3 Arts Council of Ladysmith and District (ACLD)

CS 2022-288

That the Mayor, on behalf of Council, write a letter of support for the Arts Council of Ladysmith and District's application to the BC Arts Council Infrastructure Grant to place structures on the land belonging to the Island Corridor Foundation for use by the ACLD, as outlined in their correspondence dated November 10, 2022.

Motion Carried

15. QUESTION PERIOD

There were no questions from the public.

16. ADJOURNMENT

CS 2022-289

That this Regular Meeting of Council be adjourned at 9:00 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)