



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, December 20, 2022

6:00 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Mayor Aaron Stone *(via teleconference)*

Councillor Ray Gourlay *(via teleconference)*

Councillor Amanda Jacobson *(via teleconference)*

Councillor Tricia McKay *(via teleconference)*

Councillor Duck Paterson *(via teleconference)*

Councillor Marsh Stevens *(via teleconference)*

Councillor Jeff Virtanen *(via teleconference)*

Staff Present:

Allison McCarrick *(via teleconference)*

Erin Anderson *(via teleconference)*

Chris Barfoot *(via teleconference)*

Jake Belobaba *(via teleconference)*

Ryan Bouma *(via teleconference)*

Christina Hovey *(via teleconference)*

Julie Thompson *(via teleconference)*

Matt O'Halloran

Andrea Hainrich

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 2022-305

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

- (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.

4. AGENDA APPROVAL

CS 2022-306

That Council approve the agenda for this Regular Meeting of Council for December 20, 2022.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:56 p.m. without report.

The following item from the Closed Meeting of Council held December 6, 2022 was reported:

CE 2022-077

That Council:

1. Appoint Kathleen Darby to the Public Art Task Group for a term ending September 30, 2024; and
2. Rise and report on Recommendation No. 1 once the applicant has been notified.

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held December 6, 2022

CS 2022-307

That Council approve the minutes of the Regular Meeting of Council held December 6, 2022.

Motion Carried

7. DELEGATIONS

7.1 Our Cowichan Communities Health Network and Island Health

Vanessa Daether of Our Cowichan Communities Health Network, and Shannon Waters of Island Health presented to Council on the upcoming “Our Health, Our Community” health and wellness survey that is coming forth in 2023 and explained how the Town of Ladysmith can be a part of the survey process.

Mayor Stone thanked Ms. Daether and Ms. Waters for their presentation and for the work that they do. He also expressed thanks to the front line healthcare workers for their work over the last couple of years.

CS 2022-308

That Council refer discussion of the “Our Health, Our Community” health and wellness survey to the January 17, 2023 Committee of the Whole Meeting.

Motion Carried

7.2 Supported Housing Committee

Sheila McMillan and Belinda Harrison of the Ladysmith Supportive Housing Committee provided an update to Council on the tenancy prioritization for the Heart on the Hill building since their last presentation to Council in May of 2022.

Mayor Stone expressed thanks for their advocacy and good work, and for the work that they continue to do.

8. DEVELOPMENT APPLICATIONS

8.1 Zoning Bylaw Amendment Application - Cannabis Cultivation & Processing at 1152 Rocky Creek Road

CS 2022-309

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53) 2022, No. 2129”;
2. Direct staff to proceed with scheduling and notification of a public hearing for Bylaw No. 2129 in accordance with section 466 of the *Local Government Act*; and

3. Direct staff to forward Bylaw No. 2129 to the Ministry of Transportation and Infrastructure for signature following third reading, pursuant to section 52 of the *Transportation Act*.

Motion Carried

8.2 OCP and Zoning Amendment to add 10940 Westdowne Rd. to Town and Country Mobile Home Park

CS 2022-310

That Council:

1. Give first and second readings to “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 73) 2022, No. 2130”;
2. Consider Bylaw No. 2130 in conjunction with the Financial Plan, Housing Needs Report, Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to sections 473(2.1) and 477(3) of the *Local Government Act*;
3. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 54) 2022, No. 2131”;
4. As a condition of approval of Bylaw Nos. 2130 and 2131, require that the applicant, at their cost:
 - a. Consolidate the subject property, 10940 Westdowne Road (Lot 1, District Lot 72, Oyster District, Plan 24076, PID: 002-976-978) with the neighbouring properties at 10980 Westdowne Road (Lot 13, District Lot 72, Oyster District, Plan 8793, Except Part Shown Coloured Red on Plan 895 RW and Except Part in Plan 43821 VIP8793 PID: 001-618-920 **and** Parcel A (DD 391231-i) of Lot 14, District Lot 72, Oyster District, Plan 8793 Except That Part in Plan 24076 PID: 001-618-881); and
 - b. Using the Town’s lawyer, register on the title of the consolidated property, a covenant restricting the total number of dwelling units on the property to 92 units, until the property is connected to municipal sewer service;
5. Direct staff to proceed with scheduling and notification for a Public Hearing for Bylaw Nos. 2130 and 2131 pursuant to section 464 of the *Local Government Act*, to take place at least 30 days after the applicant has held a neighbourhood information meeting pursuant to section 7(a) of “Town of Ladysmith Development Procedures Bylaw 2008, No. 1667”; and

6. Refer Bylaw No. 2131 to the Ministry of Transportation and Infrastructure following third reading, pursuant to section 52 of the *Transportation Act*.

Motion Carried

8.3 Zoning Bylaw Amendment Application - Cannabis Cultivation & Processing at 1144 Rocky Creek Road

CS 2022-311

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132”;
2. Direct staff to proceed with scheduling and notification of a public hearing for Bylaw No. 2132 in accordance with section 466 of the *Local Government Act*; and
3. Direct staff to forward Bylaw No. 2132 to the Ministry of Transportation and Infrastructure for signature following third reading, pursuant to section 52 of the *Transportation Act*.

Motion Carried

9. 2023 - 2027 FINANCIAL PLAN DISCUSSIONS - EARLY BUDGET APPROVALS

9.1 Public Input and Questions

A member of the public enquired about continuing the sidewalk from South Davis Road onto Farrell Rd and to Stirling,. and having a few streetlights installed.

Mayor Stone and staff confirmed that all sidewalks are looked after in conjunction with capital projects.

9.2 2023 Capital Projects – Early Budget Approval

Council did not receive questions or input from members of the public.

CS 2022-312

1. That Council give early budget approval for the following projects:
 - FJCC Pool Condition Assessment - \$50,000
 - FJCC Aquatic Wheelchair Replacement - \$6,000
 - Sports Field Improvements (Aggie irrigation) - \$125,000
 - Water Filtration Plant Deficiencies - \$600,000
 - Water Main replacement - 6th Ave & dead-ends - \$385,000
 - Sewer Main connection for Artist Studio - \$100,000
 - Swettenham Pumpstation – pump - \$35,000
 - UV Phase 2 – Design - \$100,000
 - WWTP Servers - \$50,000, and;
2. That consideration of early budget approval for the following projects be deferred until after Council strategic planning sessions in January, 2023:
 - City Hall Meeting Room \$75,000
 - City Hall Roof - \$150,000
 - City Hall Windows - \$120,000

CS 2022-313

AMENDMENT

That the three City Hall projects be given early budget approval at this Council meeting along with the other nine projects under consideration.

Amendment Defeated

OPPOSED: Mayor Stone and Councillors Jacobson, McKay, Paterson and Stevens

CS 2022-314

AMENDMENT

That consideration of early budget approval for the following projects be deferred until a Council meeting in February, 2023:

- City Hall Meeting Room \$75,000
- City Hall Roof - \$150,000
- City Hall Windows - \$120,000

Amendment Carried

Resolution CS 2022-312, as amended reads:

1. That Council give early budget approval for the following projects:
 - FJCC Pool Condition Assessment - \$50,000
 - FJCC Aquatic Wheelchair Replacement - \$6,000
 - Sports Field Improvements (Aggie irrigation) - \$125,000
 - Water Filtration Plant Deficiencies - \$600,000
 - Water Main replacement - 6th Ave & dead-ends - \$385,000
 - Sewer Main connection for Artist Studio - \$100,000
 - Swettenham Pumpstation – pump - \$35,000
 - UV Phase 2 – Design - \$100,000
 - WWTP Servers - \$50,000, and;
2. That consideration of early budget approval for the following projects be deferred until a Council meeting in February, 2023:
 - City Hall Meeting Room \$75,000
 - City Hall Roof - \$150,000
 - City Hall Windows - \$120,000

Main Motion, as Amended, Carried

OPPOSED: Councillor Virtanen

10. REPORTS

10.1 Council Code of Conduct

CS 2022-315

That Council review and sign the Council Code of Conduct Policy 01-230-B.

Motion Carried

11. BYLAWS

11.1 Bylaws for Adoption

11.1.1 “2023 Revenue Anticipation Borrowing Bylaw 2022, No. 2126”

CS 2022-316

That Council adopt “2023 Revenue Anticipation Borrowing Bylaw 2022, No. 2126”.

Motion Carried

11.1.2 "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2022, No. 2127"

CS 2022-317

That Council adopt "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2022, No. 2127".

Motion Carried

11.1.3 "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2022, No. 2128"

CS 2022-318

That Council adopt "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2022, No. 2128".

Motion Carried

11.2 Bylaw Status Sheet

12. QUESTION PERIOD

There were no questions from the public.

13. ADJOURNMENT

Mayor Stone expressed his thanks to Town crews for their hard work at night and during the day removing snow from Town streets and expressed his gratitude to Town staff for accommodating the change of location for the meeting. He wished everyone a Happy Holiday.

CS 2022-319

That this Regular Meeting of Council be adjourned at 8:53 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)