



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, January 24, 2023

6:01 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

Chris Barfoot

Jake Belobaba

Ryan Bouma

Matt O'Halloran

Christina Hovey

Julie Thompson

Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called this Public Hearing and Regular Meeting of Council to order at 6:01 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 2023-012

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for January 24, 2023 as amended to include public submissions received after publication of the agenda for the following item:

- Item 3.1, "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53) 2022, No. 2129" and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132".

Motion Carried

3. PUBLIC HEARING

3.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53) 2022, No. 2129” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132”

Members of the public attending: 4

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 Nos. 2129 and 2132.

He advised that staff would introduce the proposed bylaw amendments, 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 bylaws, 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 Bylaws and Statutory Requirements - Planner, Development Services

Julie Thompson, Senior Planner, Development Services, introduced “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53) 2022, No. 2129” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132” as the subjects of the Public Hearing.

Ms. Thompson advised that, if approved, Bylaw No. 2129 would:

- amend the Zoning Bylaw by rezoning the property at 1152 Rocky Creek Road from Live/Work Industrial (I-1A) to Light Industrial (I-1); and
- allow Cannabis Cultivation and Cannabis Processing within an enclosed building under standard licences from Health Canada on a site-specific basis on 1152 Rocky Creek Road.

She noted that, if approved, Bylaw No. 2132 would allow Cannabis Cultivation and Cannabis Processing within an enclosed building

under standard licences from Health Canada on a site-specific basis at 1144 Rocky Creek Road.

Ms. Thompson also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on January 19, 2023, posted on the Town's website and community notice boards, and mailed and delivered to all properties located within 60 metres of the subject properties.

A copy of the Notice, the proposed bylaws, and background information were made available at the front counters of City Hall and Development Services and were available 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. Ms. Thompson noted that as of noon on Tuesday, January 24 three submissions related to the proposed bylaws had been received.

3.1.3 Submissions

Mayor Stone invited the applicants to make the first submission, but they were not in attendance.

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

Mayor Stone called for submissions from the public.

Mayor Stone called for submissions a second time.

Mayor Stone called a third and final time for submissions to Council.

No one wished to speak regarding "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53) 2022, No. 2129" and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132."

Mayor Stone asked the Corporate Officer, M. O'Halloran, if any submissions had been received during the Hearing. The Corporate Officer advised that no submissions had been received.

3.1.5 Declaration that the Public Hearing for Bylaw Nos. 2129 and 2132 is Closed - Mayor Stone

Hearing no comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw Nos. 2129 and 2132 closed at 6:08 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. 53), 2022, No. 2129”

CS 2023-013

That Council give third reading to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53), 2022, No. 2129”.

Motion Carried

4.2 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.55) 2022, No. 2132”

The Corporate Officer noted a minor typographical error in the bylaw citation for Bylaw No. 2132 and advised Council that it would be corrected.

CS 2023-014

That Council give third reading to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.55) 2022, No. 2132”.

Motion Carried

5. MINUTES

5.1 Minutes of the Regular Meeting of Council held January 10, 2023

CS 2023-015

That Council approve the minutes of the Regular Meeting of Council held January 10, 2023.

Motion Carried

6. DELEGATIONS

6.1 Nanaimo Airport Commission

Dave Devana, Nanaimo Airport Commission CEO, provided an overview of the origins of the airport and its recent history. He outlined the Commission's response to the challenges of the Covid-19 pandemic and presented current and future climate and infrastructure initiatives. He noted that, as a non-profit organization, all money made is either invested back into the airport or into the community. Mr. Devana responded to Council's questions.

Council thanked Mr. Devana for his presentation and expressed their appreciation for the Commission's perseverance and hard work.

6.2 Arts Council of Ladysmith and District

Andrea Rosato-Taylor, Vice-President of the Arts Council of Ladysmith and District (ACLD), provided Council with a presentation that outlined the achievements of the ACLD, highlighting their innovative solutions to recent challenges and expressing gratitude for the contributions of all of their supporters. Ms. Rosato-Taylor and Kathy Holmes, President of the ACLD, responded to Council's questions.

Council thanked Ms. Holmes and Ms. Rosato-Taylor for their presentation, expressing appreciation for the tenacity and creativity of the ACLD, and enthusiasm for their future location in the Temperance Hotel.

7. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING

7.1 Bylaw Amendments for Two-Storey Coach Houses and Minimum Dwelling Unit Sizes

CS 2023-016

That Council:

1. Give first and second readings to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099";
2. Give first and second readings to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100";
3. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw Nos. 2099 and 2100 in accordance with section 466 of the *Local Government Act*;

4. Direct staff to refer Bylaw Nos. 2099 and 2100 to the Ministry of Transportation & Infrastructure for approval following third reading of the bylaw in accordance with the *Transportation Act*; and
5. Give first, second, and third readings to “Ladysmith Officers and Delegation of Authority Bylaw (No. 3), 2023, No. 2101”.

Motion Carried

CS 2023-017

That Council rescind Resolution CS 2023-016 to allow for amendments to item 2 of the recommendation.

Motion Carried

CS 2023-018

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099”;
2. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100” with the following amendments:
 - Amend Item 4. to add a new exclusion to the calculation of Gross Floor Area as subclause 5.14.(d)(iii) to read “exterior cladding and exterior solid wall systems up to a maximum thickness of 0.165 metres in an exterior insulation or weather protection system”; and
 - Amend item 5. by deleting the following from subclause 6.5.(b) “except where the roof pitch is less than 4:12, in which case the *Height* shall not exceed 5.7 metres” to allow a maximum height of 6.6 metres for any two *Storey Coach House Dwelling*.
3. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw Nos. 2099 and 2100 in accordance with section 466 of the *Local Government Act*;
4. Direct staff to refer Bylaw Nos. 2099 and 2100 to the Ministry of Transportation & Infrastructure for approval following third reading of the bylaw in accordance with the *Transportation Act*; and
5. Give first, second, and third readings to “Ladysmith Officers and Delegation of Authority Bylaw (No. 3), 2023, No. 2101”.

Motion Carried

Council thanked Ms. Hovey for her exceptional work as Senior Planner and wished her well in her new position with the Municipality of North Cowichan.

8. COMMITTEE MINUTES

8.1 Committee of the Whole Recommendations - January 17, 2023

CS 2023-019

That Council:

1. Direct staff to prepare an amendment to “Noise Suppression Bylaw 2003, No. 1478”, Section 12 – Exempt Noise, as presented in the staff report dated January 17, 2023.
2. Direct staff to consider the eligibility of the parcel around the cemetery lands, comprised of Town-owned and Crown-owned lands, for inclusion in a future Parks Master Plan.
3. Refer consideration of backyard chickens to a future meeting after the adoption of the Official Community Plan (OCP), when it can be considered as an OCP Implementation Policy.
4. Approve the following questions and direct staff to forward them to Our Cowichan Communities Health Network for consideration and possible inclusion in the "Our Health, Our Community" Health and Wellness survey:
 - Do you live within five minutes of green space (park) or blue space (body of water) and how often do you use these assets?
 - Do you have access to your own personal doctor?
 - How often do you need to take advantage of the services at Urgent Care?
 - Have you had an asthma diagnosis?

Motion Carried

9. REPORTS

9.1 Conditional Management Plan for Wastewater Treatment

CS 2023-020

That Council approve the October 31, 2022 Conditional Management Plan agreement between the Canadian Food Inspection Agency, Fisheries and Oceans Canada, Environment and Climate Change Canada, British Columbia Ministry of Environment and Climate Change Strategy, Environmental Protection Division, and The Town of Ladysmith.

Motion Carried

10. BYLAWS

10.1 Bylaw Status Sheet

11. NEW BUSINESS

On behalf of Council, the Mayor and Councillor Paterson expressed their condolences to the Sampson family and the entire Stz'uminus community regarding the passing of Manny Sampson. They commented on Mr. Sampson's good nature, his sense of humour and his artistic talents, noting that he had created the Canada 150 "Salish Wind" canoe displayed on the waterfront.

Council requested that staff send an appropriate tribute to the Sampson family.

12. QUESTION PERIOD

A member of the public enquired as to whether the Town had possession of the new fire truck yet, and asked about the disposition procedure for the old one. Council advised that the new truck is in the Town's possession and that they would follow up with staff regarding the disposition of the old one.

13. ADJOURNMENT

CS 2023-021

That this Regular Meeting of Council be adjourned at 7:48 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)