



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, March 7, 2023

7:00 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Mayor Aaron Stone
Councillor Amanda Jacobson
Councillor Ray Gourlay
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
Julie Thompson
Andrew Wilson
Julie Tierney

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:30 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2023-044

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)(g) litigation or potential litigation affecting the municipality;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege;
- (1)(k) negotiations and related discussions respecting the proposed provision of a municipal service
- (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 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.

4. AGENDA APPROVAL

CS 2023-045

That Council approve the agenda for this Regular Meeting of Council for March 7, 2023.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:48 p.m. without report.

6. MINUTES

6.1 Minutes of the Public Hearing and Regular Meeting of Council held February 21, 2023

CS 2023-046

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held February 21, 2023.

Motion Carried

7. DELEGATIONS

7.1 Broombusters

Joanna Sales from Broombusters Invasive Plant Society presented to Council electronically via Zoom about the work the Society is conducting on Vancouver Island and, in particular, Ladysmith. Nikki Toposeus from Broombusters was also in attendance.

Mayor Stone thanked them for their presentation and the work that they are doing.

8. PROCLAMATIONS

8.1 World Down Syndrome Day - March 21, 2023

Mayor Stone proclaimed Tuesday, March 21, 2023 as World Down Syndrome Day in the Town of Ladysmith.

8.2 Epilepsy Awareness Purple Day - March 26, 2023

Mayor Stone proclaimed Sunday, March 26, 2023 as Epilepsy Awareness Day in the Town of Ladysmith. The Town will also illuminate its available themed lighting locations with purple lights in support of the initiative.

9. DEVELOPMENT APPLICATIONS

9.1 Rezoning Application for Multi-Family Development at 11 & 17 Warren Street

CS 2023-047

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124”;
2. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw No. 2124 in accordance with section 464 of the *Local Government Act*;
3. Require that the property owner, prior to the adoption of Bylaw No. 2124, provide \$12,000, to be deposited into the Town Community Amenity Fund.
4. Direct staff to forward Bylaw No. 2124 to the Ministry of Transportation and Infrastructure for approval following third reading, in accordance with section 52 of the *Transportation Act*.

Motion Carried

9.2 Official Community Plan & Zoning Bylaw Amendment Application for 1141 Cloke Road (Coach House)

CS 2023-048

That Council:

1. Having considered section 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that:
 - a. the Stz’uminus First Nation and the School District 68 Board are the only entities that are appropriate to consult in connection with “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134”;
 - b. consultation should be early but need not be ongoing;
 - c. the consultation process described in the staff report dated March 7, 2023 is sufficient in respect to the proposed Official Community Plan amendment; and
 - d. staff be directed to refer Bylaw No. 2134 to the Stz’uminus First Nation and School District 68 Board as set out in Resolution

- 1(a) for consultation in the manner described in the March 7, 2023 staff report to Council;
2. Give first reading to “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134”;
3. Consider Bylaw No. 2134 in conjunction with the Financial Plan, 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*;
4. Give second reading to “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134”;
5. Consider “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134” in conjunction with the Town’s “Housing Needs Report” and the housing information on which the report is based, pursuant to section 473 (2.1) of the *Local Government Act*;
6. Direct staff to refer Bylaw No. 2134 to School District 68 pursuant to section 476 of the *Local Government Act*;
7. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135”;
8. Direct staff to schedule and provide notice for a public hearing for Bylaw No. 2134 and Bylaw No. 2135 in accordance with section 466 of the *Local Government Act*; and
9. Direct staff to refer Bylaw No. 2135 to the Ministry of Transportation and Infrastructure following third reading, pursuant to section 52 of the *Transportation Act*.

Motion Carried

10. COMMITTEE MINUTES

10.1 Parks, Recreation & Culture Advisory Committee - February 15, 2023

CS 2023-049

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held February 15, 2023.

Motion Carried

11. REPORTS

11.1 Adjustment to Water Billing Account – 2022, Q4

CS 2023-050

That Council provide a bill adjustment in the amount of \$3,014.35 to billing Account No. 000-0518000-000 due to a water leak.

Motion Carried

11.2 Stocking Dam Emergency Level 1 Status

CS 2023-051

That Council:

1. Receive the staff report, BC Dam Safety letter, and Ecora Engineering and Resource Group Ltd. Report regarding the Stocking Dam Emergency Level 1 status;
2. Direct staff to include in the 2023-2027 Financial Plan funds in the amount of \$100,000 to execute the Ecora recommendations, with the additional funding to come from a cost-share with the CVRD for \$50,000, carryforward funding of \$21,696 and an additional \$28,304 to come from the water reserves; and
3. Waive the Town's Purchasing Policy and direct award construction of all works associated with the Ecora repair work to David Stalker Excavating Ltd.

Motion Carried

11.3 2023 Community Public Art Banner Selection

CS 2023-052

That Council:

1. Approve the recommendations of the Public Art Task Group for the 2023 Community Public Art Banner Program to produce banners based on the following submissions:
 - a. Come Sing with Me – Karen Tchamourian
 - b. Come Play with Me – Karen Tchamourian
2. Direct staff to proceed with ordering and installing the banners as previously approved by Council.

Motion Carried

11.4 Accessible BC Act – Consideration of a Joint Accessibility Committee

CS 2023-053

That Council:

1. Direct staff to continue discussions with the Municipality of North Cowichan, the Cowichan Valley Regional District, the City of Duncan, and the Town of Lake Cowichan regarding the feasibility of a joint Accessibility Committee; and
2. Direct staff to report back in April with a recommendation to either move forward with a joint Accessibility Committee with partnering jurisdictions, or to establish the Town's own Committee.

Motion Carried

12. BYLAWS

12.1 Bylaws for Introduction

12.1.1 Official Community Plan

CS 2023-054

That Council:

1. Having considered s. 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that, with the exception of the referral required under section 477(3)(b) of the *Local Government Act*, no further consultation is necessary with:
 - a. the board Cowichan Valley Regional District;
 - b. the board of the Regional District of Nanaimo;
 - c. the council of the District of North Cowichan;
 - d. First Nations;
 - e. School District 68; and
 - f. the Provincial and federal governments and their agencies,

in connection with “Official Community Plan Bylaw 2022, No. 2200 and the consultation process described in the staff report to Council dated March 7, 2023 has been sufficient in respect to the proposed Official Community Plan.

2. Give second reading, as amended, to “Official Community Plan Bylaw 2022, No. 2200”;
3. Consider Bylaw No. 2200 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*;
4. Refer Bylaw No. 2200 to the Agricultural Land Commission, pursuant to section 477(3)(b) of the *Local Government Act*;
5. Direct staff to schedule a public hearing for Bylaw 2200.

Motion Carried

12.2 Bylaws for Adoption

12.2.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860,Amendment Bylaw (No. 53) 2022, No. 2129”

CS 2023-055

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

Motion Carried

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

CS 2023-056

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

Motion Carried

12.2.3 “Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2023, No. 2136”

CS 2023-057

That Council adopt “Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2023, No. 2136”.

Motion Carried

12.3 Bylaw Status Sheet

13. NEW BUSINESS

13.1 UBCM Housing Summit - April 4-5, 2023

CS 2023-058

That the Council professional development budget be increased by \$1000.

Motion Carried

CS 2023-059

That Council send Councillor McKay to the Union of British Columbia Municipalities upcoming housing summit, Housing BC Together, at the Sheraton Vancouver Wall Centre on April 4-5, 2023.

Motion Carried

14. QUESTION PERIOD

A member of the public enquired about whether or not there will be a traffic study conducted along 1st Avenue prior to adoption of the new Official Community Plan. He also enquired about the newly announced infrastructure grant – where the funds would be allocated, and if Council had discussed their position on the upcoming outcomes from the Island Corridor Foundation decision.

15. ADJOURNMENT

CS 2023-060

That this Regular Meeting of Council be adjourned at 8:21 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)