



MINUTES OF A PUBLIC HEARING & REGULAR MEETING OF COUNCIL

Tuesday, April 18, 2023

5:30 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

Trish McConnell
Matt O'Halloran
Mike Gregory
Sue Bouma

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 2023-085

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)(b) personal information about an identifiable individual who is being considered for a municipal award or honour;
- (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 (6:00 P.M.)

Mayor Stone called this Public Hearing and Regular Meeting of Council to order at 6:00 p.m., recognizing with deep gratitude that it was taking place on the traditional, unceded territory of the Stz'uminus First Nation, who walked gently on these lands for thousands of years.

4. AGENDA APPROVAL

CS 2023-086

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for April 18, 2023, as amended to include a public submission, received after publication of the agenda, for the following item:

- Item 5.1. "Official Community Plan Bylaw 2022, No. 2200".

Motion Carried

5. PUBLIC HEARING

5.1 "Official Community Plan Bylaw 2022, No. 2200"

Members of the public attending: 21

5.1.1 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 No. 2200.

He advised that staff would introduce the proposed bylaw, 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 bylaw, 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.

5.1.2 Introduction of Bylaw and Statutory Requirements - Director of Development Services

Jake Belobaba, Director of Development Services, introduced "Official Community Plan Bylaw 2022, No. 2200" as the subject of the Public Hearing.

Mr. Belobaba advised that Bylaw No. 2200, which replaces the Town's "Official Community Plan Bylaw 2003, No. 1488", applies to all properties in the Town of Ladysmith and includes goals, objectives, policies, statements, and map designations respecting the following:

- The location, amount, type and density of present and proposed residential commercial, industrial, parks, institutional, agricultural, recreational and public utility land uses and facilities;
- The location and area of suitable sand and gravel deposits;
- Restrictions on the use and development of land that is subject to hazardous conditions or that is environmentally sensitive;
- The location and phasing of major road, sewer, stormwater and water systems, including cycling, transit and pedestrian infrastructure;
- Housing policies respecting affordable housing, rental housing and special needs housing;
- Targets and actions for the reduction of greenhouse gas emissions;
- Social needs, social well-being and social development including poverty reduction and support for persons with disabilities;
- The maintenance and enhancement of farming;
- The preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity;
- Reconciliation with First Nations;

- Arts, culture and heritage;
- Economic development;
- Emergency preparedness and mitigating the impacts of climate change;
- Health and wellness;
- The designation of development permit areas, temporary use permit areas and circumstances under which development approval information is required;
- Considerations for proposals to amend the Official Community Plan and community contributions; and
- Short-term, medium-term, long-term and ongoing actions and incentives intended to implement the Official Community Plan.

Mr. Belobaba also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on April 6 and April 13, 2023 and posted on the Town's website and community notice boards.

A copy of the Notice, the proposed bylaw, 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. Mr. Belobaba noted that as of noon on Tuesday, April 18, one submission related to the proposed bylaw had been received.

5.1.3 Submissions

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

Mayor Stone called for submissions from the public.

Catherine Cartwright, 422 Roberts Street, expressed approval for some forms of densification in Old Town Ladysmith, such as coach houses, duplexes and triplexes, but expressed concern that the proposed intrusion of scale to this area would take away the historic ambience. She also suggested that the format of the Official Community Plan document be reviewed to make accessing neighbourhood information easier.

Tim Richards, 105 Gifford Road, asked how the Town planned to manifest the Official Community Plan's economic development goals of supporting the work of local organizations to promote awareness and tourism while preserving the heritage of Ladysmith, given the current situation with the Ladysmith Maritime Society.

Rob Johnson, 526 1st Avenue, advised Council to consider how the Official Community Plan will accommodate the future need for greater retail space for Ladysmith's growing and aging population.

David Grimstead, 107 Clarke Road, presented a copy of the Ladysmith Waterfront Area Plan and submitted that Council must acknowledge and be committed to the document, which was created with great thought and the extensive engagement of Ladysmith residents.

Susan Dallyn, 3380 Rumble Road, Ladysmith (Saltair), a member of the Ladysmith Maritime Society and a volunteer with the society, expressed the need to continue to work closely with long time community groups listed in the OCP, including the Ladysmith Maritime Society, which operates the Ladysmith Community Marina, and to allow them to work with the Stz'uminus First Nations in developing the Ladysmith waterfront.

Brian McLaurin, 705 Stirling Drive, enquired if there was a comprehensive plan identifying archaeological sites, whether consideration had been given to the impact on the North Davis Road access in relation to plans to re-develop the Coronation Mall, and whether the golf course would be dissolved in this re-development. He also expressed his opinion that infill homes ruin the appearance and character of neighbourhoods.

Mayor Stone called for submissions a second time.

Catherine Cartwright, 422 Roberts Street, asked for clarification regarding the history, definition and parameters of "Old Town" and what plans were in place for protection of its character.

Rob Johnson, 526 1st Avenue, asked Council to consider how the Official Community Plan will manage Ladysmith's population growth - including its expansive aging population - and enquired where the housing units would be developed to deal with this growth. He expressed concern regarding access to services such as medical care. Mr. Johnson also expressed his view that the sawmill lands

will be much more valuable as residential lands, as opposed to industrial lands, and should be zoned accordingly.

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

Rob Johnson, 526 1st Avenue, asked Council to consider whether the best use of the Town's waterfront would be industrial or residential, and noted the decline of sawmills on the island. He questioned the usefulness of bike lanes with respect to the topography of Ladysmith and to the age of its residents.

Catherine Cartwright, *422 Roberts Street*, expressed concern that not enough people were speaking at the Hearing and suggested that Council should pursue more feedback.

Myff Plecas, 505 Jones Road, recommended that Council pay attention to health services, particularly with the potential of population growth, and expressed her hope that everyone will work together regarding the marina.

Keith Ling, 517 Wilrose Place, advised that bike lanes should not be on 1st Avenue and recommended as an alternative the alleyway between 1st Avenue and the highway.

Rob Johnson, 526 1st Avenue, enquired about some of the concept drawings in the plan, and expressed concern about congestion, parking, and the effect on the heritage look of downtown should these concept drawings become reality. He recommended several ways that the Town could take climate action, including the use of building materials that minimize greenhouse gases, switching to electric Town vehicles, converting municipal buildings from fossil fuels to green fuels, and encouraging out-of-town staff to work from home. He recommended that Council re-read background Official Community Plan information before making a decision on the Bylaw.

Catherine Gibbons, 432 Kitchener Street, asked Council to consider not giving third reading to Bylaw No 2200 until after further consideration.

Catherine Cartwright, 422 Roberts Street, expressed agreement with Catherine Gibbons' request.

Susan Dallyn, 3380 Rumble Road, Saltair, also expressed agreement with Catherine Gibbons' request.

Jennica Graham, 233 Jameson Road, asked questions regarding how environmentally sensitive areas are determined and how the Official Community Plan will be implemented. She expressed enthusiasm for the bike lanes and recognized the thought and work that went into creating the Official Community Plan.

Mayor Stone gave the public an additional opportunity to make submissions to Council. No one wished to speak regarding "Official Community Plan Bylaw 2022, No. 2200."

Mayor Stone asked the Corporate Officer, M. O'Halloran, to report on written submissions that were received as part of the public record. The Corporate Officer reported on six written submissions received from Glenn Brower, Catherine Cartwright (two submissions), Susan Dallyn, Rob Johnson, and Richard Meagher.

5.1.5 Declaration that the Public Hearing for Bylaw No. 2200 is Closed - Mayor Stone

Hearing no comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw No. 2200 closed at 7:16 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

6. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING (SUBJECT OF THE PUBLIC HEARING)

6.1 "Official Community Plan Bylaw 2022, No. 2200"

CS 2023-087

That Council give third reading to "Official Community Plan Bylaw 2022, No. 2200."

Motion Carried

7. RECESS

CS 2023-088

By unanimous consent Council recessed at 8:06 p.m. with the intention to reconvene in five minutes.

Council reconvened the meeting at 8:12 p.m.

8. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 5:38p.m. without report.

The following item from the Closed Meeting of Council held April 4, 2023 was reported:

CE 2023-018

That Council:

1. Require Cash-in-Lieu for the subdivision application located at 901 Gladden Road (Lot B District Lots 86, 87 and 98 Oyster Bay District Lot 2054 Cowichan District Plan EPP87265-PID 030-801-478); and,
2. Rise and report on Recommendation No. 1 immediately.

9. MINUTES

9.1 Minutes of the Regular Meeting of Council held April 4, 2023

CS 2023-089

That Council approve the minutes of the Regular Meeting of Council held April 4, 2023.

Motion Carried

10. DELEGATIONS

10.1 MNP, Auditors for the Town

Cory Vanderhorst, MNP, provided Council with an overview of the 2022 Audit Findings. He stated that this is an unqualified or clean audit. C. Vanderhorst responded to questions from Council, and thanked Town staff for their cooperation during the audit.

CS 2023-090

That Council accept the 2022 Audit Findings report and the draft 2022 Financial Statements as presented by MNP, auditors for the Town of Ladysmith.

Motion Carried

11. PROCLAMATIONS

11.1 National Public Works Week

Mayor Stone proclaimed May 21-27, 2023 as National Public Works Week in the Town of Ladysmith.

11.2 Safety and Health Week

Mayor Stone proclaimed May 1-6, 2023 as "Safety and Health Week" in the Town of Ladysmith.

12. COMMITTEE MINUTES

12.1 Poverty Reduction Task Group - February 2, 2023

CS 2023-091

That Council receive the minutes of the Poverty Reduction Task Group meeting held February 2, 2023.

Motion Carried

12.2 Poverty Reduction Task Group - March 7, 2023

CS 2023-092

That Council receive the minutes of the Poverty Reduction Task Group meeting held March 7, 2023.

Motion Carried

13. REPORTS

13.1 Compost Facility Odour Control

CS 2023-093

That Council direct staff to include in the 2023-2027 Financial Plan \$187,500 for Compost Facility Odour Reducing Improvements, with the funds to come from the reallocation of monies budgeted for the Compost Curing Building Project.

Motion Carried

13.2 Dogwood Drive Active Transportation Plan

CS 2023-094

That Council:

1. Receive the report prepared by Watt Consulting Group regarding the Dogwood Drive Active Transportation Plan, as well as the engineering plans by Herold Engineering Ltd.; and
2. Direct staff to monitor grant opportunities that may apply to this project and report back when a suitable opportunity is identified.

Motion Carried

13.3 Museum Accessibility Ramp Replacement

CS 2023-095

That Council direct staff to:

1. Proceed with the replacement of the accessibility ramp at the Ladysmith Museum for \$15,000, with funding to come from the PRC building reserve; and
2. Include the funding allocation in the 2023-2027 financial plan.

Motion Carried

13.4 Occupational Health and Safety Policy Statement

CS 2023-096

That Council approve the revised Town of Ladysmith Occupational Health and Safety Policy Statement (OHSPS) dated April 18, 2023.

Motion Carried

14. BYLAWS

14.1 Bylaw Status Sheet

15. CORRESPONDENCE

15.1 Lamont Lands

CS 2023-097

That Council:

1. Grant Lamont Lands an exemption to Town of Ladysmith "Noise Suppression Bylaw 2003, No. 1478" to permit continued construction of the Holland Creek Crossing to occur on Sundays between the hours of 8:00am to 5:00pm from April 23 to June 25, 2023; and
2. Direct staff to ensure that neighbouring residents receive written notification.

Motion Carried

16. QUESTION PERIOD

Members of the public enquired about parking in the alleyway behind the Bayview Brew pub, the financial audit presentation procedure, the 11% rent increase for the offices that the Development Services department occupies and why the budgeted revenue for 2022 was so much higher than the resulting revenue.

Members of the public also enquired about the timeline involved in making the decision to transfer the DL 2016 water lot to Stz'uminus, the logistics of the future transfer, how the Town fostered communication between the Ladysmith Maritime Society and Stz'uminus First Nation, and how the specific transfer date was determined.

17. ADJOURNMENT

CS 2023-098

That this Regular Meeting of Council be adjourned at 9:01 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)