



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, December 19, 2023

5:32 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Mayor Aaron Stone

Councillor Amanda Jacobson

Councillor Tricia McKay

Councillor Duck Paterson

Councillor Marsh Stevens

Councillor Jeff Virtanen

Councillor Ray Gourlay

Staff Present:

Allison McCarrick

Erin Anderson

Jake Belobaba

Ryan Bouma

Julie Thompson

Sue Bouma

Andrea Hainrich

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:32 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2023-293

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) (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (1) (c) labour relations or other employee relations;
- (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (1) (g) litigation or potential litigation affecting the municipality;

- (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and
- (2) (b) the consideration of information received relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Motion Carried

3. OPEN MEETING AND ACKNOWLEDGEMENT (6:00 P.M.)

Mayor Stone called this Regular Meeting of Council to order at 6:00 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

Mayor Stone shared his appreciation for the Festival of Lights celebration and thanked the Society, volunteers, sponsors, donors, and town staff for their contributions to the event.

4. AGENDA APPROVAL

CS 2023-294

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for December 19, 2023.

Motion Carried

5. PUBLIC HEARING

"Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2023, No. 2161", and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.54) 2022, No. 2131".

Subject Property: 10940 Westdowne Road (Lot 1, District Lot 72, Oyster District, Plan 24076) (PID: 002-976-978).

Members of the Public Attending: 4

5.1 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. 2161 and 2131.

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.

5.2 Introduction of Bylaws and Statutory Requirements – Senior Planner, Development Services

Julie Thompson, Senior Planner, Development Services, introduced “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2023, No. 2161”, and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.54) 2022, No. 2131”.

Ms. Thompson confirmed that, if approved, Bylaw Nos. 2161 and 2131 would:

1. Amend “Official Community Plan Bylaw 2022, No. 2200” by changing the land-use designation on the subject property from Neighbourhood Residential to Manufactured Home Park Residential.
2. Amend “Town of Ladysmith Zoning Bylaw 2014, No. 1860” by changing the zone on the subject property from Rural Residential (RU1) to Manufactured Home Park (MHP-1). Ms. Thompson advised that the purpose of the proposed amendments is to facilitate the expansion of the adjacent manufactured home park onto the subject property. The MHP-1 zone would allow up to four manufactured homes on the subject property, and any permitted accessory uses including a caretaker dwelling, office, or home-based business.

Ms. Thompson confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on December 14, 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 property.

A copy of the Notice, the proposed Bylaws, and background information was made available at the Front Counter of City Hall and Development Services, and 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.

5.3 Submissions

Mayor Stone invited the applicant to make the first submission.

Matt Schnurch of Turner and Associates Land Surveying, made the first submission on behalf of the owner. He confirmed the purpose of the bylaw amendments as described by Ms. Thompson and noted that a public information meeting had been held at which no concerns were expressed.

5.4 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.

Mayor Stone asked the Corporate Officer, S. Bouma, if any submissions had been received during the hearing. The Corporate Officer advised that no submissions had been received.

5.5 Declaration that the Public Hearing for Bylaw Nos. 2161 and 2131 is Closed - Mayor Stone

Hearing no comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw Nos. 2161 and 2131 closed at 6:07 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, Amendment Bylaw 2023, No. 2161”

CS 2023-295

That Council give third reading to “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2023, No. 2161”.

Motion Carried

6.2 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.54) 2022, No. 2131”

CS 2023-296

That Council give third reading to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.54) 2022, No. 2131”.

Motion Carried

7. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 5:44 p.m. with report on the following:

CE 2023-097

That Council:

1. Appoint Roberta Bowman, Executive Director of the Ladysmith Chamber of Commerce, to the Ladysmith Harbour Economic Development Corporation under Article 13.2(b) of the Corporation’s articles of incorporation;
2. Appoint Chief John Elliot to the Ladysmith Harbour Economic Development Corporation under article 13.2(c) of the Corporation’s articles of incorporation;
and
3. Rise and report on items 1 and 2 immediately.

Council rose with report on the following item from the Closed Meeting of Council held October 3, 2023:

CE 2023-069

That Council direct staff to:

2. Contact project funders notifying them of the cancelled tender for the construction of the Artist Studio project and to work with the funders on options and next steps.

8. MINUTES

8.1 Minutes of the Regular Meeting of Council held December 5, 2023

CS 2023-297

That Council approve the minutes of the Regular Meeting of Council held December 5, 2023.

Motion Carried

9. DELEGATIONS

9.1 Sandra Marquis, Ladysmith Resources Centre Association

Sandra Marquis, president of the Ladysmith Resources Centre Association Board, updated Council on the association's 2023 program highlights and provided an overview of the annual financial report, as well as a review of staffing.

Mayor Stone thanked Ms. Marquis for her presentation, and for the services that the LRCA provides to the community.

10. COMMITTEE MINUTES

10.1 Public Art Committee - December 4, 2023

CS 2023-298

That Council receive the minutes of the Public Art Committee meeting held December 4, 2023.

Motion Carried

11. REPORTS

11.1 2024 Utility Due Dates

CS 2023-299

That Council approve the following utility billing due dates:

- February 28, 2024 for the period October to December, 2023;
- May 30, 2024 for the period January to March, 2024;
- August 29, 2024 for the period April to June, 2024; and
- November 28, 2024 for the period July to September, 2024.

Motion Carried

11.2 Endorsement of TOL Funding Request Application – Island Health Resilience and Safety Program

CS 2023-300

That Council:

1. Endorse the Town's application of \$50,000 to the Island Health Resilience and Safety Program to support the YOUth Bloom project; and
2. Direct staff to include in the 2024-2028 Financial Plan \$50,000 for the YOUth Bloom project with funds to come from the Island Health Resilience and Safety Program.

Motion Carried

11.3 Zoning Amendments to Align with the OCP: Increased Height and Density in the Downtown

CS 2023-301

That Council:

1. Direct that a public hearing not be held for "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2163" pursuant to Section 464(2) of the *Local Government Act*;
2. Direct staff to schedule first reading of Bylaw 2163 and notification pursuant to section 467 of the *Local Government Act*; and
3. Direct staff to refer "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2163" to the Ministry of Transportation and Infrastructure, after third reading of the bylaw, pursuant to section 52 of the *Transportation Act*.

Motion Carried

12. BYLAWS

12.1 Bylaws for Adoption

12.1.1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2150"

CS 2023-302

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2150."

Motion Carried

12.1.2 "2024 Revenue Anticipation Borrowing Bylaw 2023, No. 2162"

CS 2023-303

That Council adopt "2024 Revenue Anticipation Borrowing Bylaw 2023, No. 2162".

Motion Carried

12.1.3 "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2023, No. 2164"

CS 2023-304

That Council adopt "Waterworks Regulation Bylaw 1999, No. 1298, Amendment Bylaw 2023, No. 2164".

Motion Carried

12.1.4 "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2023, No. 2165"

CS 2023-305

That Council adopt "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2023, No. 2165".

Motion Carried

12.2 Bylaw Status Sheet

13. QUESTION PERIOD

A member of the public enquired about how the utility billing dates are determined.

14. ADJOURNMENT

CS 2023-306

That this Regular Meeting of Council be adjourned at 6:33 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (S. Bouma)