



## MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, September 24, 2024

6:00 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

Chris Geiger

Sue Bouma

Mark Van Vliet

Nick Pescod

Hayley Young

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### **1. CALL TO ORDER AND ACKNOWLEDGEMENT**

Mayor Stone called this Public Hearing and 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 also recognized September 30, 2024, as National Truth and Reconciliation Day, and expressed his gratitude to the Stz'uminus First Nation for their collaboration in community development. The Mayor remarked that this would be his last meeting and expressed gratitude to Council and staff, acknowledging their support and hard work throughout his tenure. He also reflected on the success of the UBCM convention held in Vancouver the previous week.

## **2. AGENDA APPROVAL**

### **CS 2024-204**

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for September 24, 2024 as amended to replace the recommendation for item 10.1 "Anglican Church Bell and Steeple Display Proposal" as circulated to Council and published on the website.

*Motion Carried*

## **3. PUBLIC HEARING**

### **Members of the Public attending: 3**

#### **3.1 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. 2185.

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.

#### **3.2 Introduction of Bylaw and Statutory Requirements - Director of Development Services**

Jake Belobaba, Director of Development Services, introduced "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw No. 2185" as the subject of the Public Hearing. Bylaw 2185 applies to all properties in the Town of Ladysmith.

Mr. Belobaba confirmed that the purpose of Bylaw No. 2185 is to amend the Official Community Plan by:

- Adding a new policy to evaluate subdivision and rezoning applications for sufficient emergency access;
- Deleting the Coach House Intensive Residential Development Permit Area and guidelines;
- Deleting the High Street Residential Development Permit Area and guidelines;

- Expanding Development Permit Area 4 – Multi-Unit Residential;
- Adding an exemption to the requirement to obtain a development permit for single-family, two-unit, secondary suite and coach house developments or R-2-zoned residential developments with four units or less in Development Permit Area 4 – Multi-unit Residential; and
- Adding an exemption to the requirement to obtain a development permit for a development that is subject to a Phased Development Agreement pursuant to section 516 of the Local Government Act in the following development permit areas: Development Permit Area 1 – Maritime (DPA 1), Development Permit Area 2 – Downtown (DPA 2), Development Permit Area 3 – Commercial (DPA 3), Development Permit Area 4 – Multi-Unit Residential (DPA 4) and Development Permit Area 5 – Industrial (DPA 5).

Mr. Belobaba confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on September 19<sup>th</sup>, 2024 and posted on the Town's website and community notice boards.

A copy of the Notice, the proposed Bylaw, 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.

### **3.3 Submissions**

#### **3.4 Call for Submissions to Council (Three Times) - Mayor Stone**

Mayor Stone called for submissions from the public.

*Ken Chipeniuck, 136 Ray Knight Drive*, spoke in favor of the proposal. He observed that Council had recently implemented similar provisions by requiring two access routes to the upper regions of the Holland Creek area but asked why only one section of the National Fire Protection Association standard was included.

Mayor Stone called for submissions a second time.

Mayor Stone called for submissions a third time 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.

**3.5 Declaration that the Public Hearing for Bylaw No. 2185 is Closed - Mayor Stone**

Hearing no comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw No. 2185 closed at 6:11 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 PLAN AND ZONING (SUBJECT OF THE PUBLIC HEARING)**

**4.1 "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw No. 2185"**

**CS 2024-205**

That Council give third reading and adopt "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw No. 2185".

*Motion Carried*

**5. RISE AND REPORT- Items from Closed Session**

The following item from the Closed Meeting of Council held August 6, 2024 was reported:

**CE 2024-064**

That Council:

1. Appoint four citizen representatives from the following list to the Parks, Recreation & Culture Advisory Committee for a two-year term ending June 30, 2026:

- Mitchel Lowe
- Colleen Butcher
- Gordon Filewych
- Terri Merritt-Wardon; and

2. Rise and report on Recommendation No. 1 once all applicants have been notified.

*Motion Carried*

## 6. MINUTES

### 6.1 Minutes of the Regular Meeting of Council held September 3, 2024

#### CS 2024-206

That Council approve the minutes of the Regular Meeting of Council held September 3, 2024.

*Motion Carried*

## 7. COMMITTEE MINUTES

### 7.1 Committee of the Whole - September 10, 2024

#### CS 2024-207

That Council support moving the Cowichan Region Workforce Housing Strategy initiative forward.

*Motion Carried*

#### CS 2024-208

That Council direct staff to include the permitted Freedom of Information application fee in the Town of Ladysmith's "Freedom of Information and Protection of Privacy Bylaw 2022, No. 2116".

*Motion Carried*

OPPOSED: Councillor Virtanen

#### CS 2024-209

That Council:

1. Direct staff to prioritize the implementation of the following short-term actions of the OCP for 2025:
  - a. Updating the Development Cost Charge and Revitalization Tax Exemption Bylaws to incentivize growth in Priority Growth Areas, with an expanded scope that includes developing an Amenity Cost Charge Bylaw;
  - b. Undertaking Ladysmith's First Mobility Plan and updating the Subdivision and Development Servicing Bylaw to reflect recommendations of the mobility plan;
  - c. Amending the Zoning Bylaw to reduce the minimum lot size for R-1 Zone;
  - d. Amending the Zoning Bylaw to include parking supply ratios and dimensions for van-accessible parking spaces;
  - e. Completing a tree protection bylaw;
  - f. Developing a monitoring program for purpose-built rental housing.

2. Authorize staff to apply for any available grant that can be used to fund the projects under recommendation 1(a) to 1(f); and
3. Direct staff to include proposed funding in the 2025 budget for the projects under recommendation 1.

*Motion Carried*

**CS 2024-210**

That Council approve the Diversity, Equity and Inclusion (DEI) Statement as provided in the staff report dated September 10, 2024 from the Manager of Human Resources.

*Motion Carried*

**8. REPORTS**

**8.1 2025 Council Meeting Schedule**

**CS 2024-211**

That Council:

1. Authorize staff to amend "Council Procedure Bylaw 2009, No. 1666" to include the following changes:
  - a. Reduce the number of Council meetings held in January to one, scheduled for the third Tuesday of January;
  - b. Change the regularly scheduled Committee of the Whole meeting in January to the fourth Tuesday of January; and
2. Confirm the schedule of regular Council and Committee of the Whole meetings for 2025, as attached to the September 24, 2024 staff report, and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

*Motion Carried*

**RECESS**

**CS 2024-212**

That Council recess at 6:43 p.m. to allow the owner of 517 Baden-Powell Street to join the meeting and address Council regarding the possibility of a Section 57 Notice on Title being applied to his property.

*Motion Carried*

Council reconvened the meeting at 6:49 p.m.

## 8.2 Section 57 Notice on Title, 517 Baden-Powell Street

The owner of 517 Baden-Powell Street advised Council that the renovations completed at 517 Baden-Powell Street involved the replacement of existing structures and therefore, in his opinion, the work was considered a repair and no building permits were required for the work done.

### CS 2024-213

That Council:

1. Pursuant to section 57(3) of the *Community Charter*:
  - a. Provide an opportunity for the owner of LOT 6, BLOCK 121, PLAN VIP703A, DISTRICT LOT 56, OYSTER LAND DISTRICT, (DD701N) 517 Baden-Powell Street to be heard regarding the Building Inspector's recommendation to place a notice on title as described in the Inspector's September 24, 2024 report to Council;
  - b. Provide an opportunity for the Building Inspector to be heard, regarding the Building Inspector's recommendation to place a notice on title as described in the Inspector's September 24, 2024 report to Council;
  - c. Confirm the recommendations of the Building Inspector as outlined in the Inspector's September 24, 2024 report to Council, and
  - d. Direct the Corporate Officer to file a notice in the Land Title Office for the property legally described as PARCELA, LOT 6, BLOCK 121, PLAN VIP703A, DISTRICT LOT 56, OYSTER LAND DISTRICT, (DD701N), in accordance with subsections 57(3)(a) and (b) of the *Community Charter*; and
2. Direct the Corporate Officer to file a notice in the Land Title Office for the property legally described as PARCELA, LOT 6, BLOCK 121, PLAN VIP703A, DISTRICT LOT 56, OYSTER LAND DISTRICT, (DD701N), 517 Baden-Powell Street in accordance with subsections 57(3)(a) and (b) of the *Community Charter*.

*Motion Carried*

**9. BYLAWS**

**9.1 Bylaws for Introduction**

**9.1.1 New Building & Plumbing Bylaw and Changes to Building Permit Fees**

**CS 2024-214**

That Council give first, second and third readings to:

1. "Building & Plumbing Bylaw 2024, No. 2174"; and
2. "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2024, No. 2191".

*Motion Carried*

**9.1.2 "Town of Ladysmith Revitalization Tax Exemption Bylaw 2007, No. 1625 Amendment Bylaw 2024, No. 2181"**

**CS 2024-215**

That Council give first, second and third readings to "Town of Ladysmith Revitalization Tax Exemption Bylaw 2007, No. 1625 Amendment Bylaw 2024, No. 2181".

*Motion Carried*

OPPOSED: Councillor Stevens

**9.1.3 "2025 Permissive Tax Exemptions Bylaw 2024, No. 2189"**

**CS 2024-216**

That Council give first, second and third readings to "2025 Permissive Tax Exemptions Bylaw 2024, No. 2189".

*Motion Carried*

**9.1.4 "Water Supply Works Temporary Borrowing Bylaw 2024, No. 2192"**

**CS 2024-217**

That Council give first, second and third readings to "Water Supply Works Temporary Borrowing Bylaw 2024, No. 2192".

*Motion Carried*

**9.2 Bylaw Status Sheet**



**10. CORRESPONDENCE**

**10.1 Anglican Church Bell and Steeple Display Proposal**

**CS 2024-218**

That Council approve the request to display the St. John's Anglican Church bell, steeple and explanatory plaque at the entrance of the "Heart on the Hill" building, with no costs associated with this project to be borne by the Town.

*Motion Carried*

**11. QUESTION PERIOD**

A member of the public wished Mayor Stone well in his future endeavours.

**12. DEPUTY MAYOR - VERBAL REPORT**

Deputy Mayor McKay thanked Mayor Stone for the ten years of dedicated service he had provided to the community and presented him with a gift on behalf of Council. She expressed gratitude and admiration for his leadership and noted the significant achievements made during his tenure. Members of Council also expressed their admiration and gratitude and wished Mayor Stone luck in his next chapter.

Mayor Stone thanked Council and staff and stated that it had been an absolute joy, honour and privilege to serve as Mayor.

**13. ADJOURNMENT**

**CS 2024-219**

That this Regular Meeting of Council be adjourned at 7:34 p.m.

*Motion Carried*

CERTIFIED CORRECT

  
\_\_\_\_\_  
Acting Mayor (T. McKay)

  
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Corporate Officer (S. Bouma)