



MINUTES OF A SPECIAL MEETING OF COUNCIL

Tuesday, July 7, 2020

7:00 P.M.

This meeting was held electronically as per Ministerial Order No. M192

Council Members Present:

Mayor Aaron Stone
Councillor Duck Paterson
Councillor Amanda Jacobson
Councillor Rob Johnson

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma
Christina Hovey

Donna Smith
Julie Thompson
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Special Meeting of Council to order at 7:00 p.m., recognizing that it was taking place across Stz'uminus Nation lands and in various locations throughout Coast Salish territory.

Mayor Stone congratulated Councillor Jacobson on the arrival of her baby girl and expressed appreciation that she was able to attend the meeting.

Mayor Stone also expressed appreciation regarding the receipt of a \$3.3 million grant for the Arts and Heritage Hub - the "public heart" of the Waterfront Area Plan.

2. AGENDA APPROVAL

CS 2020-198

That Council approve the agenda for this Special Meeting of Council for July 7, 2020.

Motion Carried

3. MINUTES

3.1 Minutes of the Special Meeting of Council held June 16, 2020

CS 2020-199

That Council approve the minutes of the Special Meeting of Council held June 16, 2020.

Motion Carried

3.2 Minutes of the Special Meeting of Council held June 23, 2020

CS 2020-200

That Council approve the minutes of the Special Meeting of Council held June 23, 2020.

Motion Carried

4. DEVELOPMENT APPLICATIONS

4.1 OCP and Zoning Amendment Application – 1130 Rocky Creek Road

CS 2020-201

That Council direct that application 3360-20-02 (1130 Rocky Creek Road) proceed for further consideration, and,

a. Having considered s. 475 of the Local Government Act (consultation during OCP development) direct staff to refer application 3360-20-02 to:

- Stz'uminus First Nation
- School District 68 (Nanaimo Ladysmith)
- The Community Planning Advisory Committee
- The BC Ministry of Transportation and Infrastructure, BC Transit, and BC Hydro;
- The Ladysmith Chamber of Commerce, and the Ladysmith Downtown Business Association; and

b. Direct staff to work with the applicant regarding a potential sale of surplus road right-of-way along Rocky Creek Road and Ludlow Road adjacent to 1130 Rocky Creek Road.

Motion Carried

CS 2020-202

That Council direct staff to discuss the following list with the applicant prior to further consideration of application 3360-20-02:

- clarity regarding the roundabout and provisions within the development to ensure that it can be accommodated
- the possible provision of electric vehicle chargers, particularly fast chargers (not level two)
- a request for clarity regarding signage design prior to the application proceeding
- ensurance that the trees and buildings in the development have power to accommodate the Town's annual Light Up and other events
- a review of the existing covenant regarding the 49th Parallel sign
- provision for future hydrogen filling if a gas station is included in the plan
- plans to tie in Ladysmith's heritage by installing an artifact
- the possibility of a public art installation in keeping with the Town's Public Art Strategy
- the possibility of installing a lit community reader board
- the Town's request for a simultaneous submission of the Zoning Amendment application with the Development Permit to ensure control of form and character
- the Town's request for more than average tree coverage and landscaping standards
- the Town's request to incorporate design elements that are of "Gateway to Community" calibre
- the possible provision of a transit stop within the development or on the road in front of the development

Motion Carried

OPPOSED: Councillor Stevens

4.2 Development Variance Permit – 1010 2nd Avenue

CS 2020-203

That Council:

1. Issue Development Variance Permit 3090-20-02 to vary the southeast side parcel line setback requirement from 1.5m to 0.52m for a storage room attached to the dwelling at 1010 2nd Avenue; and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-20-02.

Motion Carried

5. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING

5.1 Zoning Bylaw Amendment Application – 1148 Rocky Creek Road

CS 2020-204

That Council:

1. Proceed with third reading of Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No. 31) 2020, No. 2040; and
2. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No. 31) 2020, No. 2040 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act.

Motion Carried

6. REPORTS

6.1 COVID-19 Ministerial Order M192 – Open Meetings and Electronic Hearings

CS 2020-205

That, pursuant to Ministerial Order No. M192, the attendance of the public at Town of Ladysmith Council and Committee meetings cannot be accommodated in accordance with the applicable requirements or recommendations under the *Public Health Act*, because the Council Chamber does not allow for appropriate physical distancing between Council, staff and the public in attendance; and there are no other Town facilities presently available that will allow physical attendance of the public without compromising the options of attending the meeting electronically via Zoom and viewing the meeting via livestream on YouTube; and

That the Town of Ladysmith is ensuring openness, transparency, accessibility and accountability for meetings by:

1. allowing the public to hear and see the proceedings by electronic means;
2. allowing the public to submit input on agenda items by email;
3. providing notice of the meeting;
4. making the meeting agenda, as well as all other relevant documents, available on the Town website;
5. providing email notification of publication of agendas to subscribers;
6. archiving meeting video for future viewing by members of the public; and
7. continuing to investigate options to facilitate public participation.

Therefore, be it resolved that Council and Committee meetings be held electronically and in the absence of the public in accordance with Ministerial Order M192, for the duration of the Provincial Health Officer's Order on Mass Gathering Events and the Provincial State of Emergency made March 18, 2020 and any extension of that declaration in effect.

Motion Carried

6.2 2020 Utility Due Dates

Council discussed the extension of 2020 utility bill due dates. There is no change to the current due dates.

6.3 Economic Recovery - COVID 19

CS 2020-206

That Council give first three readings to "Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #8, 2020, No. 2042" to clarify regulations for sidewalk patios and "parklets".

Motion Carried

6.4 Sealegs Kayaking – Request for Rent Relief

CS 2020-207

That Council direct staff to investigate waiving section 13 of the Lease and Access Agreement with Sealegs Kayak Rentals and Marine Adventures for 2020 if that section is not part of the provisions for day camps.

Motion Carried

CS 2020-208

That Council deny the request from Sealegs Kayak Rentals and Marine Adventures for a reduction in rent for the period of March to August, 2020.

Motion Carried

7. NEW BUSINESS

7.1 Ladysmith and District Historical Society Annual Report

Council thanked the Ladysmith and District Historical Society for their hard work in promoting heritage and tourism in Ladysmith.

8. QUESTION PERIOD

A member of the public enquired whether staff had received time off with pay in 2020, and if so, what was the reasoning, how many had received it, and what were the costs to tax payers.

9. ADJOURNMENT

CS 2020-209

That this Special meeting of Council adjourn at 8:41 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (D. Smith)