



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, September 7, 2021

7:00 P.M.

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

### Council Members Present:

Mayor Aaron Stone  
Councillor Amanda Jacobson  
Councillor Rob Johnson  
Councillor Tricia McKay

Councillor Duck Paterson  
Councillor Marsh Stevens  
Councillor Jeff Virtanen

### Staff Present:

Allison McCarrick  
Erin Anderson  
Chris Barfoot  
Jake Belobaba  
Donna Smith

Ryan Bouma  
Sue Glenn  
Mike Gregory  
Sue Bouma

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## 1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 6:05 p.m., in order to retire immediately into Closed Session.

## 2. CLOSED SESSION

### CS 2021-272

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality - section 90(1)(a);
- negotiations and related discussions respecting the proposed provision of a municipal service - section 90(1)(k).

*Motion Carried*

**3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 P.M.)**

Mayor Stone called this Regular Meeting of Council to order at 7:01 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 2021-273**

That Council approve the agenda for this Regular Meeting of Council for September 7, 2021 as amended to include:

- Item 8.3. "Development Variance Permit Application - New Subdivision off Giovando Way" - public submissions received after publication of the agenda; and
- Item 12.1. "Stz'uminus First Nations Traditional War Canoe Races, September 11-12, 2021".

*Motion Carried*

**5. RISE AND REPORT- Items from Previous Closed Sessions**

The following item from the Closed Meeting of Council held July 6, 2021 was reported:

**CE 2021-104**

That Council:

1. Direct staff to amend the Town of Ladysmith Street Naming Policy 11-5450-A to include "Anderson" on the approved list of street names, in recognition of the history and contributions to Ladysmith made by the Anderson family; and
2. Rise and report on Recommendation No. 1 once the family has been notified.

**6. MINUTES**

**6.1 Minutes of the Regular Meeting of Council held August 3, 2021**

**CS 2021-274**

That Council approve the minutes of the Regular Meeting of Council held August 3, 2021.

*Motion Carried*

## **7. PROCLAMATIONS**

### **7.1 Childhood Cancer Awareness Month**

Mayor Stone proclaimed September 2021 as Childhood Cancer Awareness Month in the Town of Ladysmith.

## **8. DEVELOPMENT APPLICATIONS**

### **8.1 Development Variance Permit & Development Permit Applications – 831 3<sup>rd</sup> Avenue**

#### **CS 2021-275**

That Council:

1. Issue Development Variance Permit 3090-21-09 to allow a coach house in a side yard at 831 3<sup>rd</sup> Avenue;
2. Issue Development Permit 3060-21-11 for a coach house at 831 3<sup>rd</sup> Avenue; and
3. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-09.

*Motion Carried*

### **8.2 Development Variance Permit Application – 220 High St. (Boys & Girls Club)**

Pippa Atwood, architect for the project, responded to questions from Council.

#### **CS 2021-276**

That Council:

1. Issue Development Variance Permit 3090-21-07 to vary the front parcel line setback from 6.0m to 1.2m and to require no additional on-site parking spaces for a building addition at Lot A District Lot 56 Oyster District Plan VIP68919 (220 High Street); and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-07.

*Motion Carried*

### **8.3 Development Variance Permit Application - New Subdivision off Giovando Way**

#### **CS 2021-277**

That Council, subject to registration of the covenant attached as Attachment B to the staff report dated September 7, 2021, issue Development Variance Permit 3090-21-03 to vary "Town of Ladysmith Zoning Bylaw 2014, No. 1860" as follows:

- a. vary section 10.4(4)(a) to increase the maximum gross floor area from 223 square metres to 268 square metres for the purposes of indoor parking for Lots 1, 3-13, 15 and 17, District Lot 97, Oyster District, Plan EPP97865; and
- b. vary section 5.12(a)(ii) to vary the requirement to measure height from the average ground elevations on the approved grading plan to allow height to be measured from 58 metres Above Sea Level for Lots 3-11, District Lot 97, Oyster District, Plan EPP97865.

*Motion Defeated*

OPPOSED: Councillors Jacobson, Johnson, McKay and Stevens

## **9. COMMITTEE MINUTES**

### **9.1 Community Planning Advisory Committee - August 4, 2021**

#### **CS 2021-278**

That Council receive for information the minutes of the August 4, 2021 meeting of the Community Planning Advisory Committee.

*Motion Carried*

## **10. REPORTS**

### **10.1 Permissive Tax Exemptions for the Tax Year 2022**

#### **CS 2021-279**

That Council direct staff to prepare a 1-year permissive tax exemption bylaw for all properties currently identified in the "Town of Ladysmith 2021 Permissive Tax Exemptions Bylaw 2020, No. 2052" and not include the fully exempt properties on the water parcel tax roll or the sewer parcel tax roll as identified in the staff report dated September 7, 2021.

*Motion Carried*

## **10.2 Revitalization Tax Exemption Economic Agreement – 902 Ludlow Road**

### **CS 2021-280**

That Council authorize the Mayor and Corporate Officer to execute a Revitalization Tax Exemption - Economic Agreement with the property owner(s) of 902 Ludlow Road (which is legally described as Lot A, Plan EPP71248, District Lot 24, Land District 43) as per “Town of Ladysmith Revitalization Tax Exemption – Economic Revitalization Bylaw 2012, No. 1807” as amended.

*Motion Carried*

## **10.3 Adjustment to Water Billing Account**

### **CS 2021-281**

That Council provide a water leak adjustment in the amount of \$11,758.45 for billing account #000 1124000.

*Motion Carried*

## **10.4 Fingerprint Fees for Reclaiming Indigenous Names**

### **CS 2021-282**

That Council authorize the use of the Grant in Aid budget up to \$500 to fund the \$25 fee charged for fingerprinting for Indigenous people who are reclaiming their traditional name.

*Motion Carried*

## **10.5 Poverty Reduction Strategy Final Report**

### **CS 2021-283**

That Council receive the Poverty Reduction Strategy Final Report.

*Motion Carried*

## **10.6 210 Dogwood Drive – Retaining Wall Encroachment**

### **CS 2021-284**

That Council direct staff to enter into an encroachment agreement with the owner of 210 Dogwood Drive, that includes conditions as outlined in the staff report dated September 7, 2021, regarding a retaining wall built on Town of Ladysmith property.

*Motion Carried*

OPPOSED: Councillor Paterson

## **11. BYLAWS**

### **11.1 Bylaw No. 2067**

#### **CS 2021-285**

That Council adopt "Road Closure and Dedication Removal Bylaw 2021, No. 2067".

*Motion Carried*

OPPOSED: Councillor Stevens

### **11.2 Bylaw No. 2086**

#### **CS 2021-286**

That Council give first, second and third readings to "Community Centre Fees and Charges Bylaw 2021, No. 2086".

*Motion Carried*

### **11.3 Bylaw Status Sheet**

## **12. NEW BUSINESS**

### **12.1 Stz'uminus First Nation Traditional War Canoe Races, September 11-12, 2021**

#### **CS 2021-287**

That Council provide funding assistance in the amount of \$1,500.00 to the Stz'uminus First Nation Traditional War Canoe Races to be held September 11 and 12 2021, with funds to be taken from the Grant in Aid budget.

#### **CS 2021-288**

AMENDMENT:

That Council amend Resolution CS 2021-287 by increasing the amount offered as funding assistance to the Stz'uminus First Nation Traditional War Canoe Races to \$2,000.00.

*Amendment Carried*

OPPOSED: Councillor Johnson

**Resolution CS 2021-287, as amended, reads:**

That Council provide funding assistance in the amount of \$2,000.00 to the Stz'uminus First Nation Traditional War Canoe Races to be held September 11 and 12 2021, with funds to be taken from the Grant in Aid budget.

*Main Motion, as Amended, Carried*

OPPOSED: Councillor Johnson

**13. QUESTION PERIOD**

There were no questions submitted by the public.

**14. RECESS**

**CS 2021-289**

That Council recess the open meeting at 8:17 p.m. in order to reconvene the closed session.

*Motion Carried*

**15. RISE AND REPORT**

Council rose at 9:06 p.m. without report.

**16. ADJOURNMENT**

This Regular Meeting of Council was adjourned at 9:07 p.m. by unanimous consent.

CERTIFIED CORRECT:

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Mayor (A. Stone)

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Corporate Officer (D. Smith)