



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, September 21, 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:

Erin Anderson
Chris Barfoot
Jake Belobaba

Geoff Goodall
Donna Smith
Mike Gregory

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 6:31 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2021-290

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:

- 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 7:00 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 2021-291

That Council approve the agenda for this Regular Meeting of Council for September 21, 2021.

Motion Carried

5. RISE AND REPORT- Items from Previous Closed Session

The following items from the Closed Meeting of Council held September 7, 2021 were reported:

CE 2021-113

That Council:

1. Receive with regret Bruce Laxdal's resignation as a Director of the Board of DL2016 Holdings Corporation and request that the Mayor send a letter of appreciation to him for his years of service;
2. Appoint Allison McCarrick, Chief Administrative Officer as a Director on the DL2016 Holdings Corporation Board; and
3. Rise and report on Recommendation Nos. 1 and 2 immediately.

CE 2021-114

That Council:

1. Approve the five-year lease renewal agreement with the Ladysmith Resources Centre Association for the property located at 630 2nd Avenue as presented, effective August 1, 2021 and authorize the Mayor and Corporate Officer to execute the lease renewal;
2. Direct staff to give notice of the Town's intent to enter into a lease agreement with the Ladysmith Resources Centre Association as per the *Community Charter*; and
3. Rise and report on Recommendation Nos. 1 and 2 immediately.

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held September 7, 2021

CS 2021-292

That Council approve the minutes of the Regular Meeting of Council held September 7, 2021.

Motion Carried

7. DELEGATIONS

7.1 BC Housing and Ladysmith Resources Centre Association

Heidi Hartman of BC Housing, and Vicky Stickwood-Hislop, LRCA President, Karen Laing, LRCA Executive Director and Aaron Hungar, LRCA Manager of Housing/Outreach Services addressed Council and requested that they extend the Temporary Use Permit for the Islander Hotel to allow for its continued use as an overnight shelter for Ladysmith's vulnerable population. They responded to Council's questions.

CS 2021-293

That Council amend the agenda to consider item 9.1, "Temporary Use Permit Renewal Request" prior to item 8, "Proclamations" and renumber the agenda accordingly.

Motion Carried

8. DEVELOPMENT APPLICATIONS

8.1 Temporary Use Permit Renewal Request - 440 1st Avenue

CS 2021-294

That Council:

1. Deny the request by BC Housing to renew Temporary Use Permit 3340-21-01.
2. Direct staff to request BC Housing to provide a report, by September 28, 2021, outlining how BC Housing will meet section 4(h) of Temporary Use Permit 3340-21-01.

Motion Defeated Unanimously

CS 2021-295

That Council renew Temporary Use Permit 3340-21-01 until March 31, 2022.

CS 2021-296

AMENDMENT:

That Council amend Resolution CS 2021-295 to include the following as Recommendation No. 2:

Direct BC Housing to provide a report to Council by January 31, 2022 outlining how they will meet condition 4(h) of Temporary Use Permit 3340-21-01, which requires BC Housing to "ensure the safe and dignified relocation of the occupants".

Amendment Carried

Resolution CS 2021-295, as amended, reads:

That Council:

1. Renew Temporary Use Permit 3340-21-01 until March 31, 2022; and
2. Direct BC Housing to provide a report to Council by January 31, 2022 outlining how they will meet condition 4(h) of the Temporary Use Permit 3340-21-01, which requires BC Housing to "ensure the safe and dignified relocation of the occupants".

Main Motion, as Amended, Carried

9. PROCLAMATIONS

9.1 Foster Family Month, October 2021

Mayor Stone proclaimed the month of October 2021 as Foster Family Month in the Town of Ladysmith.

9.2 Fire Prevention Week, October 3-9, 2021

Mayor Stone proclaimed October 3-9, 2021 as Fire Prevention Week in the Town of Ladysmith.

10. COMMITTEE MINUTES

10.1 Community Planning Advisory Committee - September 1, 2021

CS 2021-297

That Council receive for information the minutes of the September 1, 2021 meeting of the Community Planning Advisory Committee.

Motion Carried

11. REPORTS

11.1 DL2016 Holdings Corporation Annual General Meeting

CS 2021-298

That Council, as the sole shareholder of the DL2016 Holdings Corporation entitled to vote at an annual general meeting resolve that:

1. The financial statements of the Company for the period ended December 31, 2020 are hereby approved;

2. All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Company since the last annual reference date of the Company, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed;
3. The number of directors of the Company is hereby fixed at five;
4. The following persons, each of whom has consented to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:
 - Jake Belobaba
 - Rob Hutchins
 - Allison McCarrick
 - Alan Newell
 - Richard Wiefelspuett
5. Grant Thornton, LLP, Certified Public Accountants are hereby appointed auditors for the Company until the next annual reference date of the Company or until a successor is appointed, at a remuneration to be fixed by the directors; and
6. September 21, 2021 is selected as the annual reference date for the Company for its current annual reference period.

These resolutions shall be deemed to be effective as at September 21, 2021.

Motion Carried

11.2 Community Planning Advisory Committee Terms of Reference

CS 2021-299

That Council amend the Terms of Reference for the Community Planning Advisory Committee to remove the requirement that meetings take place in the Council Chamber for the reasons outlined in the staff report dated September 21, 2021.

Motion Carried

11.3 Request for Cowichan Valley Regional District Bylaw Amendment, Fireworks Sale and Discharge Regulation

CS 2021-300

That Council direct staff to request that the Cowichan Valley Regional District Board amend "Cowichan Valley Regional District Bylaw No. 39 – Fireworks Sale and Discharge Regulation Bylaw, 1970" to include the following Ladysmith-specific special events:

- a. the last Thursday of November; and
- b. the Sunday directly preceding BC Day, where the drought level rating established by the Cowichan Valley Regional District is no greater than Level 3.

Motion Carried

12. BYLAWS

12.1 Bylaw No. 2060 (670 Farrell Road)

CS 2021-301

That Council adopt "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 63) 2021, No. 2060".

Motion Carried

12.2 Bylaw No. 2061 (670 Farrell Road)

CS 2021-302

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 33) 2021, No. 2061".

Motion Carried

12.3 Bylaw No. 2064 (630 Farrell Road)

CS 2021-303

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 35) 2021, No. 2064".

Motion Carried

OPPOSED: Councillor Johnson

12.4 Bylaw No. 2084 (Permissive Tax Exemptions for 2022)

CS 2021-304

That Council give first, second and third readings to "Town of Ladysmith 2022 Permissive Tax Exemptions Bylaw 2021, No. 2084".

Motion Carried

12.5 Bylaw No. 2086 (Community Centre Fees and Charges)

CS 2021-305

That Council adopt "Community Centre Fees and Charges Bylaw 2021, No. 2086".

Motion Carried

12.6 Bylaw Status Sheet

13. CORRESPONDENCE

13.1 Request by Dyslexia Canada to Illuminate City Hall with red lights on October 18th

CS 2021-306

That Council approve the request from Dyslexia Canada to illuminate City Hall with red lights on Monday, October 18, 2021 in support of Dyslexia awareness.

CS 2021-307

AMENDMENT:

That Council amend resolution CS 2021-306 to alter the dates of illumination to the week of October 18-22, 2021.

Amendment Carried

Resolution CS 2021-306, as amended, reads:

That Council approve the request from Dyslexia Canada to illuminate City Hall with red lights October 18-22, 2021 in support of Dyslexia awareness.

Main Motion, as Amended, Carried

14. QUESTION PERIOD

There were no questions submitted by the public.

15. ADJOURNMENT

CS 2021-308

By unanimous consent Council agreed to adjourn this Regular Meeting of Council at 8:55 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)