



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, January 11, 2022

6:00 P.M.

This meeting was held electronically

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
Ryan Bouma

Donna Smith
Mike Gregory
Shannon Wilson
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:37 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2022-001

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:

- labour relations or other employee relations - section 90(1)(c)

Motion Carried

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

Mayor Stone called the Public Hearing and Regular Meeting of Council to order at 6:00 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 2022-002

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for January 11, 2022 as amended to include additional Public Hearing submissions for item 5.1.

Motion Carried

5. PUBLIC HEARING

5.1 “Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076”

Members of the public attending: 14

5.1.1 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. 2076.

He advised that staff would introduce the proposed bylaw amendment, 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 Bylaw, 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.

5.1.2 Introduction of Bylaw and Statutory Requirements - Director of Development Services

Jake Belobaba, Director of Development Services introduced “Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076” as the subject of the Public Hearing.

Mr. Belobaba advised that the purpose of Bylaw No. 2076 is to:

1. Amend the Medium Density Residential (R-3) zone to allow “Emergency Shelter”, for up to 10 people, as a site-specific permitted use at 631 1st Avenue; and

2. Exempt 631 1st Avenue from the minimum dwelling unit floor area requirements of the R-3 zone.

Mr. Belobaba also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on December 30, 2021 and January 6, 2022 and was posted on the Town's website and community notice boards. A copy of the Notice, the proposed Bylaw, and background information were 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. He noted that as of noon on Tuesday, January 11, nine written submissions related to the proposed bylaw had been received.

5.1.3 Submissions

5.1.4 Call for Submissions to Council (Three Times) - Mayor Stone

Mayor Stone called for submissions to Council.

Ryan Alger, 11 Buller Street, spoke in support of the shelter but suggested adding extra security for the area.

Campbell McIntyre, Owner of the Beantime Cafe at 18 High Street, spoke in support of the shelter but expressed concern that residents and business owners in the area would once again experience discarded drug paraphernalia, graffiti and vandalism. He advised that the neighbourhood felt it had not received adequate RCMP support when the shelter was previously in operation.

Richard Morencie, Owner of Red's Emporium at 26 High Street, expressed concerns that theft, debris and discarded drug paraphernalia would increase again. He enquired about RCMP plans for rectifying these problems.

Mayor Stone called for submissions to Council a second time.

Denise Bergquist and Stefan Quietsch, Owners of the Temperance Hotel at 32 High Street, stated that during the previous operation of the shelter their business had experienced multiple break-ins and the area had been littered with discarded drug paraphernalia and were concerned that those problems would return. They advised that increased police presence in the area would help.

Mayor Stone called for submissions to Council a third and final time.

No one else wished to speak regarding "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

Mayor Stone asked the Corporate Officer, D. Smith, if any submissions had been received via email. The Corporate Officer advised that one submission from Ryan Alger had been received via email and read the submission which included Mr. Alger's previous comments to Council during the Hearing.

5.1.5 Declaration that the Public Hearing for Bylaw No. 2076 is Closed - Mayor Stone

Hearing no further comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw No. 2076 closed at 6:17 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 PUBLIC HEARING)

6.1 "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076"

CS 2022-003

That Council give third reading to "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

Motion Carried

7. RISE AND REPORT- Items from Previous Closed Session

Council rose from Closed Session at 5:54 p.m. without report.

The following items from the Closed Meeting of Council held November 30, 2021 were reported:

Resolution CE 2021-132

That Council direct that staff implement a COVID-19 Vaccination Policy which includes vaccination education and rapid testing for employees and Council members with undisclosed vaccination status.

CE 2021-134

That Council rise with report on Resolution CE 2021-132 when appropriate.

8. MINUTES

8.1 Minutes of the Public Hearing and Regular Meeting of Council held December 21, 2021

CS 2022-004

That Council approve the minutes of the Regular Meeting of Council held December 21, 2021.

Motion Carried

9. COMMITTEE MINUTES

9.1 Parks, Recreation and Culture Advisory Committee - December 15, 2021

CS 2022-005

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held December 15, 2021.

Motion Carried

10. REPORTS

10.1 2022 Community Banner Themes

CS 2022-006

That Council approve the following components of the 2022 Community Banner Program:

1. The theme "Community on the Coast" for the Community Public Art Banners; and
2. The inclusion of a Community Celebration Banner, to celebrate the Centennial of Aggie Hall.

CS 2022-007

AMENDMENT:

That Council amend item 2 of Resolution CS 2022-006 to include "in a way that is mindful and sensitive of our Stz'uminus First Nation neighbours".

Amendment Carried

Resolution CS 2022-006, as amended, reads:

That Council approve the following components of the 2022 Community Banner Program:

1. The theme “Community on the Coast” for the Community Public Art Banners; and
2. The inclusion of a Community Celebration Banner, to celebrate the Centennial of Aggie Hall in a way that is mindful and sensitive of our Stz’uminus First Nation neighbours.

Main Motion, as Amended, Carried

10.2 2022 Utility Bill Due Dates

CS 2022-008

That Council approve the following utility billing due dates:

- February 25, 2022 for the period October to December, 2021;
- May 30, 2022 for the period January to March, 2022;
- August 30, 2022 for the period April to June, 2022; and
- November 29, 2022 for the period July to September, 2022.

Motion Carried

11. BYLAWS

11.1 Park Dedication

CS 2022-009

That Council:

1. Give first, second and third readings to “Bylaw Revision Bylaw 2022, No. 2090”;
2. Give first, second and third readings to “Removal of Road Dedication Bylaw 2022, No. 2085”;
3. Direct staff to:
 1. provide notice to the public of Council’s intention to adopt Bylaw No. 2085 pursuant to sections 40(3)(a) and 94 of the *Community Charter*;
 2. provide notice of Council’s intention to adopt Bylaw No. 2085 to:
 1. BC Hydro
 2. Fortis
 3. Shaw
 4. TELUS;
 3. refer Bylaw No. 2085 to the Ministry of Transportation and Infrastructure pursuant to section 41(3) of the *Community Charter*, and

4. Give first and second readings to "Park Dedication Bylaw 2022, No. 2083".*

Motion Carried

11.2 Bylaw Status Sheet

12. NEW BUSINESS

12.1 2022 Conference Attendance

12.1.1 Association of Vancouver Island Coastal Communities

CS 2022-010

That Council appoint Councillors Johnson, McKay, Paterson and Stevens to join Mayor Stone at the Association of Vancouver Island and Coastal Communities annual convention to be held April 1-3, 2022 in Victoria.

Motion Carried

12.1.2 Union of British Columbia Municipalities

CS 2022-011

That Council appoint Councillors McKay, Paterson, Stevens and Virtanen to join Mayor Stone at the Union of British Columbia Municipalities annual convention to be held September 12-16, 2022 in Whistler.

Motion Carried

12.1.3 Federation of Canadian Municipalities

CS 2022-012

That Council appoint Councillor McKay to join Mayor Stone at the Federation of Canadian Municipalities 2022 Convention to be held June 2-5, 2022 in Regina.

Motion Carried

12.1.4 Vancouver Island Economic Alliance

Council requested that staff reach out to the Vancouver Island Economic Alliance to hold five spots for members of the newly elected Town Council to attend the Vancouver Island Economic Alliance convention in Nanaimo on October 26-28, 2022.

13. NOTICE OF MOTION

Councillor Johnson provided the following notice of motion to be considered by Council at its Regular Meeting scheduled for January 25, 2022:

"That the Town of Ladysmith create a permanent memorial such as a Wall of Honour, listing Citizens of the Year in the Town of Ladysmith, and others that have brought honour to, or improved our community."

14. QUESTION PERIOD

There were no questions submitted by the public.

15. ADJOURNMENT

CS 2022-013

That this Regular Meeting of Council adjourn at 7:30 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)