

DISTRICT OF BARRIERE
MINUTES OF A PUBLIC HEARING & REGULAR COUNCIL MEETING
Held on Tuesday, February 21, 2023 at 7:00pm in the Council Chambers at Municipal Hall
4936 Barriere Town Road, Barriere, B.C.

*“We acknowledge and respect the indigenous peoples of Simpcw First Nation
within whose traditional lands we are meeting today.”*

Present: Mayor Ward Stamer
Councillor Rob Kerlake
Councillor Donna Kibble
Councillor Louise Lodge – *via Zoom*
Councillor Colin McInnis

Regrets: Councillor Judy Armstrong
Councillor Scott Kershaw

Staff: Bob Payette, Chief Administrative Officer
Tasha Buchanan, Corporate Officer
Ashley Wohlgemuth, Fire Chief

Mayor Stamer called the meeting to order at 7pm.

1. ADOPTION OF AGENDA

It was reported that due to a scheduling conflict, Cpl. Camalush (Agenda Item 5a) has rescheduled to appear in April.

Moved by Councillor Kerlake
Seconded by Councillor Kibble

That Council approve the February 21st, 2023 Regular Council Meeting & Public Hearing Agenda as amended.

CARRIED

2. PUBLIC HEARINGS

Moved by Councillor McInnis

Seconded by Councillor Kerlake

That Council recess the Regular Council Meeting and convene into a Public Hearing at 7:02pm.

CARRIED

A Public Hearing opening statement was read by the Mayor. There were approximately 30 members of the public in attendance.

- a. RZ-23-02 DoB - Zoning Bylaw No. 111, Amendment Bylaw No. 228: to add a new, Residential Private (RP) Zone

The Corporate Officer provided an overview of the rezoning application via the written staff report and noted that there has been no public comments received prior to the public hearing regarding this proposed zoning bylaw amendment.

It was reiterated that no property would be *assigned* this zone as it can only be applied through a rezoning application and bylaw amendment process.

The Mayor called three times for public comment and hearing none, declared the public hearing for this application, closed.

b. RZ-22-06 Fan – Zoning Bylaw No. 111, Amendment Bylaw No. 225: DL1570 from Small Holdings (SH) to Residential (R)

The Corporate Officer provided an overview of the rezoning application via the written staff report and all public comments received prior to the public hearing:

- In the week after December 5, 2022, referral packages were sent to the Ministry of Transportation, Simpcw First Nation, TNRD, Telus & BC Hydro. There have been no comment of objection received. The Interior Health Authority response is included in the public hearing package and notes general support of the application; however, notes that while only a minimum of 1 acre is required, a minimum of 2 acres is preferred if private wells are to be installed on each lot.
- K. Scott (via email): . *“The proposed subdivision would allow lots 1 acre in size. I find this very exciting for Barriere and maybe for me personally as I consider sizing down.”*

The Corporate Officer reported that since the application submission and subsequent first reading, concerns were raised over whether or not the District has the capacity to accommodate such a development. The answer to that inquiry has been that the developer/owner would be responsible to provide private services for any proposed development and the development form would most likely be a bare land strata development. To further clarify this expectation, staff are now recommending that draft Bylaw No. 225 be amended to reflect a new Residential Private (RP) Zone which is being presented for final consideration at this February 21, 2023 Meeting. The new RP Zone would make it clear to any developer or potential purchaser, that while the additional density of 1 acre (or larger) lots is permitted, all lots must be privately serviced including water, wastewater, roads and streetlighting.

As per legislation, after the close of the public hearing (either the same day or at a later meeting), “a council or board may do one of the following:

- Adopt or defeat the bylaw
- Alter and then adopt the bylaw (as long as the changes don't alter use, or increase density or decrease density ***without the consent of the landowner***).

In this case, the District is in receipt of written consent of the landowner to amend the proposed bylaw to reflect the new Residential Private (RP) Zone as opposed to the original Residential (R) Zone.

Nola Kilmartin, a representative from the contracted engineering firm acquired by the applicant, made a power point presentation to Council and those in attendance (attached for public record). The Mayor inquired with Ms. Kilmartin if septic tank placement will be impacted by the slopes in various portions of the property. It was answered that a detailed slope report will be undertaken as part of the subdivision planning process. In answer to Councillor Kibble's question regarding planned lot sizes, Nola reported lots will range from 1-4 or 5 acres in size, depending on the topography. It was asked how many lots are planned should the zoning remain Small Holdings (SH), and it was answered that approximately 46 lots was the goal.

Public attendance comments (in person and electronic attendees) presented were as follows:

- Chris Delaney of Voyageur Estates – adjoining property owner (via Zoom)– read through a written statement of objection to the application which was distributed to Council and will be attached to the minutes of this hearing for record. In brief summary, the response indicated an opinion that the increased density is not in line with the District's Official Community Plan, the municipality does not have the capacity to provide the necessary services for such a largely densified development, there isn't enough a housing market for that number of 1 acre parcels, and that due to a civil legal dispute between his company and the applicant, development can not begin until the dispute is resolved anyway.
- Al Fortin of Barriere (via Zoom) – Will a new geotechnical assessment be undertaken? Ms. Kilmartin answered that yes, a new geotechnical assessment will be required in order to assess the smaller, minimum lot size which will be completed in the subdivision planning process.
- Larry Sims of Glengrove Estates in Area 'O' (in person) – Noted a concern of the potential impact that the increased traffic will have on Dixon Creek Road and to the residents who live along that rural road.
- Matt Robson of Kamloops (in person) – Stated that the District of Barriere has received 5 million dollars in response to its application for funding through the "Smart Cities / 15 Minute City" program and voiced strong opposition to the District's application to the program.

The Mayor informed Mr. Robson that this is a public hearing relating to the rezoning application for DL1570 on Dixon Creek Road and as his comments to not relate to the application, he was asked to reserve his inquiries for the Public Inquiry section of the Regular Council Meeting agenda after the public hearings have been closed. Mr. Robson disagreed that his comments are not related to the application and explained his belief that it is through rezoning and development application processes, that local governments are carrying out their agenda to seize private land from property owners and strip their residents of the freedom to leave their 15min zones through electronic tracking and monitoring devices.

The Mayor clarified that the District of Barriere has not received any funds under the program as the only application the District submitted, was in 2018 and that application was not successful. The Corporate Officer explained that in 2018, a resident had made the District aware of the new program and suggested a possible partnership with Simpcw First Nation. A public open house was held to garner public interest in the application and to gain ideas for possible projects. Trail connectivity was one of the District of Barriere's objectives in the program. The Corporate Officer reiterated that the District was not successful in the application and has not since applied under the program and has not had any plans to do so either. Mr. Robson, joined by many voices of those in attendance, voiced their belief that this was not true and the local government is lying since the map online shows Barriere as an applicant. It was reiterated that that map was from 2018 and shows those that applied in 2018. If one removes that layer of 2018 applicants, then Barriere is no longer shown on the map with the layers that remain showing finalists and winners. Mr. Robson argued that this is clearly a lie and demanded the Mayor tell the truth. The Mayor responded that he is telling the truth and since Mr. Robson insists on verbal outbursts and speaking out turn, that he leave. Mr. Robson refused.

- Jim Secord of Barriere (in person) – Reported to Council that upon his inquiry a couple weeks ago with the Corporate Officer at the front desk regarding the District receiving 5 million dollars under the 15 minute City program, the Corporate Officer laughed in his face and called him “stupid” and “dumb”. The Corporate Officer denied this accusation and Mr. Secord then stated the Corporate Officer needs to be imprisoned.
- Suzanne Turenne of Vista Point (in person) – voiced strong opposition to the rezoning application due to her belief of the detrimental environmental and animal habitat impact that any development would have on that mountain. Suzanne cited osprey, badger, bear, deer and other wildlife habitats that would be destroyed with residential development on that property. She voiced that she is very much opposed to any amount of development, not just 1 acre lots, but 5 acre or even 10acre lots. She expressed to Council how strongly she felt of the truly negative impact that approval of this development would result. She urged Council to deny the rezoning.
- Kathy Campbell of Barriere (in person) – that road will need to be surveyed as right now it can not support that increase in density. It was answered that the road will indeed be surveyed.
- Bruce Scott of Barriere (in person) – demanded that Council suspend the discussion and debate of these rezoning applications in light of the Smart Cities controversy.

Several members of the public spoke without introduction and due to the volume in the room, the minute taker was unable to hear names or what comments were made by whom. The general tone heard was the belief that members of staff and Council were lying about the District's involvement and intentions under the program.

Due to the general discord and lack of order with raised voices and speaking out of turn, several members of Council, including Councillor Kibble, Councillor Lodge and the Mayor, called for a Point of Order. The Mayor once again asked that the public hearing relating to the application at hand for DL1570, resume and that inquiries relating to Smart Cities/15 Minute Cities, be presented in the Public Inquiry portion of the Regular Council Meeting agenda.

At the call of staff, an RCMP Officer arrived in the building at 8:10pm and remained in the hallway in case the tensions in the room continued to escalate.

The Mayor called three times for any additional public comment on the rezoning application. Hearing none, the Mayor declared the public hearing for this application, closed.

- c. RZ-23-01 Smile – Zoning Bylaw No. 111, Amendment Bylaw No. 227: 3820 Enterprise Way to add a site-specific additional use of Cannabis Sales

The Corporate Officer provided an overview of the rezoning application via the written staff report and noted that no public comments have been received prior to the public hearing.

Public attendance comments (in person and via online) presented were as follows:

- Al Fortin of Barriere (via Zoom) – Will Farm to Gate operations be inspected by the Province like other cannabis retailers? Answer: the LCRB regulates both licencees with strict conditions in order to maintain their licence.
- Matt Robson of Kamloops (in person) – Opposes the rezoning application on the basis of his belief that this is how the liberal government is trying further control its population through the Soviet model; by encouraging drug and alcohol addiction in not only adults, but also children. Mr. Robson stated his belief that communities that allow these types of establishments, encourage the mental decline of their citizens including the development of Schizophrenia. He called out to the public in attendance asking if they will stand for their local government encouraging drug and alcohol abuse and addiction in Barriere. Many of those in attendance called out ‘No!’ in response.
- Jim Secord of Barriere (in person) – Opposes the rezoning application as he opposes all drug and alcohol sales in this community for the reasons previously stated by Mr. Robson as Barriere should aim to be “perfect”.

The Mayor called three times for any additional public comment on the rezoning application. Hearing none, the Mayor declared the public hearing for this application, closed.

**Moved by Councillor Kerlake
Seconded by Councillor Kibble
That the Public Hearings adjourn and that Council reconvene into its Regular Council Meeting at 8:15p.m.**

CARRIED

3. RECONVENE REGULAR COUNCIL MEETING – *The Regular Council Meeting reconvened at 8:15p.m.*

4. ADOPTION OF MINUTES

- a. Moved by Councillor McInnis
Seconded by Councillor Kerslake
That Council adopt the minutes of a February 6, 2023 Regular Council Meeting

CARRIED

5. PETITIONS AND DELEGATIONS

- a. Cpl. Kyle Camalush, RCMP – *not in attendance due to a schedule conflict*

6. BYLAWS and POLICIES

- a. Zoning Bylaw No. 111, Amendment Bylaw No. 228 re: RZ-23-02 *a bylaw to add new Residential Private (RP) Zone – 2nd, 3rd readings & adoption

**Moved by Councillor Kerslake
Seconded by Councillor Kibble
That Zoning Bylaw No. 111, Amendment Bylaw No. 228 re: RZ-23-02 receive second reading.**

CARRIED

**Moved by Councillor Kerslake
Seconded by Councillor Kibble
That Zoning Bylaw No. 111, Amendment Bylaw No. 228 re: RZ-23-02 receive third reading.**

CARRIED

**Moved by Councillor Kerslake
Seconded by Councillor Kibble
That Zoning Bylaw No. 111, Amendment Bylaw No. 228 re: RZ-23-02 be adopted.**

CARRIED

- b. Zoning Bylaw No. 111, Amendment Bylaw No. 225 re: RZ-22-06 *a bylaw to rezone DL1570 from Small Holdings (SH) to Residential (R) – 2nd, 3rd readings & adoption

Councillor Kerslake noted that he would like to wait until Councillors Armstrong and Kershaw returned prior to further debate of this proposed bylaw amendment.

**Moved by Councillor Kerslake
Seconded by Councillor McInnis
That Zoning Bylaw No. 111, Amendment Bylaw No. 225 re: RZ-22-06 be debated at the next Council Meeting on March 6th at 7pm.**

CARRIED

- c. Zoning Bylaw No. 111, Amendment Bylaw No. 227 re: RZ-23-01 *to add additional permitted use of “Cannabis Sales” to 3820 Enterprise Way – 2nd and 3rd readings.

Moved by Councillor Kerslake

Seconded by Councillor McInnis

That Zoning Bylaw No. 111, Amendment Bylaw No. 227 re: RZ-23-01 receive 2nd reading.

CARRIED

- d. Engagement Policy No. 44 – adoption

Moved by Councillor Kerslake

Seconded by Councillor McInnis

That Engagement Policy No. 44 be adopted.

CARRIED

7. STAFF REPORTS

- a. CAO Update – B. Payette, CAO
**Submitted for information*

The CAO provided an overview of the written report.

8. PROCLAMATIONS – *none submitted*

9. CORRESPONDENCE

- a. For Information
- b. For Action – *none submitted*

10. COUNCIL REPORTS

- a. Councillor Lodge provided a verbal report on the following:
- Attended an EOS Conference
 - The Rec Committee Coordinator continues to work on the Community Calendar and with the wrap of the Family Fun Night event, the Committee will set its focus on the upcoming Volunteer Fair
- b. Councillor Kibble provided a verbal report on the following:
- This week is Heritage Week – The Heritage Society has joint displays with Simpcw at both schools in its recognition.
 - Volunteered at the Barriere Literacy Group booth
 - Participated in a NTFFRA Board Meeting

11. MAYOR'S REPORT

The Mayor provided a verbal update on the following:

- Was able to speak to various news agencies, while on holiday, about the urgency surrounding the increase of Hwy 5 collisions involving commercial vehicles in the majority of those severe incidents. Has had a conversation with the Minister of Transportation and Infrastructure, Rob Fleming, regarding the issues and will be meeting again next week with him along with Clearwater Mayor Blackwell and both CAOs.

12. PUBLIC INQUIRIES

- a. (Unidentified) Leonie Lake impacted land owner (in person) – reported to the CAO that along with other property owners in the TNRD, he participated in a presentation regarding the dam four years ago and that minutes were taken and adopted. He reported that in those minutes, it reiterated that all affected property owners of the Leonie Lake dam would be consulted prior to any decisions being made about the dam's operation. The CAO answered that that is still the case, but at this time, the District has only authorized an engineering impact study on possible options for the Leonie Lake dam and that prior to any decision, all stakeholders will be consulted.
- b. Rodger Wood – 451 McLean (in-person) – Reported that he and his wife chose to retire in Barriere after leaving Maple Ridge BC. A handout was provided showing the details of the District of Barriere's 2018 Smart City application. He explained that Smart Cities are a human experiment intended to impose unlawful surveillance, electronic tracking and control of citizens of this country. He asked: "*Will you pull back from the platform and remove Barriere's application to the program?*" It was answered that after the District applied in 2018 and was not successful, the District has not considered another entry in any year, including this one, since then and has no plans to do so in the future.

Voices were heard from a number of those in the public attendance exclaiming that that answer is a lie. The Corporate Officer showed the response received from the federal government in 2018 that shows the District was indeed unsuccessful and was not on the list of finalists, or winners. It was then asked by Matt Robson to the Corporate Officer, if she would guarantee that the District will never apply this year, next year, five years from now or even 20 years from now. The Corporate Officer answered that Council is the only body with the authority to make those decisions and that while this Council has expressed no interest in applying under the grant, that it can not bind future Councils ability to make alternate decisions. General discord was heard and it was voiced by Mr. Robson that this answer is proof of the District's intention to deceive the people of Barriere.

- c. Unidentified person (in person) – Read out loud the overview of the District's 2018 Smart City application from the federal government's website where words in the District's summary included "Virtual Reality" and "Technology immersed interaction" which, in her opinion, didn't mean 'trail connectivity.'. It was answered that Simpcw First Nation and Brian Bondar's portion of the application was for an Interpretive Centre, intended to be a tourist destination with the vision being a modern museum type facility highlighting the

history of the valley and its First Nation heritage. It was reiterated again, that the District has not received any funding from the program as the 2018 application, the only application that has ever been made to the program, was not successful and that the program has not been sought after since that result in 2018. It was the consensus of many in the public attendance that this explanation was untrue and meeting decorum once again fell into raised voices and speaking out of turn. The minute taker was unable to identify who was speaking when and what was being said by whom.

- d. Unidentified of Area 'O' (in person) – Voiced his opinion on the Mayor's response earlier in the Public Hearing to be bullying and requested an apology from the Mayor and an apology from Council on the lies he believes they have been telling the people of Barriere about their intentions to be a 15 Minute City. It was reiterated by Council that there is no intention to partake in the program whatsoever. General dissention of the public in attendance was the belief that this was not true.
- e. Patrick Snow of unknown location (in-person) – Had an interaction with a Natural Resource Officer (NRO) who was armed and wanted clarification on what the carry rules are for NRO. It was answered that Council will inquire with the RCMP when they next meet.

13. **NOTICE OF MOTION** – *none presented.*

14. **NEXT MEETING**

- a. SPECIAL Council Meeting (2023 BUDGET) – Monday, February 27, 2023 @ 5:30pm
- b. SPECIAL Council Meeting (2023 BUDGET) – Monday, March 6, 2023 @ 5:30pm
- c. Regular Council Meeting – Monday, March 6, 2023 @ 7pm

15. **ADJOURNMENT**

Moved by Councillor Kerlake that the meeting adjourn at 10:09 p.m.

CARRIED

Mayor Ward Stamer

Bob Payette, CAO