



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, December 17, 2024

5:30 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Acting Mayor Tricia McKay
Councillor Ray Gourlay
Councillor Amanda Jacobson

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Jake Belobaba
Sue Bouma

Vidhi Kyada
Julia Tippett
Nick Pescod
Hayley Young

1. OPEN MEETING AND ACKNOWLEDGEMENT

Acting Mayor McKay called this Regular Meeting of Council to order at 5:30 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CS 2024-301

That Council approve the agenda as amended to include public submissions received after publication of the agenda for Item 5.2., "Development Variance Permit and Development Permit – 128 Rollie Rose Drive"; and to add the following new agenda items:

- Item 8.1.7., "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2024, No. 2170"
- 8.1.8., "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2171".

Motion Carried

3. RISE AND REPORT - Items from Closed Session

There were no items to report.

4. MINUTES

4.1 Minutes of the Regular Meeting of Council held December 3, 2024

CS 2024-302

That Council approve the minutes of the Regular Meeting of Council held December 3, 2024.

Motion Carried

4.2 Minutes of the Special Meeting of Council held December 11, 2024

CS 2024-303

That Council approve the minutes of the Special Meeting of Council held December 11, 2024.

CS 2024-304

AMENDMENT

That Council amend Resolution CS 2024-303 to note date changes related to nomination packages.

Amendment Carried

Resolution CS 2024-303, as amended reads:

That Council approve the minutes of the Special Meeting of Council held December 11, 2024, as amended to change the first date that nomination packages will be accepted to January 14, 2025.

Main Motion, as Amended, Carried

5. DEVELOPMENT APPLICATIONS

5.1 Roundabout Condition 1130 Rocky Creek Road

CS 2024-305

That Council:

1. Consider the request to amend Covenant CB215820 registered on the title of 1130 Rocky Creek Road and direct staff to:
 - a. proceed with scheduling and notification of a public hearing pursuant to section 464(1) of the *Local Government Act*; and
 - b. Formally refer the proposal to the Ministry of Transportation and Infrastructure;

2. Require that, as a condition of approval of the request to amend Covenant CB215820 the following conditions to be secured through a covenant also be amended to:
 - a. prohibit access from Ludlow Road and limit egress from the site to a single, right out only egress, until the roundabout is constructed;
 - b. require the construction of a temporary median in Ludlow Road;
 - c. require cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;
 - d. require the provision of a temporary gravel pathway along the frontage of the property as shown in proposed development permit 3060-24-20;
 - e. require the provision of no left turn signs in the Ludlow Road right of way to prevent left hand turns exiting 1010 Ludlow Road; and
 - f. require no U-Turn signs to be installed at the Ludlow Road/Rocky Creek Road Intersection;
3. Issue Development Variance Permit 3090-24-08; and
4. Issue Development Permit 3060-24-20.

CS 2024-306

MOTION TO TABLE

That Council defer consideration of the request to amend Covenant CB215820 related to the roundabout condition for the 1130 Rocky Creek Road development to a future meeting of Council.

Motion to Table Defeated

OPPOSED: Acting Mayor McKay, Councillors Paterson and Virtanen.

Main Motion CS 2024-305 Defeated

OPPOSED: Councillors Gourlay, Jacobson and Stevens

CS 2024-307

That Council:

1. Consider the request to amend Covenant CB215820 registered on the title of 1130 Rocky Creek Road and direct staff to:
 - a. proceed with scheduling and notification of a public hearing pursuant to section 464(1) of the *Local Government Act*; and
 - b. Formally refer the proposal to the Ministry of Transportation and Infrastructure;

2. Require that, as a condition of approval of the request to amend Covenant CB215820 the following conditions to be secured through a covenant also be amended to:
 - a. prohibit access from Ludlow Road and limit egress from the site to a single, right out only egress, until the roundabout is constructed;
 - b. require the construction of a temporary median in Ludlow Road;
 - c. require cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;
 - d. require the provision of a temporary gravel pathway along the frontage of the property as shown in proposed development permit 3060-24-20;
 - e. require the provision of no left turn signs in the Ludlow Road right of way to prevent left hand turns exiting 1010 Ludlow Road;
 - f. require no U-Turn signs to be installed at the Ludlow Road/Rocky Creek Road Intersection; and
 - g. require the developer to contribute \$200,000 towards the development of the roundabout.
3. Issue Development Variance Permit 3090-24-08; and
4. Issue Development Permit 3060-24-20.

Motion Carried

OPPOSED: Councillors Jacobson and Stevens.

**5.2 Development Variance Permit and Development Permit – 128 Rollie Rose Drive
CS 2024-308**

That Council:

1. Issue Development Variance Permit 3090-24-06 to vary the following provisions of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” for a proposed multi-unit residential development at 128 Rollie Rose Drive (Lot 12, District Lot 103, Oyster District, Plan EPP75579; PID: 030-477-620):
 - a. Section 7.2.2. (c) to reduce the minimum landscape buffer from 1.5 metres to 0.5 metres; and
 - b. Section 10.12.5. (d) to reduce the minimum front parcel line setback from 6.0 metres to 2.7 metres;

2. Issue Development Permit Number 3060-21-10 to allow construction of a three-unit townhouse building and two duplex buildings at 128 Rollie Rose Drive; and
3. Require as a condition of the issuance of Development Permit 3060-21-10 that the applicant provide landscape security in the amount of \$23,382.00, as stated in the Development Permit (3060-21-10).

Motion Carried

6. BYLAWS- OFFICIAL COMMUNITY PLAN AND ZONING

6.1 Housing Needs Report and Consequential OCP Amendments

CS 2024-309

That Council:

1. Pursuant to sections 585.31 and 790(2) the *Local Government Act*, receive the December 17, 2024 report to Council as the Town's Interim Housing Needs Report;
2. Direct staff to publish the Interim Housing Needs Report to the Town's webpage pursuant to section 790(5) of the *Local Government Act*;
3. Having considered s. 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that:
 - a. the Stz'uminus First Nation, is the only entity that is appropriate to consult in connection with "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190";
 - b. consultation should be early but need not be ongoing;
 - c. the consultation process described in the December 17, 2024 staff report to Council is sufficient in respect to the proposed Official Community Plan amendment; and
 - d. staff be directed to refer "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190" to the Stz'uminus First Nation as set out in recommendation 3 for consultation in the manner described in the December 17, 2024 report to Council;
4. Give first and second readings to "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190";
5. Consider "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190" in conjunction with the Town's Financial Plan, the Town's Liquid Waste Management Plan, and the

- Cowichan Valley Regional District Solid Waste Management Plan, pursuant to section 477(3) of the *Local Government Act*;
6. Consider “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190” in conjunction with the Town’s Interim Housing Needs Report and the housing information on which the report is based, pursuant to section 473.1(2) of the *Local Government Act*;
 7. Direct staff to refer “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190” to School District 68 pursuant to section 476 of the *Local Government Act*; and
 8. Pursuant to section 481.7(2) of the *Local Government Act*, review the Interim Housing Needs Report and “Town of Ladysmith Zoning Bylaw 2014, No. 1860” and resolve that further zoning amendments to meet the 20-year total number of required housing units are not necessary; and
 9. Direct staff to proceed with scheduling and notification of a public hearing for “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2190” pursuant to section 464(1) of the *Local Government Act*.

Motion Carried

6.2 Proposed Animal Control Bylaw and Consequential Zoning Bylaw Amendments

CS 2024-310

That Council:

1. Give first, second, and third readings to “Town of Ladysmith Animal Control Bylaw 2024, No. 2167”;
2. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169”;
3. Direct staff to proceed with scheduling and notification of a public hearing for “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw 2024, No. 2169” pursuant to section 464(1) of the *Local Government Act*; and
4. Direct staff to forward “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169 to the Ministry of Transportation and Infrastructure, after third reading of the bylaw, pursuant to section 52 of the *Transportation Act*.

Motion Carried

7. COMMITTEE MINUTES

7.1 Accessibility Advisory Committee - October 30, 2024 and November 27, 2024

CS 2024-311

That Council receive the minutes of the Accessibility Advisory Committee meetings held October 30 and November 27, 2024.

Motion Carried

8. BYLAWS

8.1 Bylaws for Adoption

8.1.1 "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2024, No. 2198"

CS 2024-312

That Council adopt "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2024, No. 2198".

Motion Carried

8.1.2 "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2024, No. 2199"

Staff advised Council that the copy of the Bylaw included in the agenda package was an earlier version that did not contain the measurement corrections in Schedule A, Item 6. (A) and (B), as presented and given first three readings at the December 3, 2024 Council meeting. The bylaw being considered for adoption at tonight's meeting would include these same measurement corrections.

CS 2024-313

That Council adopt "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2024, No. 2199".

Motion Carried

8.1.3 "Garbage, Recycling and Organics Collection Bylaw 2005, No. 1588, Amendment Bylaw 2024 No. 2201"

CS 2024-314

That Council adopt "Garbage, Recycling and Organics Collection Bylaw 2005, No. 1588, Amendment Bylaw 2024 No. 2201".

Motion Carried

8.1.4 “2025 Revenue Anticipation Borrowing Bylaw 2024, No. 2202”

CS 2024-315

That Council adopt “2025 Revenue Anticipation Borrowing Bylaw 2024, No. 2202”.

Motion Carried

8.1.5 “Town of Ladysmith Downtown Development Cost Charges Reduction Repeal Bylaw, 2024, No. 2203”

CS 2024-316

That Council adopt “Town of Ladysmith Downtown Development Cost Charges Reduction Repeal Bylaw, 2024, No. 2203”.

Motion Carried

OPPOSED: Councillor Paterson.

8.1.6 “Town of Ladysmith Fire Services Bylaw 2023, No. 2147, Amendment Bylaw 2024, No. 2204”

CS 2024-317

That Council adopt “Town of Ladysmith Fire Services Bylaw 2023, No. 2147, Amendment Bylaw 2024, No. 2204”.

Motion Carried

8.1.7 “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2024, No. 2170”

CS 2024-318

That Council adopt “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2024, No. 2170”.

Motion Carried

8.1.8 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2171”

CS 2024-319

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2171”.

Motion Carried

8.2 Bylaw Status Sheet

9. CORRESPONDENCE

9.1 Request to Reinstate Development Cost Charge Bylaw No. 1781 for Ongoing Development Project

10. NEW BUSINESS

10.1 Notice of Motion

Councillor Stevens discussed his rationale for proposing the following motion, for which he provided notice to Council via email on December 11, 2024.

CS 2024-320

That the Spokesperson section of the Town of Ladysmith Communications and Social Media Policy 04-1470 be changed to read "The Mayor, or a designate, as appointed annually by Council, is the official media spokesperson" and that Acting Mayor McKay is hereby appointed.

Motion Defeated

OPPOSED: Councillors Gourlay, Paterson and Virtanen.

11. QUESTION PERIOD

A member of the public asked for clarification on budget allocation and calculations for road development projects, as well as the effects of budget changes on heritage building development in the downtown core.

Another member of the public inquired about road design considerations for proposed developments in relation to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2171."

RECESS

CS 2024-321

By unanimous consent, Council recessed at 7:08 pm to allow time to set up prior to the Freedom of the Town presentation for former Mayor Rob Hutchins.

Council reconvened the meeting at 7:11 p.m.

12. PRESENTATION - FREEDOM OF THE TOWN

Acting Mayor McKay delivered a speech honouring Rob Hutchins, Ladysmith's longest-serving mayor. She expressed gratitude for his remarkable contributions and visionary leadership. The Acting Mayor presented him with the inaugural Freedom of the Town award and a gift for 21 years of dedicated service on behalf of Council.

Councillor Paterson recounted memorable moments and achievements during their time together in office, emphasizing Rob Hutchins' dedication, commitment to the community and his lasting impact on Ladysmith.

The former mayor reflected on his time in office and shared heartfelt remarks. He recounted stories about the creation of the Transfer Beach Amphitheatre and the Green Street Program, expressing deep gratitude for the overwhelming community support through donations and volunteer efforts. Mr. Hutchins also highlighted the positive example set by former councils through their collaboration and their role in the town's success.

13. ADJOURNMENT

CS 2024-322

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

Motion Carried

CERTIFIED CORRECT

Acting Mayor (T. McKay)

Corporate Officer (S. Bouma)