



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, February 18, 2025  
6:00 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  
Chris Barfoot  
Jake Belobaba  
Tim Tanton  
Chris Geiger

Sue Bouma  
Nick Pescod  
Mike Sherman  
Mark Van Vliet  
Hayley Young

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### 1. CALL TO ORDER

Acting Mayor McKay called this Meeting of Council to order at 6:00 p.m., in order to retire immediately into Closed Session.

### 2. CLOSED SESSION

#### CS 2025-039

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

- (1)(a) personal information about an identifiable individual;
- (1)(c) labour relations or other employee relations;
- (1)(e) the acquisition, disposition or expropriation of land or improvements;
- (1)(f) law enforcement;
- (1)(g) litigation or potential litigation;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege;
- (1)(k) negotiations and related discussions respecting the proposed provision of a municipal service; and

- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

*Motion Carried*

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

Prior to opening the meeting, Acting Mayor McKay took a moment to address the public, encouraging everyone to work together as we look forward to brighter days.

Following her address, Acting Mayor McKay called this Regular Meeting of Council to order at 7:06 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

### **4. AGENDA APPROVAL**

#### **CS 2025-040**

That Council approve the agenda for this Regular Meeting of Council for February 18, 2025, as amended to include two items:

- Item 10.1, Unfinished Business - "Reconsideration of Resolution CS 2025-006," and
- Item 11.1, Council Submissions - "LRCA Food Bank Cinnamon Bun Fundraiser".

*Motion Carried*

### **5. MINUTES**

#### **5.1 Minutes of the Regular Meeting of Council held February 4, 2025**

##### **CS 2025-041**

That Council approve the minutes of the Regular Meeting of Council held February 4, 2025.

*Motion Carried*

## **6. BUSINESS LICENCE CANCELLATION HEARING**

### **6.1 Business License #1891: Natural Massage Spa**

#### **CS 2025-042**

That Council:

1. Having notified the licence holder of Business Licence #1891 regarding Council's intent to cancel the licence for the reasons outlined in the February 4, 2025 report to Council; and
2. Having provided the licence holder the opportunity to be heard at the February 18, 2025 Regular Meeting of Council; and
3. Having received communication from the licence holder that they would not be in attendance at the meeting and that they approve the cancellation of the licence;
4. Direct staff to notify the license holder that Business Licence 1891, issued to 'Natural Massage Spa' at 16 High Street, has been cancelled, effective immediately.

*Motion Carried*

## **7. COMMITTEE REAPPOINTMENTS**

### **7.1 Parcel Tax Review Panel**

#### **CS 2025-043**

That Council replace Councillor Stevens on the 2025 Parcel Tax Review Panel with Acting Mayor Tricia McKay.

*Motion Carried*

### **7.2 Cowichan Valley Regional District Alternate Director**

Acting Mayor McKay noted that the Mayor Elect will be taking over her current role as Director on the Cowichan Valley Regional District Board for the 2025 term.

#### **CS 2025-044**

That Council replace Councillor Stevens with Acting Mayor McKay as the Town of Ladysmith Alternate Director on the Cowichan Valley Regional District Board for the 2025 term.

*Motion Carried*

### **7.3 Standing and Community Committee Representative Reappointments**

Acting Mayor McKay made the following Council Advisory Commission and Committee reappointments:

- **Waterfront Implementation Committee**  
Acting Mayor McKay replaced Councillor Stevens with the Mayor Elect.
- **Cowichan North Recreation Committee**  
Acting Mayor McKay, previously an alternate for this committee, appointed herself as a replacement for Councillor Stevens and appointed Councillor Paterson as a second alternate.
- **Social Planning Cowichan**  
Acting Mayor McKay replaced Councillor Stevens with former alternate, Councillor Paterson, and appointed Councillor Jacobson as the new alternate for this committee.
- **Board of Education of School District 68 Long Range Facilities Planning Advisory Committee**  
Acting Mayor McKay appointed herself as the replacement for Councillor Stevens for this committee.
- **Our Cowichan Community Health Network**  
Acting Mayor McKay replaced Councillor Stevens with Councillor Gourlay for this committee.
- **Public Art Committee**  
Acting Mayor McKay replaced Councillor Stevens with Councillor Jacobson as the alternate for this committee.
- **Stocking Lake Advisory Committee**  
Acting Mayor McKay replaced Councillor Stevens with the Mayor Elect as the alternate for this committee.
- **Festival of Lights Society**  
Acting Mayor McKay appointed herself as a replacement for Councillor Stevens as the alternate for this committee.

## **8. BYLAWS**

### **8.1 Bylaws for Introduction**

#### **8.1.1 2025 - 2029 Financial Plan Bylaw**

##### **CS 2025-045**

That Council give first three readings to the "Financial Plan Bylaw 2025, No. 2206".

*Motion Carried*

### **8.2 Bylaws for Adoption**

#### **8.2.1 "Town of Ladysmith Animal Control Bylaw 2024, No. 2167"**

##### **CS 2025-046**

That Council adopt "Town of Ladysmith Animal Control Bylaw 2024, Bylaw No. 2167".

*Motion Carried*

OPPOSED: Councillor Virtanen.

#### **8.2.2 "Town of Ladysmith Zoning Amendment Bylaw 2014, No.1860, Amendment Bylaw 2024, No. 2169"**

##### **CS 2025-047**

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw 2024, No. 2169".

*Motion Carried*

OPPOSED: Councillor Virtanen.

#### **8.2.3 "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190"**

##### **CS 2025-048**

That Council adopt "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190".

*Motion Carried*

### **8.3 Bylaw Status Sheet**

## **9. NEW BUSINESS**

### **9.1 Emergency and Disaster Management Act (EDMA) Implementation - Indigenous Engagement Funding Program**

#### **CS 2025-049**

That Council direct staff to indicate to EMC their desire to receive Year 2 funding and sign the Year 2 Modification Agreement.

*Motion Carried*

## **10. UNFINISHED BUSINESS**

### **10.1 Reconsideration of Resolution CS 2025-006**

In accordance with Section 131 of the *Community Charter*, Acting Mayor McKay requested Council's reconsideration of Resolution No. CS 2025-006 regarding application 3360-23-08 (1130 Rocky Creek Road).

#### **CS 2025-050**

That Council confirm their previous direction to staff to amend Covenant CB21580 and:

1. Formally refer the proposal to the Ministry of Transportation and Infrastructure; and
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.

*Motion Defeated*

OPPOSED: All members of Council

### **CS 2025-051**

That Council:

1. Refer application 3360-23-08 back to staff to prepare a report that includes the following information:
  - a. A summary of the previous approvals for driveways for the Home Hardware property and any restrictions or conditions related to the existing driveways
  - b. An independent report prepared by a professional transportation engineer at the applicant's cost on the viability of redesigning the median to accommodate a left hand turn from the Home Hardware property onto Ludlow Rd;
  - c. An updated Class A cost estimate for the roundabout prepared by a professional civil engineer at the applicant's cost;
  - d. An evaluation of potential funding mechanisms for the roundabout; and
2. Hold another public hearing, following receipt of the report in item number 1.

*Motion Carried*

## **11. COUNCIL SUBMISSIONS**

### **11.1 LRCA Food Bank Cinnamon Bun Fundraiser**

Councillor Paterson asked for four council members to volunteer as a team for the upcoming LRCA Cinnamon Bun fundraiser. Each team needs to raise at least \$250 for the LRCA Food Bank before competing in a race to eat an 8-pound cinnamon bun.

## **12. QUESTION PERIOD**

A member of the public asked whether the option of keeping the roundabout and removing the median would be included in the traffic study for the development at 1130 Rocky Creek Road.

### **13. RECESS**

#### **CS 2025-052**

By unanimous consent, Council recessed at 8:11 p.m. in order to reconvene the Closed Session.

*Motion Carried*

Council reconvened the meeting at 8:22 p.m.

### **14. RISE AND REPORT- Items from Closed Session**

#### **CS 2025-053**

Council rose from Closed Session at 8:23 p.m with report on routine closed resolutions for the period January 2023 to December 2024 as well as the following selected 2023 and 2024 resolutions related to the business of Council:

- CE 2023-003 (February 7, 2023)

That Council:

- 1.) Direct staff to negotiate with the Cowichan Valley Regional District regarding the sale of the 1997 Superior Ladder Truck for an agreed upon price between \$25,000 and \$30,000 (plus taxes); and
- 2.) Rise and report on Recommendation No. 1 at an appropriate time.

- CE 2023-049 (July 18, 2023)

That Council authorize the Chief Administrative Officer and the Manager of Human Resources to present a Letter of Understanding to CUPE to provide a stipend of \$4.00 per hour for the Senior Building Official and a stipend of \$2.50 per hour for the Building Inspector.

- CE 2023-057 (September 5, 2023)

That Council:

- 1.) Amend the Exempt Staff and Compensation Policy section 1.6 to be the latest CPI (Victoria) increase, set at a minimum of 2% and a maximum of 3.5%; and
- 2.) Set the CAO Compensation to be no less than 15% above the highest exempt staff compensation of Band 5 Step 7.



- CE 2023-063 (September 26, 2023)

That Council:

...

4.) Appoint Erin Anderson, Director of Finance, to the Board of Directors of the Ladysmith Harbour Economic Development Corporation under Article 13.2(a) of the Corporation's articles of incorporation;

...

6.) Direct staff to seek candidates from suitable organizations to fill the remaining position on the Board of Directors of the Ladysmith Harbour Economic Development Corporation under Article 13.2(b) of the Corporation's articles of incorporation;

...

8.) Rise and report on recommendations 2 and 3 once the dismissed directors have been notified; and

9.) Rise and report on recommendations 4-6 as and when the new directors have consented to their appointments pursuant to Article 14.2 of the Corporation's articles of incorporation.

- CE 2023-082 (November 21, 2023)

That the Mayor send a letter on behalf of Council to the Ladysmith and District Historical Society in response to their recent board message, indicating Council's disappointment.

- CE 2023-091 (December 5, 2023)

That Council refer discussion of Rob Hutchins' nomination for the Freedom of the Town award to a future closed meeting of Council.

- CE 2023-094 (December 19, 2023)

RESCINDED BY RESOLUTION CE 2024-007

That Council approve the minutes for the Closed Session of Council held December 5, 2023, as amended to remove Councillor Stevens' opposition to resolution CE 2023-089.

- CE 2024-007 (February 6, 2024)

That Council:

1.) Rescind Council Resolution CE 2023-094, approving the minutes of the Closed Session of Council held December 5, 2023; and

2.) Approve the minutes as amended to replace references to "Ladysmith Heritage Society" in Item 5 with "Ladysmith Maritime Society."

(The resolution in the December 5, 2023 minutes that contained the incorrect references to the "Ladysmith Heritage Society" was Resolution CE 2023-089. Resolution CE 2023-089 was corrected and Council rose with report on it in the January 23, 2024 Regular Council Meeting minutes.)

- CE 2024-026 (April 2, 2024)

That Council award former Mayor Rob Hutchins with the Freedom of the Town distinction as described in the Town of Ladysmith Civic Recognition Program Policy 01-0290-A.

- CE 2024-030 (April 16, 2024)

By unanimous consent Council agreed that the Mayor and staff will work together to organize a Freedom of the Town celebration ceremony in honour of Rob Hutchins, to be held after a regular Council Meeting.

- CE 2024-044 (June 4, 2024)

That Council receive for information the report dated June 4, 2024, regarding a request from the Ladysmith Fire Rescue Department members to review paid-on-call compensation.

- CE 2024-084 (November 5, 2024)

That Council:

- 1.) Receive the report dated November 5, 2024 from the CAO regarding the Ladysmith & District Historical Society Service Agreements for the Museum and Archives and provide direction to staff to accept service reduction as per the LDHS letter dated August 20, 2024, with or without the 3% increase; and
- 2.) Rise and report on Recommendation No. 1 once the agreement has been signed.

*Motion Carried*

**15. ADJOURNMENT**

**CS 2025-054**

By unanimous consent, Council adjourned this Regular Meeting of Council at 8:23 p.m.

*Motion Carried*

  
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Acting Mayor (T. McKay)

CERTIFIED CORRECT

  
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Corporate Officer (S. Bouma)