



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, October 21, 2025

7:00 P.M.

Ladysmith Seniors Centre  
630 2nd Avenue

### Council Members Present:

Mayor Deena Beeston

Councillor Ray Gourlay

Councillor Amanda Jacobson (*via Zoom*)

Councillor Tricia McKay

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

Andrew Wilson

Hayley Young

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### 1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Beeston called this Regular Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

### 2. AGENDA APPROVAL

#### CS 2025-260

That Council approve the agenda for this Regular Meeting of Council for October 21, 2025 as amended to include an updated recommendation reflecting a measurement correction to Item 6.1 "Emergency Access and Zoning Bylaw Amendment - Lot A, DL126 Malone Road".

*Motion Carried*

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

The following item from the Closed Meeting of Council held September 2, 2025 was reported:

#### **CE 2025-057**

That Council:

1. Direct the Mayor and Corporate Officer to execute the Lease and Access Agreement renewal with Sealegs Kayak Rentals and Marine Adventures for use of the Transfer Beach Park Eco-Tourism Facility for a five-year period from October 1, 2025 until September 30, 2030, with a 2% increase each year beginning in Year 2 as outlined in the agreement;
2. Direct staff to give notice of the Town's intent to lease the facility to Sealegs in accordance with the Community Charter; and
3. Rise and report on this item once the lease agreement has been signed by both parties.

*Motion Carried*

### **4. MINUTES**

#### **4.1 Minutes of the Regular Meeting of Council held October 7, 2025**

##### **CS 2025-261**

That Council approve the minutes of the Regular Meeting of Council held October 7, 2025.

*Motion Carried*

### **5. PROCLAMATIONS**

#### **5.1 Color The World Orange Day for Complex Regional Pain Syndrome (CRPS)/ Reflex Sympathetic Dystrophy (RSD) Awareness - November 3, 2025**

Mayor Beeston proclaimed November 3, 2025 as "Color The World Orange Complex Regional Pain Syndrome (CRPS)/ Reflex Sympathetic Dystrophy (RSD) Awareness Day" in the Town of Ladysmith.

### **6. DEVELOPMENT APPLICATIONS**

Due to technical difficulties, Councillor Jacobson was unable to participate in the discussions for Item 6.1 and consequently was unable to vote.

## **6.1 Emergency Access and Zoning Bylaw Amendment - Lot A DL126 Malone Road**

### **CS 2025-262**

That Council:

1. Deny the request by the developer of Lot A District Lot 126 Oyster District Plan VIP73132 Except Part in Plan EPP23747 Malone Road to install an emergency access/egress road through Brown Drive Park;
2. Direct staff to bring forward a Zoning Amendment Bylaw for Lot A District Lot 126 Malone Road, for the proposed development described in the October 21, 2025 staff report to Council for first, second, and third readings; and
3. Require that approval of the Zoning Amendment Bylaw be subject to the following conditions as outlined in the October 21, 2025 staff report to Council:
  - a. A Housing Agreement for the provision of affordable and rental-only housing;
  - b. A covenant:
    - i. Limiting residential development to:
      1. 189 units until downstream sanitary sewer upgrades are completed;
      2. 100 units until a 7 meter, paved emergency access/egress, acceptable to the Town Engineer is constructed;
    - ii. Requiring the developer to take the necessary and reasonable steps upon adoption of the covenant to secure a statutory right of way over adjacent lands, at the developer's cost, for the purpose of constructing the emergency access/egress and include Town staff in negotiations with adjacent landowners;
    - iii. Prohibiting development of the parcel on "Lot 27" of the Proposed Subdivision Plan as shown in Attachment H in the October 21, 2025 report to Council until such time as a secondary emergency access is constructed;
    - iv. Allowing the Town to seek third party engineering advice, at the cost of the applicant, for the review of any designs or other engineering submittals related to the emergency access;
    - v. Requiring parkland dedication;

- vi. Removing hazard trees to the satisfaction of the Town's arborist within all areas to be dedicated as park;
- vii. Planting a minimum of two new trees per principal unit;
- viii. Requiring development on site to adhere to the recommendations of a Wildfire Hazard Assessment (Attachment M of the October 21, 2025 staff report to Council);
- ix. Requiring construction of approximately 160m of concrete sidewalk along Malone Road;
- x. Requiring construction of approximately 650m of public trail; and
- xi. Requiring a stormwater management plan.

### **CS 2025-263**

#### **AMENDMENT**

That Council add as clause 4 of resolution CS 2025-262: "Direct staff to include in the Zoning Amendment Bylaw amendments to the CD-3 zone to require local commercial development when the number of units reaches a specified threshold."

*Amendment Defeated*

OPPOSED: Councillors Gourlay, McKay and Virtanen.

### **CS 2025-264**

#### **AMENDMENT**

That Council add as clause 4 of resolution CS 2025-262: "Direct staff to include in the Zoning Amendment Bylaw amendments permitting local commercial uses in the CD-3 zone."

*Amendment Carried*

### **Resolution CS 2025-262, as amended, reads:**

That Council:

1. Deny the request by the developer of Lot A District Lot 126 Oyster District Plan VIP73132 Except Part in Plan EPP23747 Malone Road to install an emergency access/egress road through Brown Drive Park;
2. Direct staff to bring forward a Zoning Amendment Bylaw for Lot A District Lot 126 Malone Road, for the proposed development described in the October 21, 2025 staff report to Council for first, second, and third readings;

3. Require that approval of the Zoning Amendment Bylaw be subject to the following conditions as outlined in the October 21, 2025 staff report to Council:
  - a. A Housing Agreement for the provision of affordable and rental-only housing;
  - b. A covenant:
    - i. Limiting residential development to:
      1. 189 units until downstream sanitary sewer upgrades are completed;
      2. 100 units until a 7 meter, paved emergency access/egress, acceptable to the Town Engineer is constructed;
    - ii. Requiring the developer to take the necessary and reasonable steps upon adoption of the covenant to secure a statutory right of way over adjacent lands, at the developer's cost, for the purpose of constructing the emergency access/egress and include Town staff in negotiations with adjacent landowners;
    - iii. Prohibiting development of the parcel on "Lot 27" of the Proposed Subdivision Plan as shown in Attachment H in the October 21, 2025 report to Council until such time as a secondary emergency access is constructed;
    - iv. Allowing the Town to seek third party engineering advice, at the cost of the applicant, for the review of any designs or other engineering submittals related to the emergency access;
    - v. Requiring parkland dedication;
    - vi. Removing hazard trees to the satisfaction of the Town's arborist within all areas to be dedicated as park;
    - vii. Planting a minimum of two new trees per principal unit;
    - viii. Requiring development on site to adhere to the recommendations of a Wildfire Hazard Assessment (Attachment M of the October 21, 2025 staff report to Council);
    - ix. Requiring construction of approximately 160m of concrete sidewalk along Malone Road;
    - x. Requiring construction of approximately 650m of public trail; and
    - xi. Requiring a stormwater management plan.; and

4. Direct staff to include in the Zoning Amendment Bylaw amendments permitting local commercial uses in the CD-3 zone.  
*Main Motion, as Amended, Carried*

Councillor Jacobson resumed full participation in the meeting for Item 7.

## **7. COMMITTEE MINUTES**

### **7.1 Parks, Recreation & Culture Advisory Committee - September 17, 2025**

#### **CS 2025-265**

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee for September 17, 2025.

*Motion Carried*

### **7.2 Community Planning Advisory Committee - October 1, 2025**

#### **CS 2025-266**

That Council receive the minutes of the Community Planning Advisory Committee meeting held October 1, 2025.

*Motion Carried*

## **8. REPORTS**

### **8.1 Town of Ladysmith Flag Renewal**

#### **CS 2025-267**

That Council approve the Public Art Committee recommendation to proceed with Option 1 as presented in the October 21, 2025 staff report by the Parks, Recreation & Culture Department for the Town of Ladysmith flag redesign, and direct staff to include \$10,000 in the 2026-2030 Financial Plan.

*Motion Carried*

### **8.2 2026 Community Banner Program Theme Selection**

#### **CS 2025-268**

That Council approve the 2026 theme "A Future Imagined" for the Community Public Banner Program.

*Motion Carried*

### **8.3 Swim to Survive - Request to Support**

#### **CS 2025-269**

That Council approve allocating \$5,500 to support the Swim to Survive program request from the Nanaimo Ladysmith Public Schools for the 2025/2026 school year with \$3,359 to come from the 2025 Grant in Aid - Council discretion budget and the remainder to be funded from next year's Grant in Aid – Council discretion budget.

*Motion Carried*

## **9. BYLAWS**

### **9.1 Bylaws for Adoption**

#### **9.1.1 "2026 Permissive Tax Exemptions Bylaw 2025, No. 2223"**

##### **CS 2025-270**

That Council adopt "2026 Permissive Tax Exemptions Bylaw 2025, No. 2223".

*Motion Carried*

##### **CS 2025-271**

That Council direct staff to bring forward an additional 2026 Permissive Tax Exemptions Bylaw to include an exemption for the Ladysmith Senior Citizen Housing Society for the property at 117 Dogwood Drive.

*Motion Defeated*

OPPOSED: Councillors Gourlay, Jacobson, McKay and Stevens.

### **9.2 Bylaw Status Sheet**

## **10. QUESTION PERIOD**

A member of the public asked for clarification regarding the legal description, tree planting requirements and definition of commercial use for Item 6.1, "Emergency Access and Zoning Bylaw Amendment – Lot A DL126 Malone Road". They also questioned the need to redesign the Ladysmith flag.

Another member of the public asked how to submit questions on items not included in the agenda.

**11. ADJOURNMENT**

**CS 2025-272**

That this Regular Meeting of Council be adjourned at 8:13 p.m.

*Motion Carried*

CERTIFIED CORRECT

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Mayor (D. Beeston)

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Corporate Officer (S. Bouma)