



# TOWN OF LADYSMITH

A MEETING OF THE MUNICIPAL SERVICES COMMITTEE  
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON  
MONDAY, NOVEMBER 17, 2014 AT 6:30 p.m.

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*Mandate –To advise Council on a broad spectrum of issues related to departmental matters*

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## CALL TO ORDER

### 1. AGENDA APPROVAL

### 2. MINUTES

2.1. Minutes of the Municipal Services Committee Meeting held  
October 20, 2014..... 1 - 2

### 3. DELEGATIONS – None

### 4. REPORTS

4.1. City Manager’s Report to October 31, 2014..... 3 - 5

4.2. Financial Update to October 31, 2014 ..... 6 - 10

4.3. Community Amenity Contribution Policy ..... 11 - 16

### 5. COUNCIL SUBMISSIONS

### 6. CORRESPONDENCE - None

### 7. NEW BUSINESS - None

### 8. UNFINISHED BUSINESS

## ADJOURNMENT





**TOWN OF LADYSMITH**  
**MINUTES OF A REGULAR SESSION OF**  
**THE MUNICIPAL SERVICES COMMITTEE**  
**MONDAY, OCTOBER 20, 2014**  
**CALL TO ORDER 6:00 P.M.**

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**COUNCIL MEMBERS PRESENT:**

Councillor Bill Drysdale (Chair)  
Councillor Gord Horth

Councillor Steve Arnett  
Mayor Rob Hutchins

Councillor Jillian Dashwood  
Councillor Duck Paterson

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**COUNCIL MEMBERS PRESENT:**

Councillor Glenda Patterson

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**STAFF PRESENT:**

Ruth Malli  
Joanna Winter

Erin Anderson

Clayton Postings

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**CALL TO ORDER**

Councillor Drysdale called the Municipal Services Committee meeting to order at 6:02 p.m.

**AGENDA APPROVAL**

**MS 2014-074**

*Moved and seconded:*

That the agenda for this meeting of the Municipal Services Committee be approved.

*Motion carried.*

**MINUTES**

**MS 2014-075**

*Moved and seconded:*

That the minutes of the Municipal Services Committee meeting held September 15, 2014 be approved.

*Motion carried.*

**REPORTS**

**City Manager's Report**

**MS 2014-076**

*Moved and seconded:*

That the City Manager's Report to September 30, 2014 be received.

*Motion carried.*

**Building Inspector's Quarterly Report to September 30, 2014**

**MS 2014-077**

*Moved and seconded:*

That the Building Inspector's Quarterly Report to September 30, 2014 be received.

*Motion carried.*

**Ladysmith Fire/Rescue Reports for July, August and September 2014**

**MS 2014-078**

*Moved and seconded:*

That the Ladysmith Fire/Rescue Reports for July, August and September 2014 be received.

*Motion carried.*

**Coastal Animal Control Services Pound Report to September 30, 2014**

*Moved and seconded:*

**MS 2014-079** That the Coastal Animal Control Services Pound Report to September 30, 2014 be received.

*Motion carried.*

**Ladysmith Chamber of Commerce Visitor Information Centre Quarterly Report to September 30, 2014**

*Moved and seconded:*

**MS 2014-080** That the Ladysmith Chamber of Commerce Visitor information Centre Quarterly Report to September 30, 2014 be received.

*Motion carried.*

**UNFINISHED BUSINESS**

**Derelict and Abandoned Vessels in Ladysmith Harbour**

Council reviewed past actions and options for further action with respect to the issue of derelict and abandoned vessels in Ladysmith Harbour. Members expressed disappointment that the new provincial manual *Dealing with Problem Vessels and Structures in BC Waters* does not resemble a successful program used in Washington State, and frustration with the lack of control over the issue due to multiple jurisdictions and legislation regulating coastal waters.

**ADJOURNMENT**

*Moved and seconded:*

**MS 2014-081** That this meeting of the Municipal Services Committee adjourn at 6:33 p.m.

*Motion carried.*

**CERTIFIED CORRECT**

\_\_\_\_\_  
Chair (Councillor B. Drysdale)

\_\_\_\_\_  
Corporate Officer (S. Bowden)



# City Manager's Report

November 2014

This monthly report is from the City Manager to the Municipal Services Committee. The report highlights the prior month's activities and provides information on the progress of Council objectives for the year. A written report and public discussion supports the goal of transparent communication with our citizens.

Council has provided staff with direction on their top priorities for 2014. There are operational and additional priorities in addition to this list. Again, this report provides highlights, not a complete list of activities. Committee members are encouraged to ask questions or suggest information that they wish to be included in the report.

Respectfully submitted, Ruth Malli, City Manager

## ***Highlights for the month ended October 2014:***

### **Projects in progress this month:**

- WWTP Stage 3 Construction
- Stocking Lake Licensing (CVRD)
- Organizational streamlining
- Succession Planning Policy and Procedure
- Review of upper Transfer Beach area
- Directional Signage for Forrest Field & FJCC
- City Hall replacement process
- Composting and public works yard reorganization
- Bayview Connector lighting improvement
- Investigate recycling options and fees
- Disposition of land
- Preparation for installation of new corporate telephone system
- Replacement of Storm Water Line (Flume Line)
- Lights at Brown Drive Park – research process, cost & timeline
- Ladysmith Bar Watch Program
- 2014 Local Government Elections and Referendum
- Feasibility Study – 1251 Christie Road
- Tourism advertising for 2015
- Community Amenity Contribution policy
- Development Approval Information bylaw
- Dog Licencing Bylaw Amendment to authorize issuance of tickets for dogs-at-large on private properties
- Traffic calming options on Jim Cram Drive
- Partnerships with Kinsmen Club and Festival of Lights for grant support
- Research speed and noise on highway through Ladysmith
- Machine Shop Business Case Analysis
- Investigation of Contaminated Site Profile System – opt in/out options
- Signage Initiatives Project (Phase 1)
- Regional Community Profile Project input & Ladysmith sub-profile
- Research public bench maintenance & replacement by volunteers
- Work with Kinsmen on project details for playground at Transfer Beach Park
- SFN agreements and summary of progress report
- Develop Scope of Work (Waterfront Area Plan Review); secure funding (Green Municipal Fund); timeline for review
- Application for Vessel Operation Restriction Regulations (speeding watercraft in Harbour)
- EOC Training

### **Completed activities:**

- Couverdon Boundary Extension application
- Downtown Parking Lot signage
- Holland Creek Bridge Replacement
- Review of the eligible properties for the Permissive Tax Exemption

### **Bylaws Adopted:**

1867 – Permissive Tax Exemption 2014

### **COMING UP NEXT MONTH!**

Annual Interim Audit



## City Manager Report-October 2014

### ACTIVE, RESEARCHING AND EMERGING PROJECTS

Council has identified “Community Resiliency” as the primary focus for 2014 and has chosen a specific list of top priorities for the year. This approach represents a shift in the organization – the way to achieve this objective within the existing budget is to ensure that the Town’s resources (staff and funding) are directly aligned with the new priorities. This requires strong organizational focus – staff must be clear on what is expected of them; projects/processes that do not support the top priorities will need to be stopped, delayed or deferred;

Council will support maintaining the focus (by directing what must be done and what can be put aside for now). Council has also directed that they have a medium level of risk tolerance, indicating support for creative approaches and an expectation of good value and common sense rather than perfection.

In order to ensure strong alignment, each of the new priorities must be integrated within the Financial Plan, identified as a top priority in departmental work plans, and sufficiently resourced. The Financial Plan process is a focus of the next couple of months.

#### EXAMPLE OF SOME OF THE CURRENT PROJECTS

Active (in progress, resources assigned)	Researching (resources pending)	Emerging (not resourced)
Infrastructure Upgrades (WWTP & Water) (long-term; ongoing)	Infrastructure upgrades-city hall, fire hall (funding and planning commenced)	Asset management and pavement management system
Land Sales-immediate	Land sales-other	Land acquisition and disposition-other
Zoning Bylaw (near completion)	Waterfront Area Plan	Holland Creek Area Plan
Liquid Waste Management Plan (complete, implementation in progress)	Partnership with CVRD-composting (underway)	District Energy System; Watershed Management Project (Holland Creek)
Sustainability Implementation Plan (Plan completed, implementation in progress)	Implement Plan, such as DCC’s low water use and other incentives	Implement Energy Plan
Information Services Strategic Plan (complete, implementation in progress)	Implement new IT systems (plan complete, implementation pending)	Technology upgrades (hardware)
Organizational Review (complete)	Lean systems (underway)	Risk analysis and business case
Payroll Systems Streamline (underway)	Succession Plan (draft completed)	Staff surveys and 360 reviews
Financial Plan (complete)	Equipment reserve fund review	25 year financial plan
Naut’sa mawt Steering Committee and services agreement (complete)	SFN servicing connection (complete)	Servicing to IR 13 (concept commenced)
Boundary expansion (application processed; AAP held)	Boundary expansion land and servicing plans (referendum required to proceed)	Boundary expansion processing and servicing
Waterfront (DL 2016, Environmental Report) (complete)	DL 651 clean up-partnerships	Marine Park and small craft launch
Connector bike routes	Downtown parking	Downtown safety issues
Heritage Brochure/Tourism maps (complete)	Blue Highway signage	Heritage Façade-painting program
EOC Training-corporate (on going)	Community EOC training (on going)	Community emergency exercise
Commissions and committees; Mayors open Door (complete)	Citizen surveys (not approved in budget)	Enhance citizen engagement-electronic and other
Dog park (research options)	Golf course culvert (planning – more funding required)	Upper Transfer Beach area review
Holland Creek bridge replacement	Partnership with stewardship groups	Ball fields at Lot 108

*It is not enough to have good ideas, results come from the implementation of good ideas and that requires focus and resource allocation.*



## City Manager Report-October 2014

### TOP PRIORITIES OF COUNCIL-STATUS

Priority	Funded in Financial Plan?	IN current workplans?	Resourced with staff?	Comments
Sewer Capital	Yes	Yes	Yes	Stage 3 Upgrade Under Way
Water Capital	Yes	Yes	Yes	Filtration pilot approved by Council. Grant announcements from Federal Govt.
Economic Development	Partially	No (new work to be defined)	No	Meetings with key stakeholders to define scope of work
Waterfront Area Plan	Pending	Pending	Pending	Sub-area defined. In process of identifying funding sources for project for waterfront area plan
Boundary Expansion	Yes	Yes	Partially	Application reviewed. AAP held. Council decision to not proceed with revised application.
Stz'uminus First Nation-partnerships & servicing	Yes	Yes	Partially	Services Agreement (100 units) complete; presentation at LGMA. Next steps-report to both Councils on work completed to date.
Organizational Streamlining	Yes	Yes	Yes	Council has requested a more comprehensive status report on this project, which follows:
Business Case / Risk Analysis Protocols	Yes	Yes	Yes	Implemented business case protocols
Inventory all plans-Zoning underway	Yes	Yes	Yes	Zoning bylaw completed
Succession Plan	Yes	Yes	Yes	Draft being reviewed
Technology Upgrade	Partially	Yes	Partially	Strategic Plan is completed, implementation in 2014 Financial Plan
Citizen/Staff Surveys	No	No	No	Project cancelled during budget deliberations
Reporting System	Yes	Yes	Partially	Tied to streamlining

## Town of Ladysmith

### **STAFF REPORT**



To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: November 12, 2014  
File No:

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**Re: FINANCIAL UPDATE – OCTOBER 2014**

**RECOMMENDATION:**

That the Committee receive this report for information purposes.

**PURPOSE:**

To inform the Municipal Services Committee regarding the status of the Town's finances to the end of October 2014.

**INTRODUCTION/BACKGROUND:**

The purpose of this report is to provide financial information on a regular basis. This report is consistent with the Towns' objectives of being transparent and providing good information to the taxpayer and Council. This report is also above what is statutorily required.

**SCOPE OF WORK:**

Since the last financial update, the legislated annual Tax Sale was completed. All the properties with delinquent taxes were paid prior to the sale on September 29.

The 2014 permissive tax exemption for the 2015 tax year was adopted by Council on October 6<sup>th</sup>. As required in the legislation, the bylaw has been forwarded to BC Assessment to adjust the 2015 Assessment Roll.

The Finance Department is currently preparing for the annual interim audit performed by the Town's auditors, MNP. This interim audit is performed each year prior to the end of the fiscal year.

*Notes and Trends for October 2014*

The amount of taxation remains consistent from the original levy as the Town has not received any supplementary assessments from BC Assessment. There is still 4.7% (2013 – 4.3%) of current taxation remaining outstanding, which will be transferred to arrears taxes at December 31<sup>st</sup> and will begin accruing interest.

The Property Tax Prepayment Plan continues to be successful with 103 properties in the program. The Committee may recall that this program is a pre-authorized withdraw whereby the Town debits an agreed upon amount from property owners' bank accounts and accumulates the funds for the following year's taxes. Though there currently are no commercial or industrial properties utilizing this program, all property owner are eligible to



pre-pay their taxes via installment payments.

The Town has significant accounts receivable from other governments or government agencies. The Town is expecting \$1.35m in grant payments for the following projects:

\$360,978 from the Province for the FJCC Energy Upgrade

991,599 from UBCM for the Waste Water Treatment Plant Upgrade

2,337 from UBCM for the SFN Protocol

Claim submissions have been forward to the appropriate funding agencies and the Town expects payment by the close of the fiscal year.

Fees & Charges revenues are on track:

- The third quarter utility bills have been generated and mailed, due November 19, 2014. Water fees are at 80% of budget; sewer fees are at 77% and garbage fees are at 78%. Water, sewer and garbage revenues are expected to be on budget or slightly exceed budget.
- Revenue from Subdivision Permits & Fees continue to be less than budget expectations at 62% of budget. It is not expected to meet budget by approximately \$25k. Fortunately, investment income is expected to exceed budget to offset this reduction.
- Park, Recreation & Culture revenue is at 84% of budget which is less than this period last year. Some of this difference can be attributed to the school year disruptions as school pool rental and school lessons are expected to be \$7k less by the end of the year. Youth related recreation programs have also been impacted and are expected to be \$7.5k less by year-end. Though it is expected that the department will not meet revenue expectations, operational expenses have been adjusted to offset the difference.
- The Town has received a \$14k rebate from Fortis BC for some of the upgrades to FJCC.

Investment Income has exceeded budget as some capital projects have been delayed, resulting in the funds accumulating interest in the Town's accounts.

Overall penalty and interest on taxation is at 94% of budget and is expected to be on budget at December 31<sup>st</sup>.

Gas Tax Funds have been used to pay the non-grant amounts for the FJCC Energy Upgrades. The Committee may recall that Council authorized additional project funding to be paid for using the Gas Tax Funds, such as \$75k for the Holland Creek Pedestrian Bridge replacement and \$63k for the upgrade to the storm main.

The authorized debt for the Waste Water Treatment Plant has not yet been exercised. It is expected that the funds will be needed in the December.

All departmental expenses are within budget.

Capital projects are continuing. A detail of each project status and expenses will be provided in the next quarterly update in December.

The Principal Payments on debt remain at 32% of budget as the borrowing has not been executed. As mentioned, it is expected that already authorized short term borrowing will be initiated shortly.

Internal funding (the use of appropriated equity as well as the transfers to reserves) is used as needed to fund the approved projects. The majority of these funding transactions occur at year-end. The Committee may recall that Council authorized additional funding of \$40k for a storm main replacement.

ALTERNATIVES:

Not applicable.

FINANCIAL IMPLICATIONS:

Keeping Council informed of the financial state of the organization.

LEGAL IMPLICATIONS:

This is a snapshot of the Town finances for a point in time. No accruals have been made. Payments and deposits continue to be received which will change the financial figures. These statements are not audited.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The public is encouraged to review the report and provide comment.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Coordination among the various departments to ensure all information is coded properly and received by the Finance Department.

RESOURCE IMPLICATIONS:

The majority of this work is done by the Finance Department.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

This is within the Town strategy of "Wise Financial Management".

SUMMARY:

It is recommended that the Committee receive this report.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Statement of Operations – Oct 2014

Statement of Financial Position – Oct 2014

Town of Ladysmith  
Statement of Operations  
as of Oct 31, 2014

	Oct '14	Amended Budget	%
<b>Revenues</b>			
Property Tax - Municipal	\$ 5,960,732	\$ 5,960,761	100%
Property Tax - Police	1,061,397	1,061,409	100%
Parcel Taxes	1,431,141	1,427,384	100%
Grants in Lieu & 1% Tax Levies	165,984	165,163	100%
Water Fees	555,255	694,130	80%
Sewer Fees	551,240	711,437	77%
General Fees & Charges	1,445,076	1,679,369	86%
Return on Investment	108,061	85,000	127%
Penalty & Interest	114,248	122,000	94%
Grants	1,952,324	5,319,777	37%
Donations & Contributions	32,827	268,500	12%
Loss on disposal	(5,286)	0	0%
Development Fees	108,075	108,075	100%
Gas Tax Funds utilized	201,562	391,550	51%
Local Improvement	8,922	8,922	100%
<b>Total Revenue</b>	<b>13,691,558</b>	<b>18,003,477</b>	<b>76%</b>
<b>Expenses</b>			
General Government	1,561,327	2,086,460	75%
Protective Services	1,243,896	1,783,428	70%
Transportation Services	974,713	1,285,090	76%
Garbage Services	345,179	534,456	65%
Cemetery Services	22,012	28,505	77%
Development Services	400,978	571,315	70%
Recreation & Culture	1,659,707	2,164,871	77%
Parks	496,844	630,250	79%
Sewer	537,569	949,014	57%
Water	446,801	602,306	74%
<b>Total Expenses</b>	<b>7,689,028</b>	<b>10,635,695</b>	<b>72%</b>
Surplus / Deficit (-)	6,002,531	7,367,782	81%
Capital	2,970,668	12,297,390	24%
Proceeds from New Debt	0	(4,060,000)	0%
Principal Payments	148,795	471,851	32%
Internal Funding	(813,506)	(1,341,459)	61%
<b>BALANCE</b>	<b>3,696,574</b>	<b>-</b>	



Town of Ladysmith  
Statement of Financial Position  
as of Oct 31, 2014

	<u>Oct '14</u>
Cash & Short Term Deposits	\$ 14,185,459
Accounts Receivable:	
Property Tax Receivable	1,141,086
User Fee Receivable	727,817
Other Receivables	1,431,205
Accounts Payable	(621,022)
Taxes Payable to Other Agencies	(125,649)
Post Employment Benefits	(225,900)
Deferred Revenue	(142,890)
Restricted Revenue:	
Development Cost Charges	(1,474,459)
Gas Tax Funds	(851,573)
Other Restricted	(478,863)
Refundable Deposits	(347,058)
Long Term Debt	(3,381,645)
Capital Lease Obligations	(569,237)
Tangible Capital Assets	80,890,822
Prepays	10,922
Inventory	86,184
	<u>\$ 90,255,201</u>



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: November 5, 2014  
File No: 6410-00

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**Re:** Community Amenity Contribution Policy

#### **RECOMMENDATION(S):**

That the Committee recommend that Council repeal "Land Use Agreements" policy 06-2320-A (May 6, 1996) and replace it with the attached "Community Amenity Contribution (CAC)" Policy.

#### **PURPOSE:**

The purpose of this staff report is to present a Community Amenity Contribution Policy for the consideration of Council.

#### **INTRODUCTION/BACKGROUND:**

Community amenities are typically offered as part of a rezoning proposal. The Province has recently issued a best practices guide for the development of Community Amenity Contribution (CAC) policies.

While the Town's current policy has provided general direction regarding impacts from rezoning proposals, it does not meet the current legislative framework or best practices for such a policy. Community amenity contributions associated with recent rezoning applications include the following. The current policy is attached to this report.

- \$1000 per residential unit
- Riparian area dedication / protection
- Parkland dedication
- Underground parking
- Green building energy efficiency standards (e.g. Built Green or Energuide)
- Rental requirement
- On-site stormwater management.
- Low water use landscaping and rainwater harvesting and reuse.
- Adaptable building units
- Building lot for Habitat for Humanity.

#### **SCOPE OF WORK:**

The policy has been drafted with a focus on the best practices recommended by the Province and the Town's current practices. One of the directions of the best practices guide is to ensure that the community amenity contribution process does not inadvertently cause housing prices to increase as a result of the contribution. The Official Community Plan

recognizes the value of community amenity contributions as a means to share the increased value associated with a rezoning between the developer and the community. This value will change from project to project and from time to time due to changing economic, social and environmental values and conditions.

ALTERNATIVES:

That Council not approve the Community Amenity Contributions Policy.

FINANCIAL IMPLICATIONS:

The contribution of community amenities may include cash contributions. The Town has a Community Amenity Reserve Fund. It may be necessary to establish specific funds for specific projects depending on the type of contribution. Costs associated with the preparation, review and registration of agreements will continue to be the expense of the applicant which is current policy and practice.

LEGAL IMPLICATIONS: The Town's legal counsel has reviewed the policy.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is expected that the general public will be supportive of establishing the policy as it may result in community amenity contributions that will benefit the community. The new policy will make the process of community amenity contributions more clear to the development community.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

All departments have reviewed the draft policy.

RESOURCE IMPLICATIONS: There are no additional resource impacts.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The implementation of the Community Amenity Contribution policy supports desired outcomes of the Sustainability Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Community Amenity Contribution Policy supports the strategic directions of "Wise Financial Management" and "Effective Land Use Planning and Community Design".

SUMMARY:

Staff are recommending that Council adopt a new policy regarding Community Amenity Contributions (CACs) that reflects the current legislative framework.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

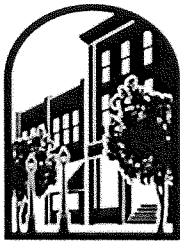
Community Amenity Contribution Policy – Draft  
Land Use Agreements Policy – May 6, 1996



TOWN OF LADYSMITH  
POLICIES AND PROCEDURE MANUAL

TOPIC:	LAND USE AGREEMENTS		
APPROVED BY:	Council	DATE:	May 6, 1996
RESOLUTION #:	96-276		
<p>That rezoning applications requesting an increase in density be required to enter into a Land Use Agreement which addresses specific conditions that will be registered on title and all costs associated with drafting and registering said agreement be at the expense of the applicant.</p>			

06 - 2320 - A



LADYSMITH

**TOWN OF LADYSMITH  
POLICIES AND PROCEDURES MANUAL**

<b>TOPIC:</b>	<b>Community Amenity Contribution (CAC) Policy</b>	<b>(DRAFT)</b>
<b>APPROVED BY:</b>	<b>DATE:</b>	
<b>RESOLUTION #:</b>		
<i>(Amended)</i>		
<p><b>1. OBJECTIVE</b></p> <p>The objective of the Community Amenity Contribution Policy (the “CAC Policy”) is to offer guidance for the provision of Community Amenity Contributions (CACs) in the Town of Ladysmith (the “Town”) through a fair and equitable approach. The demand on public facilities and services can increase when land is rezoned, due to the potential addition of new businesses, residents, employees and customers in an area. Thus, Council encourages rezoning applicants to consider proposing CACs towards needed infrastructure and amenities as a way of ensuring that the proposed development is seen as making a positive contribution to the neighbourhood and the community at large. CACs offered at the time of a rezoning application can address the increased demand or pressure by adding, improving, and expanding public facilities and services.</p> <p><b>2. INTERPRETATION</b></p> <p>“<b>Community Amenity</b>” means any public benefit, improvement, or contribution that can enhance the quality of life for a community, and includes, but is not limited to, aesthetic features, public spaces, land or an interest in land, affordable and special needs housing, and facilities, which meet a range of social, cultural, environmental, recreational and infrastructure needs of the community.</p> <p>“<b>Community Amenity Contribution</b>” or “<b>CAC</b>” means a contribution of a Community Amenity or a contribution toward the capital cost of a Community Amenity agreed to by the applicant/developer and Town, as part of a rezoning process that is initiated by the applicant/developer.</p> <p><b>3. POLICY</b></p> <ol style="list-style-type: none"> <li>i) Residents of the Town expect that new development will not constitute a burden on existing taxpayers, but instead will pay its own way and contribute to the public facilities and services from which the new development will also benefit. Thus, rezoning applicants are generally encouraged to consider proposing a Community Amenity Contribution as part of a rezoning application, where appropriate in the circumstances.</li> <li>ii) Staff are directed to implement this CAC Policy as part of the development application process where CACs are proposed by rezoning applicants; and CACs will be referred and reported to Council for consideration and to obtain final approval.</li> <li>iii) The provision of an agreed-upon CAC to the Town would be obtained by the Town if, and when, Council adopts the relevant rezoning bylaw.</li> <li>iv) One or more of the following sources of information may provide guidance with respect to the types of CACs that are appropriate in the circumstances of a rezoning application:             <ul style="list-style-type: none"> <li>• Official Community Plan (and associated Area Plans);</li> <li>• A Community Vision for a Sustainable West Coast Town;</li> </ul> </li> </ol>		

<b>TOPIC:</b>	<b>Community Amenity Contribution (CAC) Policy</b>	<b>(DRAFT)</b>
<b>APPROVED BY:</b>	<b>DATE:</b>	
<b>RESOLUTION #:</b>		
<i>(Amended)</i>		
<ul style="list-style-type: none"> <li>• Community Energy Plan;</li> <li>• Ladysmith Bicycle Plan;</li> <li>• Parks Master Plan; and</li> <li>• Sustainability Action Plan.</li> </ul> <p>v) The following list provides examples of CACs that may be appropriate, depending on the circumstances:</p> <ul style="list-style-type: none"> <li>• Contribution of land for a civic or institutional use (i.e. school);</li> <li>• Contribution of land for special needs housing or affordable housing;</li> <li>• Improvements to public facilities or public buildings;</li> <li>• Heritage conservation;</li> <li>• Provision of park improvements or park land (beyond statutory requirements);</li> <li>• Protection of environmentally significant areas beyond minimum requirements;</li> <li>• Public realm improvements beyond statutory requirements (i.e. public plaza, pedestrian and cycling linkages);</li> <li>• Contribution of land for the purpose of watershed protection;</li> <li>• Viewscape protection;</li> <li>• Neighbourhood enhancement project; and</li> <li>• Provision of cash to the Town of Ladysmith Amenity Fund (i.e. recommended contribution of \$1000 per residential unit to be constructed in the development, or as adjusted periodically) for a future Community Amenity.</li> </ul> <p>vi) Council may choose to accept CACs where it considers that the Town's future budgets will be able to support the estimated lifecycle costs of operating, maintaining and repairing the Community Amenity.</p> <p>vii) CACs will be negotiated on a case specific basis as each development proposal is unique, utilizing the principles of:</p> <ul style="list-style-type: none"> <li>• Nexus – such that there is a direct, demonstrable link between the CAC and the impact of the new development; and</li> <li>• Proportionality – such that the CAC is proportional to the impact that the new development generates and is consistent with the CACs made by other rezoning applicants.</li> </ul> <p>viii) Where it is anticipated that a new Community Amenity will benefit both existing and new residents and businesses, an estimate may be made of the proportion of costs that is attributable to new development. In determining the proportion of costs attributable to new development, the applicable DCC policies and procedures of the Town may be applied.</p> <p>ix) In lieu of providing a Community Amenity, the Town may accept the cash value of the Community Amenity, or an appropriate contribution to the Community Amenity, to be held in the Town's Community Amenity Fund, and which the Town will provide, construct, or install in the future.</p> <p>x) In establishing the value of a proposed Community Amenity, hard costs, soft costs, land costs and lifecycle may be considered, such as:</p> <ul style="list-style-type: none"> <li>• Hard costs – all material and labour costs for the construction of the Community Amenity;</li> <li>• Soft costs – all fees and costs for the design of the Community Amenity; and</li> <li>• Land costs – eligible only where land or an interest in land comprising the Community Amenity is transferred to the Town.</li> </ul>		



TOPIC:	<b>Community Amenity Contribution (CAC) Policy</b>	<b>(DRAFT)</b>
APPROVED BY:	DATE:	
RESOLUTION #:		
<i>(Amended)</i>		
<ul style="list-style-type: none"> <li>• Lifecycle costs – all recurring costs over the lifespan of the Community Amenity.</li> </ul> <p>xi) Not-for-profit organizations serving the community will not normally be expected to make CACs.</p> <p>xii) The provision of CACs may be secured through one or more of the following methods, prior to final reading of the relevant rezoning amending bylaw. All costs associated with preparation, review and registration of any of the following will be at the expense of the applicant.</p> <ul style="list-style-type: none"> <li>• Phased development agreement (Section 905.1 of the <i>Local Government Act</i>);</li> <li>• Housing agreement for affordable or special needs housing (Section 905 of the <i>Local Government Act</i>);</li> <li>• Covenant (Section 219 of the <i>Land Title Act</i>);</li> <li>• Transfer of land or an interest in land to the Town of Ladysmith;</li> <li>• Cash contribution to the Town of Ladysmith Community Amenity fund(s);</li> <li>• Written agreement between the parties; or</li> <li>• Other methods as appropriate in the circumstances.</li> </ul> <p>xiii) Council may consult this Policy in its consideration of zoning for amenities and affordable housing pursuant to section 904 of the <i>Local Government Act</i>.</p> <p>xiv) Nothing in this CAC Policy is intended to impair or fetter the discretion of Council with respect to the adoption of any bylaw.</p>		

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