

A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF LADYSMITH WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON MONDAY, MAY 1, 2017

Call to Order and Closed Meeting

5:30 p.m.

Regular Open Meeting

7:00 p.m.

AGENDA

CALL TO ORDER (5:30 P.M.)

1. CLOSED SESSION

In accordance with section 90(1) of the Community Charter, this section of the meeting will be held In Camera to consider matters related to the following:

- negotiations and related discussions respecting the proposed provision of a municipal service - 90(1)(k)
• potential lease of property - 90 (1) (e)
• consideration of information related to negotiations between the province or federal government or both and a third party - 90 (2) (b)

REGULAR MEETING (7:00 P.M.)

2. AGENDA APPROVAL

3. RISE AND REPORT – Items from Closed Meeting

4. MINUTES

- 4.1. Minutes of the Public Hearing and Regular Meeting of Council held April 3, 2017 1 - 16
4.2. Minutes of the Special Meeting of Council held April 10, 2017 17 - 19



5. DELEGATIONS

- 5.1. Amy Melmock, Economic Development Manager, Cowichan Valley Regional District
Economic Development Cowichan Activities Update
- 5.2. Judy Stafford, Cowichan Green Community
Cowichan Green Community Year in Review

6. PROCLAMATIONS –

- 6.1. **National Health and Fitness Day**..... 20
Mayor Stone has proclaimed June 3, 2017, as National Health and Fitness Day” in the Town of Ladysmith and encourages all citizens to contribute to their own health and well-being by increasing their level of physical activity and their participation in recreational sports and fitness activities.
- 6.2. **National Public Works Week**..... 21
Mayor Stone has proclaimed the week of May 21-27, 2017 as National Public Works Week in the Town of Ladysmith and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works, and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

7. DEVELOPMENT APPLICATIONS

- 7.1. **Development Variance Permit Application 3090-17-02 (520 Jim Cram Drive)**..... 22 - 27

Staff Recommendation:

That Council direct staff to:

- 1. Proceed with statutory notice for Development Variance Permit application (3090-17-02) for Lot 2, District Lot 108, Oyster District, Plan VIP88238 (520 Jim Cram Drive); and
- 2. Review small lot zones to review lot coverage and finished floor area generally, and if appropriate make recommendations to Council for amending the Zoning Bylaw.

- 7.2. **Development Permit Application 3060-17-04 (901 Gladden Road)**..... 28 - 36

Staff Recommendation:

- 1. That Council issue Development Permit 3060-17-04 to permit the issuance of a building permit for one temporary (portable) office building on Lot A, District Lot 81, 86, 87, 98 Oyster District and District Lot 2054

Cowichan District, Plan EPP35537 (901 Gladden Road); and that security of \$10,000 be submitted to guarantee the removal of the temporary structure by December 31, 2020 or when a permanent office building is constructed, whichever is earlier; and

2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

8. BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING) - None

9. COMMITTEE REPORTS

9.1. Mayor A. Stone

Cowichan Valley Regional District; Waterfront Design Charrette; Ladysmith Chamber of Commerce; Stocking Lake Advisory Committee

9.2. Councillor R. Hutchins

Municipal Services Committee; Heritage Revitalization Advisory Commission; Waterfront Design Charrette; 2017 Parcel Tax Review Panel;

9.2.1 Heritage Revitalization Advisory Commission Report regarding Canada 150 Project..... 37 - 38

9.3. Councillor C. Henderson

Invasive Species Advisory Committee; Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan; Ladysmith Community Justice Program

9.4. Councillor D. Paterson

Parks, Recreation and Culture Advisory Committee; Protective Services Committee; 2017 Parcel Tax Review Panel; Advisory Design Panel

9.5. Councillor J. Friesenhan

Liquid Waste Management Committee; Ladysmith Downtown Business Association; Waterfront Design Charrette; Ladysmith Festival of Lights Committee

9.6. Councillor C. Fradin

Community Safety Advisory Commission; Liquid Waste Management Committee; Protective Services Committee; Celebrations Committee

9.7. Councillor S. Arnett

Vancouver Island Regional Library Board; Stocking Lake Advisory Committee; Liquid Waste Management Committee; 2017 Parcel Tax Review Panel; Advisory Planning Commission; Island Corridor Foundation

10. REPORTS

10.1. Alternative Approval Process Results: Bylaw 1920 (Water Filtration Plant Borrowing) 39 - 41

Staff Recommendation:

That Council receive the official results of the Alternative Approval Process for Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920.

10.2. Direction to Submit Grant Applications for the Federal Gas Tax Fund – Strategic Priorities Fund..... 42 - 61

Staff Recommendation:

That Council direct staff to:

1. Make a funding application to the Federal Gas Tax Fund Strategic Priorities Fund – Capital Infrastructure Project Stream for the Holland Dam Upgrade for up to \$6 million dollars in grant funding, and support the Town administration with overseeing the management of this grant if successful; and
2. Make a funding application to the Federal Gas Tax Fund Strategic Priorities Fund – Capital Infrastructure Project Stream for the Machine Shop Restoration for up to \$2.25 million dollars in grant funding, and support the Town administration with overseeing the management of this grant if successful.

10.3. Authorization to Adjust Utility Billing for Certain Properties 62 - 65

Staff Recommendation:

That Council direct staff to:

1. Adjust the water billing due to leaks for the following properties:
0324.000 \$48.11;
0490.005 \$100.76;
0176.000 \$501.48;
1343.445 \$38.05;
0036.000 \$153.25;
1348.685 \$455.56;
1343.487 \$287.07;
1002.317 \$162.63;
0660.000 \$125.77;
1047.040 \$160.54;
0262.000 \$520.84;
1177.000 \$5,004.44;
1348.241 \$514.29;

1348.610 \$733.56;
1057.010 \$1,939.09;
1002.274 \$3,026.13;
0641.000 \$4,699.90;
1073.176 \$3,586.77; and

2. Direct staff to amend the Waterworks Rates and Regulation Bylaw 1999, No.1298 to include the authority for the Director of Finance to make adjustments up to \$1,000 to the water accounts.

11. BYLAWS

11.1. Town of Ladysmith Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920..... 66

The purpose of Bylaw 1920 is to enable the Town to borrow up to \$6 million over a term of 25 years to fund construction of the new water filtration plant.

Staff Recommendation:

That Council adopt Town of Ladysmith Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920.

11.2. Town of Ladysmith Financial Plan Bylaw 2017, No. 1926 67 - 71

The purpose of Bylaw 1926 is to adopt a five-year Financial Plan for the Town of Ladysmith, as required by the *Community Charter*.

Staff Recommendation:

That Council adopt Town of Ladysmith Financial Plan Bylaw 2017, No. 1926.

11.3. Town of Ladysmith Tax Rates Bylaw 2017, No. 1929 72 - 73

The purpose of Bylaw 1929 is to set the property tax rates for 2017 in accordance with the 2017 to 2021 Financial Plan.

Staff Recommendation:

That Council adopt Town of Ladysmith Tax Rates Bylaw 2017, No. 1929.

11.4. Town of Ladysmith Water Parcel Tax Bylaw 2017, No. 192874 - 75

The purpose of Bylaw 1928 is to establish a water parcel tax rate for property parcels in the Town of Ladysmith.

Staff Recommendation:

That Council adopt Town of Ladysmith Water Parcel Tax Bylaw 2017, No. 1928.

11.5. Town of Ladysmith Sewer Parcel Tax Bylaw 2017, No. 192776 - 77

The purpose of Bylaw 1927 is to establish a sewer parcel tax rate for property parcels in the Town of Ladysmith.

Staff Recommendation:

That Council adopt Town of Ladysmith Sewer Parcel Tax Bylaw 2017, No. 1927.

12. CORRESPONDENCE

**12.1. Lynda Curry
Vacant Heritage Buildings..... 78**

Staff Recommendation:

That Council refer the correspondence from Lynda Curry, regarding ways to improve the aesthetics of vacant heritage buildings, to the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association for response and resolution.

**12.2. Ladysmith Kinsmen
High Street Little League Field Score Clock Installation Request 79**

Staff Recommendation:

That Council direct staff to:

1. Update the 2017 to 2021 Financial Plan to include the annual hydro costs of the new electronic scoreboard purchased by the Kinsmen for the Little League Field; and
2. Inform BC Hydro that Council authorizes this additional service on the Town's account.

13. NEW BUSINESS

13.1. Emergency Management Agreement 80 - 93

Staff Recommendation:

That Council:

1. Approve the five-year Emergency Management Agreement between the Cowichan Valley Regional District, the City of Duncan, the Corporation of

the District of North Cowichan, the Town of Lake Cowichan and the Town of Ladysmith, effective 2017 to 2022; and

2. Authorize the Mayor and Corporate Officer to sign the agreement.

13.2. Stz’uminus First Nation Grant in Aid Application 94 - 97

Staff Recommendation:

That Council approve a Grant in Aid to the Stz'uminus First Nation in the amount of \$1,200 for National Aboriginal Day Celebrations on June 21, 2017, with the funds to come from the remaining amount allocated to the 2017 Grant in Aid budget.

14. UNFINISHED BUSINESS

14.1. Request to Build an 8 Foot Cedar Fence in Brown Drive Park (Correspondence from A. Kaufmann)98 - 101

Staff Recommendation:

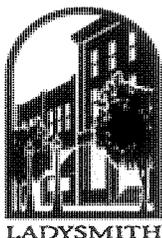
That in response to the correspondence from Allan Kaufmann dated April 20, 2017 regarding the proposed construction of an 8 foot fence along the shared property line between the Kaufmann property and Brown Drive Park, Council advise Mr. Kaufmann:

1. To apply for a Development Variance Permit, including payment of the application fee;
2. That if he wishes to request a refund of the application fee, he include that request in his application.
3. That the Town is in the process of preparing amendments to curfew times in Town parks.

15. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

ADJOURNMENT



**TOWN OF LADYSMITH
MINUTES OF A PUBLIC HEARING AND REGULAR
MEETING OF COUNCIL
MONDAY, APRIL 3, 2017
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Guillermo Ferrero	Felicity Adams	Erin Anderson
Geoff Goodall	Clayton Postings (entered at 7:07 p.m.)	
Joanna Winter	Sue Bouma	

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:00 p.m.

CLOSED SESSION

CS 2017-109

Moved and seconded:

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:01 p.m. in order to consider items related to the following:

- Provision of a municipal service - Section 90 (1) (k)
- Lease of Town-owned properties - Section 90 (1) (e)
- Sale of Town-owned property -- Section 90 (1) (e)
- Discussion related to negotiations between senior governments and a third party - Section 90 (2) (b)
- Rise and report on 2016 resolutions - Section 90

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called this Regular Open Meeting to order at 7:00 p.m., recognizing the traditional territory of the Stz'uminus First Nation, acknowledging 5,500 years of history and stewardship and expressing gratitude to be here.

AGENDA APPROVAL

CS 2017-110

Moved and seconded:

That Council approve the agenda for this Public Hearing and Regular Meeting of April 3, 2017.

Motion carried.

PUBLIC HEARING

Zoning Bylaw Amendment Bylaw 1917

Mayor Stone welcomed the members of the public and outlined the process for the Public Hearing.

He stated that the Public Hearing was regarding Bylaw 1917.

Mayor Stone advised the public that they would have the opportunity to provide their comments about the content of this Bylaw to Council, and that following the close of the Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of Council.

Public Hearing – Bylaw 1917

Members of the public present: 13

Felicity Adams, Director of Development Services, introduced the agenda item and stated that the purpose of Bylaw 1917 is to amend the zoning for the subject property in the Town of Ladysmith Zoning Bylaw from Rural Residential Zone (RU-1) to Single Dwelling Residential Zone (R-1) to permit a 6-lot residential subdivision. The minimum parcel size in the R-1 Zone is 668m².

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on March 22, 2017 and March 29, 2017 and posted on community notice boards through-out Town, as well as on the Town's website. The Notice was mailed and delivered to the subject property and all properties located 60 metres of the subject property.

A copy of the Notice, the proposed Bylaws and background information considered by Council was made available at the Front Counter of City Hall for the Notice period. Staff in the Development Services office was available to respond to questions prior to the public hearing.

Written submissions received prior to the agenda deadline have been included in the Public Hearing agenda package.

A Public Information Meeting was held by the applicant on November 23, 2016. Input from the meeting regarding the protection of trees located the adjacent property during land development and construction was considered in the development of the proposal.

As such, Council has previously directed that a section 219 Land Title Act covenant be registered on the title of the subject property to address the following land use matters:

- i) to secure the Lewkowich Engineering Associates Ltd. geotechnical assessment;
- ii) to require that a grading plan be submitted and approved by the Approving Officer for the proposed residential lots as a condition of the subdivision application;
- iii) to require a 4 metre minimum protection radius around several trees along the west and south property lines, including requirements for tree protection during and

after construction utilizing best practices from the 'BC Landscape Standard'.

Mayor Stone advised that written submissions received prior to the agenda deadline are included in the agenda package. There were 3 written submissions received.

Mayor Stone called for written submissions to Council. Receiving no additional written submissions, Mayor Stone called for verbal comments to Council.

James Russell, 626 Farrell Road, spoke in favour of the bylaw, provided that slope stability was protected and tree removal was minimal and consistent with the Official Community Plan.

Mayor Stone called for comments about Bylaw 1917 a second and third time. Hearing no further comments, Mayor Stone declared the Public Hearing for Bylaw 1917 closed and no further submissions or comments from the public or interested persons could be accepted by members of Council.

**BYLAWS (OFFICIAL
COMMUNITY PLAN &
ZONING)**

Bylaw 1917 – Subject Property: Lot 2, District Lot 41, Oyster District, Plan VIP79202 (630 Farrell Road)

Staff responded to questions regarding the registered covenant on the subject property and landscape standards. The agent for the applicant, Matt Schnurch, responded to questions regarding tree marking and slope grade.

Moved and seconded:

CS 2017-111

That Council:

1. Proceed with third reading of Bylaw 1917 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No.7) 2017, No. 1917"; and
2. Refer Bylaw 1917 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

Motion carried.

CS 2017-112

Moved and seconded:

That Council direct staff to develop recommendations to address noise abatement, speeding and pedestrian safety on the Trans-Canada Highway through Ladysmith.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:27 p.m. with report on the following

- Resolution CE 2017-079
"Rise and Report on 2016 Resolutions"

- Jan-04-2016, CE 2016-002
That Council authorize Mayor Stone to invite Jerry Berry to meet with Council to discuss the recruitment of the next City Manager at a Closed Meeting on Monday, January 11, 2016.
- Jan-11-2016, CE 2016-007
That Council direct staff to budget an additional \$12,000 for costs associated with the recruitment of a City Manager.
- Jan-18-2016, CE 2016-012
That Council direct staff to advertise for a new City Manager.
- Jan-18-2016, CE 2016-013
That Council adopt the Council Strategic Priorities for 2016 to 2019 and Town of Ladysmith Strategic Priorities for 2016 documents as amended.
- Mar-07-2016, CE 2016-036
That Council direct staff to advise the Diamond Improvement District that:
 - a) The Town is willing to enter into an agreement under the same general terms and conditions as those provided to other water users outside of the Town boundaries; specifically, user rates, equivalency to development cost charges, and equivalency to parcel tax;
 - b) The Town will not offer a subsidized rate for water and insists that the cost of the water delivery paid by the Diamond will be equivalent to that paid by Town of Ladysmith residents and the Stz'uminus First Nation; and
 - c) The agreement will provide the Town with the same terms as those included in other agreements, such as boundary definitions, maintenance standards and provision for termination of service.
 - d) The Town expects the agreement to be expedited and that any increase in charges would be retroactive to the expiry of the previous agreement.
- Apr-04-2016, CE 2016-050
That Council receive the minutes of the March 2, 2016 meeting of the Naut'sa Mawt Steering Committee for information.
- Apr-18-2016, CE 2016-056
That Council direct staff to negotiate with Progressive Waste Solutions a rate for collection of garbage,

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recycling and organics and report back to Council in this regard.

- May-02-2016, CE 2016-065

That Council receive the report from Process Four on the City Hall Optimization Project as a guideline for the design and construction of a new City Hall, and invite report author Jim Sumi to a future Council meeting to present the report and discuss his recommendations.

- May-16-2016, CE 2016-075

That Council refer consideration of maintaining or dissolving DL 2016 Holdings Corporation to a future meeting of Council, after completion of the Waterfront Area Plan review.

- May-16-2016, CE 2016-076

That Council direct staff to explore the Town's eligibility to provide a financial engagement review instead of an audit on DL 2016 Holdings Corporation and report back to Council in this regard.

- May-16-2016, CE 2016-077

That Council direct staff to pursue a grounds maintenance agreement with School District 68 and explore future opportunities for use of the Ecole Davis Road School site and building.

- May-16-2016, CE 2016-080

That Council authorize the City Manager to negotiate a contract with the selected candidate for the Director of Infrastructure Services position within the full wage range of Band 5 and with up to six weeks of holidays per year.

- Jun-06-2016, CE 2016-086

That Council direct staff to prepare a report outlining options for financing the construction of a new City Hall, including the Town's capacity to borrow funds and alternative arrangements such as leasing or lease to purchase.

- Jun-06-2016, CE 2016-087

That Council direct staff to advise Island Health of its opposition to the changes made to Appendix A, Section 1 of the Town's Water Operating Permit as outlined in the correspondence from Tim Bilyk dated May 6, 2016, and, should Island Health uphold this change, direct staff to seek legal advice with respect to the Town's

liability.

- Jun-06-2016, CE 2016-088

That Council direct staff to prepare a public communication plan for the Water Filtration Plant, and bring the plan back to Council for approval.

- Jun-06-2016, CE 2016-090

That Council refer discussion on options for a public washroom in the downtown core to a future meeting of the Municipal Services Committee.

- Jun-06-2016, CE 2016-091

That Council direct staff to negotiate a new water supply agreement with the Diamond Improvement District that charges an equivalency for Water Development Cost Charges (100%), and includes recommendations on an appropriate portion of the parcel tax and user rates.

- Jun-06-2016, CE 2016-092

That Council appoint City Manager Guillermo Ferrero to the Board of Directors of DL 2016 Holdings Corporation, effective June 15, 2016.

- Jun-06-2016, CE 2016-093

That Council refer the City Manager's project update to a closed meeting of Council.

- Jun-06-2016, CE 2016-094

That Council appoint Geoff Goodall as Director of Infrastructure Services and Approving Officer for the Town of Ladysmith.

- Jun-06-2016, CE 2016-095

That Council receive the minutes of the May 4, 2016 meeting of the Naut'sa Mawt Steering Committee.

- Jul-04-2016, CE 2016-113

MOTION AMENDED BY CE 2016-114

That Council direct staff to include the Fishermen's Wharf, Lots A and B adjacent to the Fishermen's Wharf and the filled foreshore in the Waterfront Design Charrette and Waterfront Area Plan Update area.

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o Jul-04-2016, CE 2016-114
MOTION TO AMEND CE 2016-113
That Resolution CE 2016-113 be amended to read as follows:

That Council direct staff to include the Fishermen's Wharf, Lots A and B adjacent to the Fishermen's Wharf and the filled foreshore in the Waterfront Design Charrette and Waterfront Area Plan Update area, and that prior to announcing any change in scope of the Waterfront Design Charrette and Waterfront Area Plan, the Mayor and City Manager advise property owners and tenants of its intent, and invite their participation.

Amending motion carried.

OPPOSED:

Councillor Arnett

Main motion as amended carried.

OPPOSED: Councillor Arnett

o Jul-04-2016, CE 2016-115

That the Waterfront Design Charrette Team be composed of:

- One representative and one alternate from each of the Ladysmith Maritime Society, Arts Council of Ladysmith and District, Ladysmith and District Historical Society, Ladysmith Chamber of Commerce, Ladysmith Downtown Business Association, Heritage Revitalization Advisory Commission, Advisory Design Panel, Advisory Planning Commission, Parks, Recreation and Culture Commission

- Four members of the public

- Three members of Stz'uminus First Nation Council and/or elders

- Three members of Town of Ladysmith Council

- Six Council appointees

o Jul-04-2016, CE 2016-116

That the Mayor and City Manager invite three representatives of Stz'uminus First Nation Council and/or elders to participate along with three members of Council, and staff, in the selection of the Waterfront Area Plan consultants.

o Jul-04-2016, CE 2016-117

That Council direct staff to reissue the Waterfront Area Plan Request for Proposals as amended based on Council's direction.

o Jul-04-2016, CE 2016-118

That Council direct staff to bring forward previously considered options for development of the Town-owned property at 900 Russell Road.

○ Jul-04-2016, CE 2016-119

That Council direct staff to provide a comparison of the costs of selling the Town-owned property at 520 Jim Cram Drive to a developer to subdivide, and the Town carrying out the subdivision and selling the lots.

Motion carried.

OPPOSED: Councillors Henderson and Paterson

○ Jul-11-2016, CE 2016-124

That Council direct staff to remove the last sentence of the second paragraph in the Background section of the Waterfront Area Plan Request for Proposals.

○ Jul-11-2016, CE 2016-125

That Council direct staff to include the parking lot above the Transfer Beach Amphitheatre in the Design Charrette area, subject to confirmation that the area is not dedicated as park.

○ Jul-11-2016, CE 2016-126

That Council direct staff to remove the lands in the Rocky Creek Industrial Park and Transfer Beach Park from the Waterfront Area Plan area.

○ Jul-11-2016, CE 2016-127

That Council direct staff to expand the Design Charrette area to include the rail corridor and the area west of the railway to the Trans-Canada Highway.

○ Jul-11-2016, CE 2016-128

That Council confirm that the Waterfront Area Plan area is the same as the Design Charrette area.

○ Jul-11-2016, CE 2016-129

That Council confirm that the working committee for the Waterfront Area Plan include area property owners and tenants.

○ Jul-11-2016, CE 2016-130

That Council direct staff to reissue the Waterfront Area Plan Request for Proposals as amended.

○ Jul-11-2016, CE 2016-131

That Council confirm that a new Water Service Agreement with the Diamond Improvement District will not be retroactive to the expiry date of the previous agreement.

○ Jul-11-2016, CE 2016-132

That, for the purposes of the Water Service Agreement with the Diamond Improvement District, Development Cost Charges will be tied to building permits for residential properties.

○ Jul-18-2016, CE 2016-139

That Council receive for information the report from the Director of Infrastructure Services on property valuation comparison for the Town-owned property at 520 Jim Cram Drive.

○ Jul-18-2016, CE 2016-140

That Council accept the offer from Zenn Developments Ltd. to purchase the Town-owned property at 520 Jim Cram Drive for \$406,000.

○ Jul-18-2016, CE 2016-142

That this Closed Meeting of Council adjourn at 6:51 p.m.

○ Aug-15-2016, CE 2016-146

That Council direct staff to investigate event parking charges at Aggie Field and Hall to offset parking development costs and report back to Council.

○ Aug-15-2016, CE 2016-147

That Council direct staff to report to Council regarding scheduling and cost of enhancing Second Avenue parking in 2016.

○ Aug-15-2016, CE 2016-152

That Council replace the Ladysmith and District Historical Society with the Industrial Heritage Preservation Society on the Waterfront Area Plan Property Owners and Tenants Committee Invitation.

○ Aug-15-2016, CE 2016-153

That Council confirm the following owners and tenants to the Waterfront Area Property Owners'/Tenants' Committee Invitation List:

901 LUDLOW

(DL 2059)

- PROVINCE – Filled foreshore
- Tenant - LADYSMITH MARINE SERVICES (Doug West)
- Tenant - SALTAIR MARINE (Jeff Stubbington)

DL 2016, BLOCK C

- CROWN PROVINCIAL – WATER LOT
- Leasee - TOWN OF LADYSMITH
- Tenant - LMS – President

DL 651

- PROVINCIAL – WATER LOT (“DOG PATCH”)

DL 16G – SLACK POINT

DL17G – filled foreshore

- PROVINCIAL – Filled water lot

DL2016, BLOCK B & D

- PROVINCE – FILLED FORESHORE
- L00 - TOWN OF LADYSMITH (Parking lot and Rotary Boat Ramp)

LOT 1 , PLAN 64404

LOT 4, PLAN 45800 (840 Oyster Bay Drive)

DL8G

DL6G – GRAVEL PARKING LOT

903 LUDLOW (LOT 3, PLAN 45800) – pump stn

413 Esplanade – Rem DL138, Plan VIP69332 (gravel parking lot)

213 Esplanade (Lot 1, 2, 3, Plan VIP76419)

- OWNER - TOWN OF LADYSMITH

LOT 5, PLAN 45800

- OWNER - INVET HOLDINGS CORP INC. (Trevor Ironside)

DL 2060 BLOCK E

- CROWN – FEDERAL
- Ange Hill, Program Officer, Small Craft Harbours
- OPERATOR - Ladysmith Fisherman’s Wharf Society (Ken Briske, Wharfinger)

Rail Corridor

Rem Lot A, Plan VIP65252

Lot A, Plan VIP65289

- OWNER - ISLAND CORRIDOR FOUNDATION
- Graham Bruce, CEO

STZ’UMINUS FIRST NATION COUNCIL

- TBD – 3 members

MACHINE SHOP TENANTS

610 Oyster Bay Drive

- Ladysmith and District Arts Council
- Ladysmith Maritime Society

OTHER TOWN BUILDING TENANTS, ROUND HOUSE ETC

- Industrial Heritage Preservation Society – President

COUNCIL

- Mayor Stone
- Councillor Friesenhan
- Councillor Hutchins

- Aug-15-2016, CE 2016-155

That Council direct staff to report back to Council regarding capital projects not completed in 2015 and the status of funds allocated to these projects.

- Aug-15-2016, CE 2016-156

That Council direct staff to ensure that the effective date of the DCC charges in the Diamond Water Agreement is August 15, 2016.

- Sep-19-2016, CE 2016-165

That Council approve the minutes from the Closed Meeting of Council held September 12, 2016.

- Sep-19-2016, CE 2016-167

(Parts 1 and 2 previously risen and reported on.)

That Council:

3. Direct staff to present an offer for the purchase of the property located at 4142 Thicke Road with a maximum purchase price of \$615,000, subject to a satisfactory environmental assessment and confirmation of the site's suitability for the Town's composting operation.

4. Direct staff to prepare a contract with Mid Valley Manufacturing Ltd. for the construction of the Ladysmith compost facility, and bring the contract back to Council for approval.

- Oct-04-2016, CE 2016-174

That Council receive for information the staff report dated September 27, 2016 on the status of sales and acquisition of property.

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- Oct-17-2016, CE 2016-179
That Council appoint Heritage Revitalization Advisory Commission member Harald Cowie to the Advisory Design Panel.
- Oct-17-2016, CE 2016-180
That Council:
 1. Direct staff to retain a Structural Engineer to provide a review of the Public Works Administration Building to ascertain the practicality of adding additional stories to the structure.
 2. Award the structural review of the Public Works Administrative Building to Herold Engineering for a maximum cost of \$5,000 and amend the Financial Plan accordingly.
- Oct-17-2016, CE 2016-181
That Council refer the matter of a desired location for a new City Hall to a subsequent meeting of Council.
- Oct-17-2016, CE 2016-183
MOTION DEFEATED
That Council direct staff to engage a geotechnical engineer to perform a pit test survey on the Town-owned property at 900 Russell Road to ascertain the type of soil on the lot, for a maximum cost of \$10,000.
OPPOSED: COUNCILLORS ARNETT, FRADIN AND FRIESENHAN
- Oct-17-2016, CE 2016-185
That Council refer the matter of exempt staff compensation to the City Manager for review of the exempt staff compensation policy and previous Council direction, and to report back to Council.
- Nov-14-2016, CE 2016-200
That Council receive for information the report from the Director of Infrastructure Services regarding water filtration.
- Nov-21-2016, CE 2016-209
That Council direct staff not to apply for a second application under the Federal and Provincial Clean Water and Wastewater Fund.
- Nov-21-2016, CE 2016-210
That Council direct staff to contact Island Health, requesting that Island Health issue an order to construct a water filtration plant.

Subje

- Nov-21-2016, CE 2016-211

That Council approve the Water Services Agreement with the Diamond Improvement District as presented, and authorize the Mayor and Corporate Officer to execute the agreement subject to receipt of Schedule A (connection location map).

- Dec-05-2016, CE 2016-219

That Council:

1. Receive for information the report dated December 5, 2016 on the status of Town-owned properties listed for sale;
2. Direct staff to engage the services of a Qualified Environmental Professional to conduct a Riparian Areas Regulation Assessment of the Town-owned property at 900 Russell Road for a sum not to exceed \$2,500, with the funds coming from the Real Property Reserve; and
3. Direct staff to amend the 2016 to 2020 Financial Plan accordingly.

- Dec-05-2016, CE 2016-220

That Council approve the 2016 exempt staff salary increase to those employees below the 85th percentile, excluding the City Manager, as per the Town's Exempt Staff Policy.

OPPOSED: Councillors Arnett and Paterson, and Mayor Stone.

- Dec-05-2016, CE 2016-221

That Council direct staff to draft a Management Terms and Conditions of Employment Bylaw based on best practices in industry sector and that:

- a) 70th percentile be used upon new hiring;
- b) exempt staff salary range be increased based on a 3 years average of Victoria's CPI to a maximum of 2% per year; and,
- c) employees be granted a one (1) week increase in annual holidays for each five (5) years of service.

- Dec-05-2016, CE 2016-223

That Council direct staff to include in the 2017-2021 Financial Plan \$5,000 to engage a consultant for a salary review, and where possible, to partner with other local governments within the Cowichan Valley Regional District to complete the survey.

OPPOSED: Councillor Friesenhan

- Dec-12-2016, CE 2016-229

That Council approve a 2016 exempt staff salary increase in accordance with the Exempt Staff Compensation Policy.

Motion carried.

OPPOSED: Councillors Fradin and Friesenhan

○ Jan-09-2017, CE 2017-002

AMENDED BY CE 2017-003

That Council direct staff to:

1. Negotiate the purchase of property at 4142 Thicke Road for the bio-solids composting facility with a maximum purchase price of \$1 million, with the funds to come from the Sewer Reserves;
2. Amend the Financial Plan accordingly;

○ Jan-09-2017, CE 2017-004

That Council waive notice of a closed meeting to be held if required with respect to the purchase of property for the bio-solids composting facility.

MOTION CARRIED UNANIMOUSLY

○ Jan-09-2017, CE 2017-006

That Council rise with report on the offer to purchase the property at 4142 Thicke Road on acceptance of the Town's offer.

● Resolution CE 2017-080

That Council:

1. Approve the proposed agreement with Ladysmith Chamber of Commerce to operate mobile food services at Transfer Beach for one year with an option to renew for an additional two years, effective May 1, 2017;
2. Approve the use of Gas Tax funds of \$2,000 to add water and electrical services to the site;
3. Amend the 2017-2021 Financial Plan accordingly; and
4. Authorize the Mayor & Corporate Officer to execute the agreement.

● Resolution CE 2017-081

That Council direct staff to proceed with option 2 for use of the vacant space at Frank Jameson Community Centre, as outlined in the staff report dated March 27, 2017, which combines a lease space for partnerships with healthcare providers to deliver therapeutic services, and expanded space for the fitness facility.

● Resolution CE 2017-082

That Council direct staff to initiate discussions with the

Ladysmith Seniors Centre Society with respect to an arrangement to hold Council meetings at the Seniors Centre.

- Resolution CE 2017-083

That Council direct staff to list the Town-owned property at 900 Russell Road with Royal LePage Ladysmith, with the listing price to be determined by the realtors based on their assessment of current market conditions and not lower than 1.6 million.

OPPOSED: COUNCILLOR FRIESENHAN

MINUTES

CS 2017-113

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held March 20, 2017.

Motion carried.

F. Adams and G. Goodall left the meeting at 7:23 p.m.

DELEGATION

MNP, Auditors for the Town of Ladysmith

Cory Vanderhorst, CPA, CA

Presentation of the Draft 2016 Financial Statements

C. Vanderhorst presented a summary of the draft audited Financial Statements for the Town of Ladysmith for 2016. He expressed his opinion that this is an unqualified or clean audit. C. Vanderhorst responded to questions from Council

Moved and seconded:

CS 2017-114

That Council receive the Audited Financial Statements for 2016.

Motion carried.

Moved and seconded:

CS 2017-115

That Council approve the Audited Financial Statements for 2016.

Motion carried.

COMMITTEE REPORTS

Ladysmith Chamber of Commerce

Mayor Stone recommended the Chamber of Commerce business workshops being held throughout April and May.

Invasive Species Advisory Committee

Councillor Henderson advised that the committee has organized an Earth Day event on April 22nd to remove English ivy and broom at Transfer Beach.

Parks, Recreation and Culture Advisory Committee

Councillor Paterson informed Council that a street hockey tournament will take place on June 4th, marking Canada's 150th birthday and the 10th anniversary of the Guinness record street hockey tournament.

Protective Services Committee

Councillor Fradin advised that Ladysmith fire fighters are being trained to administer Naloxone to prevent fatal drug overdoses.

REPORTS

Distribution of 2017 Property Taxes

Moved and seconded:

CS 2017-116

That Council direct staff to prepare the Tax Rates Bylaw based on Option #2 as presented in the staff report from the Director of Financial Services to allocate the same percentage of tax allocation in 2016 to the difference after non market change in the total tax levy.

Motion carried.

CORRESPONDENCE

Ladysmith Family and Friends (LaFF) Annual Golf Day Sponsorship Letter

Moved and seconded:

CS 2017-117

That Council:

1. Sponsor a hole at the Ladysmith Family and Friends Annual Golf Day on May 28, 2017; and
2. Enter a team in the tournament.

Motion carried.

UNFINISHED BUSINESS

Canada 150 Grant Funding

Moved and seconded:

CS 2017-118

That Council accept the grant funding from the "Celebration & Commemoration Program - Canada 150 Fund" to support Canada 150 Community Celebrations, and authorize the Mayor and Corporate Office to execute the contribution agreement.

Motion carried

QUESTION PERIOD

Members of the public enquired about business and industrial taxation.

ADJOURNMENT

Moved and seconded:

CS 2017-119

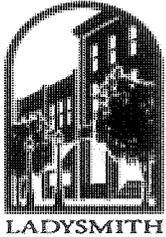
That this meeting of Council adjourn at 8:18 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



**TOWN OF LADYSMITH
MINUTES OF A SPECIAL MEETING OF COUNCIL
THURSDAY, APRIL 10, 2017
CALL TO ORDER 5:04 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Guillermo Ferrero	Erin Anderson	Kevin Goldfuss
Geoff Goodall	Clayton Postings	Joanna Winter
Sue Bouma		

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:04 p.m.

CLOSED SESSION

CS 2017-120

Moved and seconded:

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:05 p.m. in order to consider items related to the following

- The acquisition, disposition or expropriation of land or improvements - Section 90 (1) (e)
- provision of a municipal service - Section 90 (1) (k)

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called this Special Meeting to order at 6:32 p.m., recognizing the traditional territory of the Stz'uminus First Nation, acknowledging 5,500 years of history and stewardship and expressing gratitude to be here.

AGENDA APPROVAL

CS 2017-121

Moved and seconded:

That Council approve the agenda for this Special Meeting of April 10, 2017.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:21 p.m. without report.

REPORTS

CS 2017-122

Ryan Place and Vicinity – Tree Management

Moved and seconded:

That Council direct staff to:

1. Engage a certified arborist to complete an inventory and assessment of the linear park (between Ryan Place/Bertram Place/Arbutus Crescent), which would include providing a management plan for the area;
-

2. Send a letter to all the residents whose properties border the linear park (between Ryan Place/Bertram Place/Arbutus Crescent) advising of the assessment to be completed and that the Town will continue to manage the trees ensuring the health of trees per the management plan;
3. Refer the arborist management plan to Parks, Recreation and Culture Advisory Committee and Invasive Species Committee;
4. Include as part of the 2018-2022 Financial Plan a tree management program for Town-owned properties which are currently not included in the existing parks maintenance program budget.

AMENDMENT

Moved and seconded:

CS 2017-123

That item 4 of Resolution CS 2017-122 be amended to read as follows:

Subject to Council consideration, include as part of the 2018-2022 Financial Plan a tree management program for Town-owned properties which are currently not included in the existing parks maintenance program budget.

Amending motion carried.

Main motion as amended carried.

CORRESPONDENCE

Mary Desprez, on behalf of Ladysmith Arts Council

Request to Support a Grant Application to Raise Funds to Acquire an Air Conditioning System for the Waterfront Gallery

Moved and seconded:

CS 2017-124

That Council:

1. Advise the Ladysmith Arts Council that it supports a proposed partnership between the Town of Ladysmith and the Arts Council, as outlined in letter dated April 4, 2017, for the sole purpose of securing grant funding through the Nanaimo Foundation to acquire an air conditioning system for the Ladysmith Waterfront Gallery; and

2. Direct staff to work with the Arts Council to establish the details of this arrangement.

Motion carried.

UNFINISHED BUSINESS

Shared Recreation Database Agreement

Moved and seconded:

CS 2017-125

That Council:

1. Approve the proposed *Shared Recreation Database*

Agreement— between the Town of Ladysmith, Cowichan Valley Regional District and the Corporation of the District of North Cowichan; and

2. Authorize the Mayor and Corporate Officer to execute the agreement.

Motion carried.

BYLAWS

Town of Ladysmith Financial Plan Bylaw 2017, No. 1926

Moved and seconded:

CS 2017-126

That Council give first three readings to Town of Ladysmith Financial Plan Bylaw 2017, No. 1926.

Motion carried.

Town of Ladysmith Tax Rates Bylaw 2017, No. 1929

Moved and seconded:

CS 2017-127

That Council give first three readings to Town of Ladysmith Tax Rates Bylaw 2017, No. 1929.

Motion carried.

Town of Ladysmith Water Parcel Tax Bylaw 2017, No. 1928

Moved and seconded:

CS 2017-128

That Council give first three readings to Town of Ladysmith Water Parcel Tax Bylaw 2017, No. 1928.

Motion carried.

Town of Ladysmith Sewer Parcel Tax Bylaw 2017, No. 1927

Moved and seconded:

CS 2017-129

That Council give first three readings to Town of Ladysmith Sewer Parcel Tax Bylaw 2017, No. 1927.

Motion carried.

QUESTION PERIOD

Members of the public enquired about the Town's policy for recognizing the passing of former Council members and about the quotes obtained by the Ladysmith Arts Council for their air conditioning system.

ADJOURNMENT

CS 2017-130

Moved and seconded:

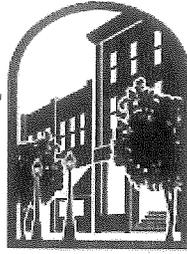
That this special meeting of Council adjourn at 6:57 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



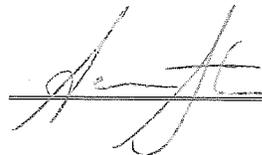
LADYSMITH

TOWN OF LADYSMITH

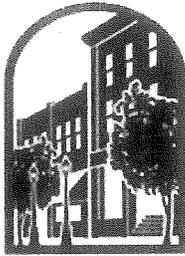
PROCLAMATION

- WHEREAS:** *The Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and to encourage Canadians to increase their level of physical activity and their participation in recreational sports and fitness activities;*
- AND WHEREAS:** *It is in Canada's interest to improve the health of all Canadians and to reduce the burden of illness on Canadian families and on the Canadian health care system;*
- AND WHEREAS:** *Many local governments in Canada have public facilities to promote the health and fitness of their citizens;*
- AND WHEREAS:** *The Government of Canada wishes to encourage the country's local governments, non-government organizations, the private sector and all Canadians to recognize the first Saturday in June as National Health and Fitness Day and to mark the day with local events and initiatives celebrating and promoting the importance and use of local health, recreational, sports and fitness facilities;*
- AND WHEREAS:** *Canada's mountains, oceans, lakes, forest, parks and wilderness also offer recreational and fitness opportunities;*
- AND WHEREAS:** *The Town of Ladysmith supports and encourages its citizens to participate in physical activities and contribute to their own health and well-being;*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim June 3rd, 2017 as "National Health and Fitness Day" in the Town of Ladysmith, British Columbia.*

May 1, 2017



Mayor A. Stone



LADYSMITH

TOWN OF LADYSMITH

PROCLAMATION

NATIONAL PUBLIC WORKS WEEK

WHEREAS: *Public work services provided in our community are an integral part of our citizens' everyday lives; and*

WHEREAS: *The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs, such as water, sewers, streets and highways, public buildings, and solid waste collection; and*

WHEREAS: *The health, safety and comfort of this community greatly depend on these facilities and services; and*

WHEREAS: *The quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and*

WHEREAS: *The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.*

THEREFORE, *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim the week of May 21st – 27th, 2017 as "National Public Works Week" in the town of Ladysmith, British Columbia. I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works, and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.*



Mayor A. Stone

May 1, 2017

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
Meeting Date: May 1, 2017
File No: 3090-17-02

RE: Development Variance Permit Application – 520 Jim Cram Drive
 Lot 2, District Lot 108, Oyster District, Plan VIP88238

RECOMMENDATION(S)

That Council direct staff to proceed with statutory notice for Development Variance Permit application (3090-17-02) for Lot 2, District Lot 108, Oyster District, Plan VIP88238 (520 Jim Cram Drive), and direct staff to review small lot zones to review lot coverage and finished floor area generally and if appropriate make recommendations to Council for amending the Zoning Bylaw.

PURPOSE

The purpose of this staff report is to obtain Council direction regarding statutory notification for a development variance permit application and a review of small lot zones generally.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

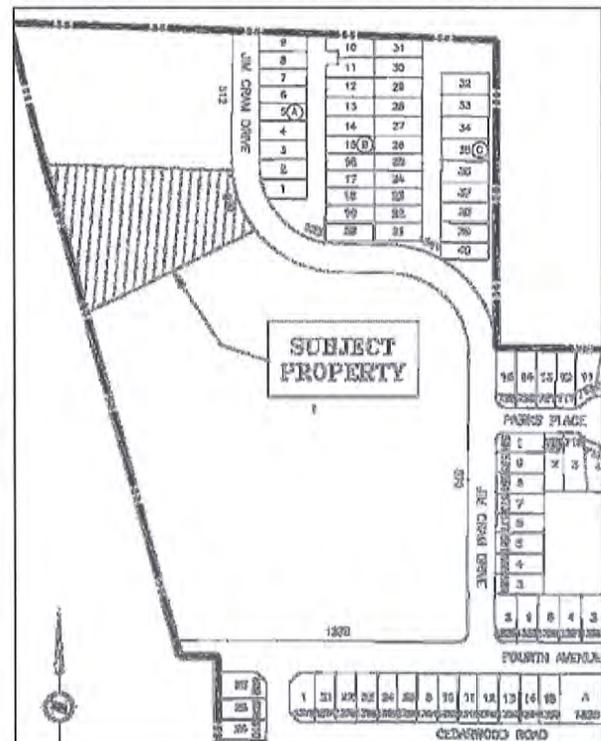
None

INTRODUCTION/BACKGROUND

The applicant is requesting variances to parcel coverage and finished floor area in the R-1-B zone to allow for more flexible residential house design options on 14 single family lots at 520 Jim Cram Drive. Pursuant to Bylaw 1667 staff requires Council’s approval to proceed with the statutory notice to the neighbours given the variances requested.

SCOPE OF WORK

The current stage of this application is to seek Council’s direction to proceed with a statutory notice for the development variance permit application. The subject property is zoned



'Single Dwelling Residential – Small Lot B Zone' (R-1-B). The minimum lot size in the R-1-B zone is 372m². The applicant has received preliminary layout approval to subdivide the property into 14 residential lots.

Five of the lots are greater than 423m² (4,553m²) in size and nine of the lots are 408m² (4391m²) or less. To allow for flexibility in design and to better utilize the range of parcel sizes, the applicant is requesting a variance to lot coverage for the smaller sized lots and a variance to the finished floor area for the five larger lots as shown in Table 1 and the Site Plan attached. The applicant is proposing:

- 1) To vary parcel coverage on the nine smaller lots from 38% to 40% to allow dwellings with a finished floor area between 113m² to 118m² in size to be constructed on Lots 1-4 and 10-14; and
- 2) To vary the maximum permitted finished floor area on the five larger lots from 121m² to 139m² to allow dwellings on Lots 5-9 to have 18m² more floor area.

Attached to this staff report is a March 13, 2017 letter from the applicant with a rationale for the proposed variances. Staff recommend that the small lot zones in the Zoning Bylaw be reviewed generally to determine if amendments to lot coverage and finished floor area regulations are warranted generally.

The attached site plan shows that the proposed building footprint on each lot fits within the required setbacks of the R-1-B zone. Note that the floor area of the garage is exempt from the total finished floor area calculation to a maximum of 45m², however the garages on the 14 lots are expected to be 37.2 m² in size.

Table 1: Proposed Variances to R-1-B Zone for 14 lots at 520 Jim Cram Drive

	Required	Requested	Proposed Variance
Parcel Coverage (smaller lots) Lots 1, 2, 3, 4 and 10, 11, 12, 13, 14	38%	40%	2%
Finished Floor Area (larger lots) Lots 5, 6, 7, 8, and 9	121m ² (1302 ft ²)	139m ² (1496 ft ²)	18m ² (194 ft ²)

ALTERNATIVES

To not support Development Variance Permit application 3090-17-02

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

The Local Government Act enables Council to vary zoning regulations, except use and density regulations, though the issuance of a development variance permit. This is a discretionary decision of Council. Public notification is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

It is recommended that Council direct staff to proceed with the statutory notice for Development Variance Permit application 3090-17-02.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

Development Variance Permit application 3090-17-02 has been referred to the Infrastructure Services Department and the Senior Building Inspector for review.

RESOURCE IMPLICATIONS

Processing Development Variance Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

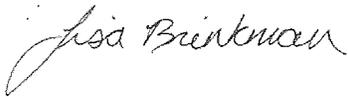
The proposed variance is consistent with the Sustainability Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES

Effective land use planning and community design are strategic Council directions.

SUMMARY

It is recommended that Council direct staff to proceed with the statutory notice for Development Variance Permit application 3090-17-02.



Lisa Brinkman, Senior Planner

April 25, 2017
Date Signed

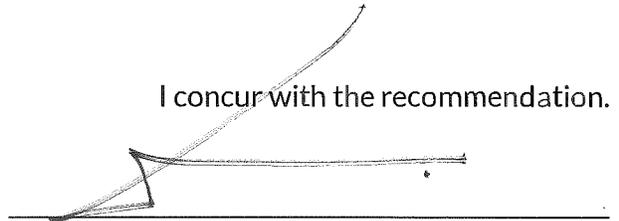
Reviewed By



Felicity Adams, Director of Development Services

April 25, 2017
Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Site Plan - Feb. 25, 2017
Letter from Brian Berglund (March 13, 2017)



1089765 BC LTD.

March 13, 2017

Lisa Brinkman
Senior Planner – Development Approvals Supervisor
Town of Ladysmith – Development Services
Box 220 – 132C Roberts St.
Ladysmith, BC V9G 1A2

Subject: Development Variance Permit – 520 Jim Cram Drive

Dear Lisa:

This application is a request for development variances in our upcoming subdivision at 520 Jim Cram Drive. As previously discussed with you and Felicity Adams, our property has R-1-B zoning that although usable, in our opinion it underutilizes the lots and their layout.

As you will see on the layout out of our 14 lots, five lots are larger than 423 square meters, and 9 of the lots are 408 square meters or less. We really have a significant dichotomy between the two types of lots, but with a cul-de-sac and irregular parent parcel shape, we are pretty much forced into this design.

The R-1-B zoning allows for 38 percent site coverage, which works great on the larger lots, but it limits the lots under 400 square meters especially, if one is hoping to put in a 1.5 or 2 car garage. Further to the site coverage, the zoning restricts the larger lots' site coverage and setbacks by limiting finished floor space to 121 sq. m.

To put that into context, our largest proposed lot is 625.5 square meters. A 237.7 square meter dwelling would be allowed with 38% site coverage, and after a two-car garage, about a 200 square meter living space home. However, the zoning prohibits anything larger than 121 square meters.

Further to that, on the narrow end of our subdivision, our smallest lot is 376.3 square meters. This allows a 143 square meter house. If one were to get a two-car garage sited on the lot, it only leaves a 105.8m house, well below the 121 square meter the zoning would allow.

Our request to Staff and Council is to address the subdivision in two parts. For lots 1 through 4 and 10 through 14, we request a variance on the site coverage from 38% to 40%. On average this would increase the finished floor space by approximately 7.5 square meters. For the larger lots 5 through 9, 38% site coverage is ample, so we request that the Finished Floor Area be increased from 121 to 139 square meters.

As these variances are pretty minor in nature, they will allow us to be more flexible in our design while building a better product without drastically effecting the intent of the zoning, or disturbing the nature of the surrounding area.

We have found through our construction in south Ladysmith and Chemainus that one-car garages are simply not practical for families and retirees. Between storage and many existing two-car families (especially away from mass transit), a larger garage is preferred. However, these cut down living space on smaller lots, and that extra space can really change the product we can provide. Further to that, it's nice to have a wider driveway as it limits street parking.

I would ask that Planning review and recommend to Council at its earliest convenience. For clarification, I have attached a spreadsheet and site layout outlining what can be done, and what we feel should be allowed in this 14 lot subdivision.

Please let me know if you have any questions or require further information.

Thank you for your prompt attention and assistance,

A handwritten signature in cursive script, appearing to read "Brian Berglund".

Brian Berglund

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
 Meeting Date: May 1, 2017
 File No: 3060-17-04

RE: Development Permit Application - 901 Gladden Road (Strongitharm)
 Subject Property: Lot A, District Lots 81, 86, 87, 98 Oyster District and District
 Lot 2054 Cowichan District, Plan EPP35537

RECOMMENDATION(S)

That Council issue Development Permit 3060-17-04 to permit the issuance of a building permit for one temporary (portable) office building on Lot A, District Lot 81, 86, 87, 98 Oyster District and District Lot 2054 Cowichan District, Plan EPP35537 (901 Gladden Rd.); and that security of \$10,000 be submitted to guarantee the removal of the temporary structure by December 31, 2020 or when a permanent office building is constructed, whichever is earlier;

AND THAT the Mayor and Corporate Officer be authorized to sign the Development Permit.

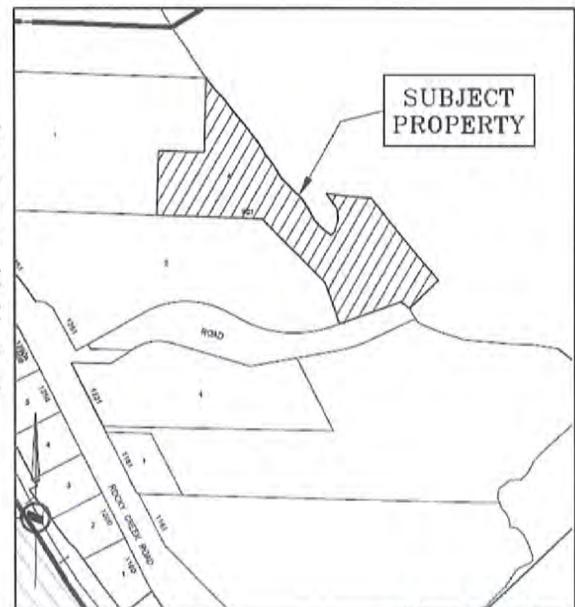
PURPOSE

The purpose of this staff report is to present for Council's consideration a Development Permit application to permit a temporary building to be used as an office at Ladysmith Marina (901 Gladden Road).

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

Council has issued the following permits for the Ladysmith Marina:

March 2007: Council issued Development Permit (DP) 3060-06-06 to permit parking, landscaping, pedestrian walkway, a ramp & wharfhead, docks and boathouses. The parking, landscaping and pedestrian walkway have not been completed and the Town is holding a landscape bond for this work.



June 2011: Council issued DP 11-12 to amend DP 06-06 to permit additional moorage and boathouses; and issued Development Variance Permit 11-02 to permit one area of the marina to have boathouses that are 11 metres in height (maximum permitted height of a boat house is 9 metres).

INTRODUCTION/BACKGROUND

Ladysmith Marina is proposing to place a temporary building on the upland to be used as a temporary office. The owner's intend to demolish the old marina office building and former coffee shop and place a temporary office building on the site, with the long term goal of building a new marina office and amenity facilities. The caretaker's cottage would remain on the site in the interim.

SCOPE OF WORK

The proposed location of the temporary office building falls within Development Permit Area 1 – Waterfront (DPA 1), and this area of the subject property is zoned Tourist Service Commercial (C-4). Applicable objectives of DPA 1 are:

- 'to develop the waterfront as an active, beautiful, year round place for local residents and tourists of all ages and capabilities';
- 'to design so that attractive views to the waterfront are maintained'; and
- 'to encourage the growth of tourism and other economic activities and services in the waterfront area'.

DPA 1 Guidelines Review

The site plan (attached to this staff report) shows the proposed location of the temporary building to be beside the caretakers cottage (see also Photo 1). The temporary office building is sited such that it



Photo 1 and 2: View of caretaker's cottage and temporary building site from driveway.



Photo 3: View of temporary building site and caretaker building from marina docks. This photo also shows the two buildings that will be demolished.

will not interfere with future construction of the marina facilities.

The temporary building is 3m x 12m in size, and 3m in height. The proposed building elevations are attached to this staff report and shows the exterior of the temporary building will have vertical wood panel siding, wood fascia, wood window trim and skirting around the building base. The building will be tucked behind the mature cedars shown in Photo 2, such that the rear of the building will be somewhat obscured by the tree cluster when viewed from the marina docks. Wood stairs and a mobility ramp would be installed to access the building. A concrete planter would be placed near the entrance and two seasonal hanging baskets are proposed.

In general the form of the building is not consistent with the DPA 1 guidelines, however it is a temporary building and the owner's intention is to remove the building by December 31, 2020. To ensure removal of the building by this date it is recommended to require a security of \$10,000.

Zoning Bylaw and C-4 Zone Review

A review of parking requirements is recommended to be completed when plans are submitted for a permanent marina office structure. The temporary building will be setback 15 metres from the natural boundary of the sea and no disruption to the foreshore is anticipated for the installation of the building. The proposed building complies with the C-4 Zone.

ALTERNATIVES

While the issuance of a Development Permit is not a completely discretionary decision of Council, Council may decide to not issue Development Permit 17-04 where the refusal is based upon a determination that the development permit application does not meet the Development Permit Area guidelines. If the Development Permit is refused then reasons must be given. The determination by Council must be in good faith and must be reasonable, not arbitrary.

FINANCIAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

A Development Permit is required prior to the issuance of a building permit to construct the temporary building.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Development Permit applications do not require statutory notice. Public input was received during the preparation of the development permit area guidelines.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The proposal for a temporary office building at Ladysmith Marina has been referred to the Infrastructure Services Department and the Building Inspector for review. No concerns

have been identified. A building permit is required prior to installation of the temporary building and a demolition permit will be required for the demolition of buildings on the property.

RESOURCE IMPLICATIONS

Processing Development Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

The Ladysmith Vision supports improvements to marina facilities on the waterfront.

ALIGNMENT WITH STRATEGIC PRIORITIES

Effective land use planning and community design are strategic Council directions.

SUMMARY

The applicant has submitted a development permit application to permit a temporary office building to be placed at the Ladysmith Marina. The proposal has been reviewed in relation to the DPA 1 guidelines and Zoning Bylaw.



Report Author (L. Brinkman, Senior Planner)

April 25, 2017

Date Signed

Reviewed By

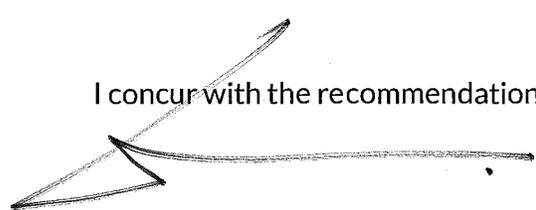


Felicity Adams, Director of Development Services

April 25, 2017

Date Signed

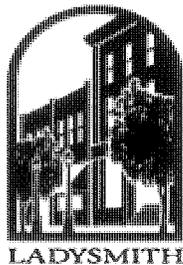
I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Development Permit 3060-17-04



**TOWN OF LADYSMITH
DEVELOPMENT PERMIT**
(Section 489 *Local Government Act*)

FILE NO: 3060-17-04

DATE: May 1, 2017

Name of Owner(s) of Land (Permittee): Oak Bay Marina Ltd. Inc. No. BC778751

Applicant: Deane Strongitharm

Subject Property (Civic Address): 901 Gladden Road

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.

2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

Lot A
District Lots 81, 86, 87, 98 Oyster District
District Lot 2054 Cowichan District
Plan EPP35537
PID# 029-199-280
(referred to as the "Land")

3. This Permit has the effect of authorizing:
 - (a) the issuance of a building permit for the construction associated with the placement of a temporary building on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit;

Subject to the conditions, requirements and standards imposed and agreed to in section 5 of this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.

5. The Permittee, as a condition of the issuance of this Permit, agrees to:

- a) Place a temporary office building on the land as shown in **Schedule A: Site Plan**;
 - b) Ensure the form and character of the temporary office building is as shown in **Schedule B: Front Elevation**;
 - c) Ensure the front, rear and sides of the temporary building are sided with painted vertical wood siding, wood fascia and wood window trim to match the elevations shown in Schedule B;
 - d) Ensure a concrete planter and seasonal hanging basket are installed with healthy, well maintained plants; and
 - e) Remove the temporary office building by December 31, 2020 or by the date that a permanent office building is constructed, whichever is earlier.
6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 5 of this Permit respecting removal of the temporary office building and/or to correct any unsafe condition which may result from a contravention of a condition of this Permit. The Letter of Credit shall be for a period of three years, shall be automatically extended, and shall be in the amount of \$10,000.
 7. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the condition(s) or carry out any construction required to correct the unsafe condition(s), at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
 8. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
 9. If the Permittee does not substantially start any construction permitted by this Permit within **one year** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
 10. The plans and specifications attached to this Permit are an integral part of this Permit.
 11. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3060-17-04**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
 12. This Permit prevails over the provisions of the Bylaw in the event of conflict.
 13. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH
ON THE ____ DAY OF _____ 201__.

MAYOR

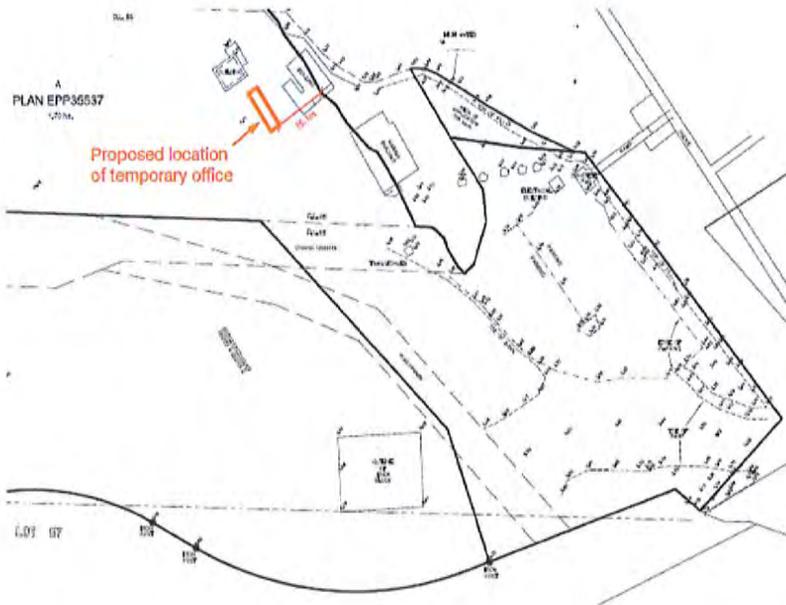
CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

OWNER

PLEASE PRINT NAME



Data Sheet	
Owner:	Oak Bay Marina Ltd.
Address:	12335 Rocky Creek Road
Site Area:	1.7 ha
Building Height:	3 m.
Building Area:	37 sm.


Location Plan
 Scale: 1:1,000

Development Permit 3060-17-04
 Schedule A: Site Plan
 901 Gladden Road
 Oak Bay Marina Ltd. Inc. No. BC778751



Front Elevation
Scale: 1:50

Development Permit 3060-17-04
 Schedule B: Front Elevation
 901 Gladden Road
 Oak Bay Marina Ltd. Inc. No. BC778751

COMMITTEE REPORT

To: Council
 From: Heritage Revitalization Advisory Commission
 Meeting Date: May 1, 2017
 File No: 6800-20

Re: **CANADA 150 HRAC PROJECT PROPOSAL**

RECOMMENDATION

THAT Council consider the following recommendations from the Heritage Revitalization Advisory Commission (HRAC):

It was moved, seconded and carried that HRAC recommend to Council that HRAC participate in a Canada 150 project.

It was moved, seconded and carried that HRAC recommend to Council the opportunity for HRAC to commemorate the Canada 150 celebrations with a "Remembering our Peoples – An Invitation to Share Your Family Stories" Project.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

On October 17, 2016, Council referred the HRAC recommendation regarding the Canada 150 project to the Canada 150 Celebration Committee for consideration and response.

"That the Town fund the purchase of medals or certificates for the recognition of pioneer families as part of the Canada 150 celebrations."

INTRODUCTION/BACKGROUND

Two HRAC members attended a meeting of the Canada 150 Celebration Committee and reported that the Committee was interested in the project but due to restrictions of the grant required community involvement in the project.

ANALYSIS

At its meeting of March 23, 2017, the HRAC passed two additional motions requesting involvement in a Canada 150 project which are in the recommendations section of this report. Members examined potential project ideas with greater inclusivity. One project idea was to gather social history through the stories of local families. This project would be volunteer-led by the HRAC members.

STAFF COMMENTS

HRAC members recognize that available staff resources have been assigned to existing HRAC projects – Building Plaques, Heritage Inventory update, and Strategic Plan update.

This project is proposed to be undertaken as an initiative of the members of the HRAC. It could also be referred by Council to the Canada 150 Celebration Committee to lead the project with the assistance of the HRAC members; however, staff has been advised that the Canada 150 Committee is at its capacity to take on additional projects. In either case, staff recommend that the HRAC continue to coordinate any 150 celebration activities supported by Council with the Canada 150 Celebration Committee.

ATTACHMENTS

None.

Town of Ladysmith
STAFF REPORT TO COUNCIL

From: Joanna Winter, Corporate Officer
Date: May 1, 2017
File No: 5600-01
RE: **ALTERNATIVE APPROVAL PROCESS OFFICIAL RESULT
 BYLAW 1920 (WATER FILTRATION BORROWING)**

RECOMMENDATION:

That Council receive the official results of the Alternative Approval Process for Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920.

PURPOSE:

The purpose of this report is to provide Council with the official results of the recently-conducted Alternative Approval Process regarding Water Filtration Plan Loan Authorization Bylaw 2016, No. 1920.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017-048	Feb-20-2017	AMENDS CS 2017-047 That Council amend item 2 in Resolution CS 2017-047-to read as follows: 2. Approve the attached notice to the electors (Appendix B) as amended to include reference to the requirement by Island Health for the Town to include water filtration in its water supply system, subject to confirmation by the Local Government Division of the Ministry of Community, Sport and Cultural Development. AMENDMENT CARRIED MAIN MOTION AS AMENDED CARRIED
CS 2017-047	Feb-20-2017	MOTION AMENDED BY CS 2017-048 That with regard to "Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920", which proposes to borrow directly from the Municipal Finance Authority of British Columbia (MFA) a sum not to exceed \$6,000,000 to finance the construction of a new water filtration plant to treat the water in the Town of Ladysmith water supply system, with the borrowing to be repaid over a period not to exceed 25 years, Council: 1. Submit the bylaw to the electors for approval by way of the alternative approval process; 2. Approve the attached notice to the electors (Appendix 'B') of the alternative process and direct staff to publish it; 3. Approve the attached elector response form (Appendix 'C');



Resolution	Meeting Date	Resolution Details
		<p>4. Establish the deadline for receiving the elector response forms as 4:00 p.m. on Wednesday, April 12, 2017;</p> <p>5. Determine that the total number of electors within the Town of Ladysmith to which the alternative approval process applies is 6,988 of which 10 per cent or 699 must submit elector response forms to prevent the Town of Ladysmith Council from adopting "Water Filtration Plant Loan Authorization Bylaw 1920" without first obtaining the assent of the electors by way of referendum.</p>
CS 2016-424	Dec-19-2016	That Council give first three readings to Town of Ladysmith Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920.

INTRODUCTION/BACKGROUND:

As directed by Council, staff conducted the Alternative Approval Process for elector approval of Bylaw 1920 in accordance with provincial legislation. The deadline for submitting Elector Response Forms was April 12, 2017 at 4:00 p.m.

In accordance with Sec. 86(8) of the *Community Charter*, the Corporate Officer hereby confirms that 21 valid Elector Response Forms were submitted by eligible electors in the Town of Ladysmith in accordance with the legislation.

The legislation states that a local government may adopt the borrowing bylaw **unless** at least 10 per cent of Ladysmith electors submit Elector Response Forms indicating their opposition. The total number of electors on the List of Electors as of February 7, 2017 was 6,988; 10% of that number is 699. It is therefore determined that the Council may proceed with adoption of Bylaw 1920 under the Bylaws section of the agenda.

ALTERNATIVES:

N/A

FINANCIAL IMPLICATIONS:

Now that voter approval has been received, Council can adopt the borrowing bylaw and proceed with the required process to borrow up to \$6 million for construction of the new Water Filtration Plant.

LEGAL IMPLICATIONS:

The Alternative Approval Process was conducted in accordance with the provincial legislation. Constructing the new Water Filtration Plant as required by Island Health means that the Town will be able to comply with the terms of its Permit to Operate a Water Supply System.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Alternative Approval Process is a opportunity for citizens to indicate whether or not they approve of the proposed borrowing.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Financial Services Department will manage the borrowing process; Infrastructure Services will manage construction of the Water Filtration Plant.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This initiative aligns with sustainability pillars 5 (Innovative Infrastructure) and 7 (Healthy Community).

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative aligns with Council's strategic priorities of "Watershed Protection and Water Management" and "Natural and Built Infrastructure".

SUMMARY:

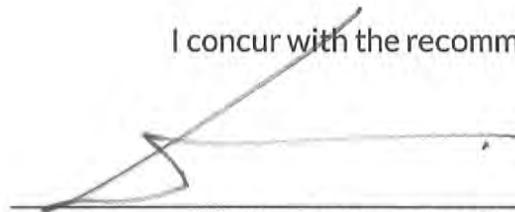
An Alternative Approval Process for elector approval of Bylaw 1920, Water Filtration Plant Borrowing Bylaw 1920 has been carried out in accordance with the legislation. The Town received 21 valid elector response forms indicating opposition to the proposed borrowing bylaw. The total number of voters for the purposes of this Alternative Approval Process was 8,988. The number of Elector Response Forms required to ensure the bylaw did not receive elector approval was 899. The bylaw has therefore received the approval of the electors and may proceed for adoption.



Joanna Winter, Corporate Officer

April 24, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

None

STAFF REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Meeting Date: May 1, 2017
File No: 1855-20-17-01
1855-20-17-04

RE: Direction to submit grant applications for the Federal Gas Tax Fund – Strategic Priorities Fund

RECOMMENDATION(S)

That Council:

- (1) Direct staff to make a funding application to the Federal Gas Tax Fund Strategic Priorities Fund – Capital Infrastructure Project Stream for the Holland Dam Upgrade for up to \$6 million dollars in grant funding, and support the Town administration with overseeing the management of this grant if successful.
- (2) Direct staff to make a funding application to the Federal Gas Tax Fund Strategic Priorities Fund – Capital Infrastructure Project Stream for the Machine Shop Restoration for up to \$2.25 million dollars in grant funding, and support the Town administration with overseeing the management of this grant if successful.

PURPOSE

The purpose of this report is to present the funding opportunity to Council and confirm which projects for which Council wishes the Town to apply.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

Not applicable

INTRODUCTION/BACKGROUND

Under the renewed Gas Tax Agreement between the Federal Government, Provincial Government and UBCM, there is funding allocated to the Gas Tax Strategic Priorities Fund. There are specific times the funding program is open and local governments make application for funding considerations.

There are two funding streams, depending on the type of project (A) Capital Infrastructure Projects Stream and (B) Capacity Building Stream.

The current funding program allows for a local government to make 2 applications under

the Capital Infrastructure Project Stream and 1 application under the Capacity Building Stream.

Up to 100% of funding is available per project to a maximum of \$6 million.

The last time this funding was available was in 2015. In the past, the Town has been successful in obtaining funding from the program. Recently, the projects funded through this program are:

- Ladysmith Asset Management: Assessment & Planning - \$80,000

Under the previous Gas Tax Agreement:

- Green Team - \$5,000
- Ladysmith/Stz'uminus First Nation: Cooperation Protocol Implementation \$50,000
- Wastewater Treatment Plant Upgrade \$5,210,000
- Ladysmith, Town of Zoning Bylaw Review/Update \$130,000

Regionally Significant

- Bio-Solids Composting Facility \$570,224
- Recreation Centre Energy Saving Improvements \$273,750

The deadline to apply for the funding is June 1, 2017. The Town will use a consultant to assist in the preparation of the grant application.

Staff recommend applying under the Capital Infrastructure Project Stream for the following capital projects. Please note that an application for the Capacity Building Stream will not be made.

Holland Dam Storage Upgrade

The purpose of this large capital project is to increase the height of the existing dam which will allow for the water storage capacity to nearly double. Included in the Financial Plan for 2018 was \$480,000 for design work on upgrading the Holland Dam.

Machine Shop Restoration

With the focus of the Machine Shop as an integral part of the Waterfront Area Plan, the Town is requesting \$2,250,000 to ensure that the Machine Shop can be retained and used for the long term as a key part of the arts and heritage village envisioned as part of the Waterfront Design Charrette.

The Town commissioned a study to put together cost estimates to repair the facility. The report estimated a \$1 million minimum cost estimate for basic upgrades to the building to continue to function as it is today. The study identified other improvements that should be considered to bring the building to a restored standard that would be suitable for multiple occupancies and public assembly use. The upgrades consider both building energy efficiency and maintaining the character defining elements of the building. These repairs were not included in the 2017-2021 Financial Plan.

SCOPE OF WORK

Once approved, staff will gather the necessary information to make application. The Town will consult with a grant writing specialist to complete the applications.

ALTERNATIVES

Other projects that Council could consider for funding are:

Directional Signage (2018) - \$230,400

Twinning Stocking Lake Supply Main (2020) - \$2,000,000

Holland to Stocking Water Interconnection (2021) - \$5,500,000

4th Avenue - costs unknown

Extension of services to South Ladysmith – cost unknown

There are other large-scale projects, such as a new City Hall, a new Fire Hall, and new Fire Vehicles on the horizon. These types of projects rarely qualify for grant funding, and, if they do it is for a small, specific part of the project, such as “greening” the project.

FINANCIAL IMPLICATIONS

Grant funding for projects within the 2017-2021 Financial Plan will reduce taxation. There is, however, a cost to complete the applications. Detailed cost estimates are often required. Consultant fees, plus the grant writer fees will be costs incurred, even if no grant funding is provided.

LEGAL IMPLICATIONS

Not applicable.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

As with any large capital project, the Town will provide project information updates.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

Finance will lead the project, with the assistance from Infrastructure Services for the Holland Dam application and the Parks, Recreation & Cultures together with Development Services for the Machine Shop application.

RESOURCE IMPLICATIONS

Engineering cost estimates are required to be submitted with the application. Time and cost associated with obtaining or updating these estimates is necessary.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

The two projects are consistent with the sustainability visioning report.

ALIGNMENT WITH STRATEGIC PRIORITIES

Both of these projects align with the strategic priorities. The Holland Dam aligns with the Watershed Protection and Water Management as well as Natural and Built

Infrastructure. The Machine Shop aligns with Partnerships as well as Natural and Built Infrastructure.

SUMMARY

UBCM has announced their 2017 Strategic Priorities Fund intake . The program allows for local governments to make funding applications for capital projects, with up to \$6 million dollars in potential funding. Staff recommend applying for funding of the Holland Dam Storage Upgrade project and the Machine Shop restoration project.

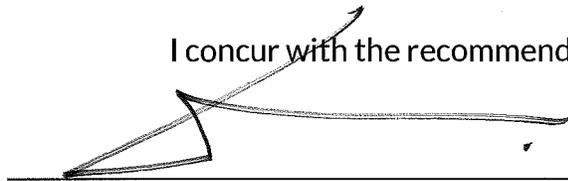


Erin Anderson, Director of Financial Services

25 April 2017

Date Signed

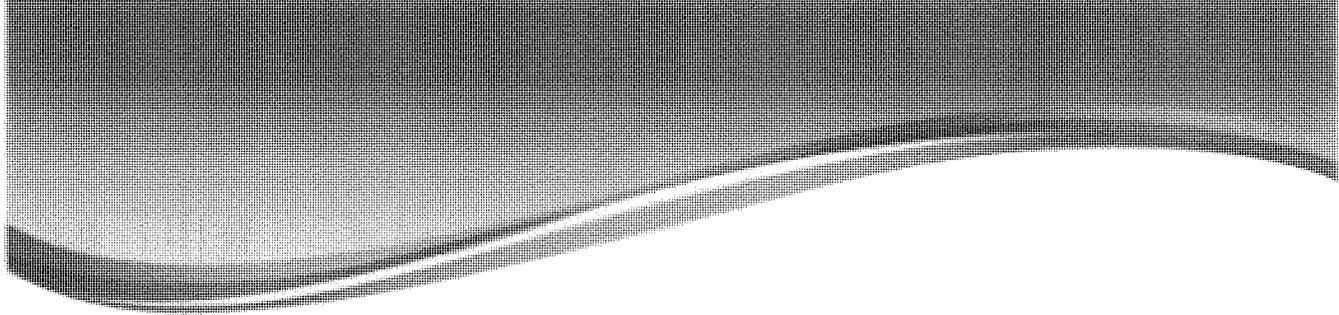
I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

UBCM - Program Guidelines for the Federal Gas Tax Fund Strategic Priorities Fund



**Program Guidelines for the
Federal Gas Tax Fund
Strategic Priorities Fund**

**Capital Infrastructure Projects Stream
and
Capacity Building Stream**

March 2017

Strategic Priorities Fund	
Program Purpose	Provides funding for strategic investments that are large in scale, regional in impact or innovative.
Eligible Applicants	All local governments outside the Greater Vancouver Regional District.
Eligible Projects Capital Infrastructure Projects Stream	Public Transit; Local Roads and Bridges; Community Energy Systems; Drinking Water; Solid Waste; Wastewater; Highways and Major Roads; Local and Regional Airports; Short-Line Rail; Short-Sea Shipping; Broadband Connectivity; Brownfield Redevelopment; Disaster Mitigation; and Cultural, Tourism, Sport and Recreation Infrastructure.
Eligible Projects Capacity Building Stream	Asset Management, Long-Term Infrastructure Planning, and Integrated Community Sustainability Planning.
Application Limit	Two (2) capital infrastructure projects stream applications. One (1) capacity building stream application.
Available Funding	Up to 100% of net eligible costs of approved projects up to a maximum federal Gas Tax fund contribution of \$6 million. Project applications over \$6 million remain eligible provided that additional costs are confirmed through other funding sources.

Contact UBCM Gas Tax Program Services:

For further questions on Strategic Priorities Fund, please contact UBCM via e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

Gas Tax Program Services
525 Government Street
Victoria, BC V8V 0A8

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1. PROGRAM OVERVIEW

In May 2014, Canada, BC and UBCM signed the renewed Gas Tax Agreement (GTA) which provides a ten-year commitment of federal funding for investments in Local Government infrastructure and capacity building projects in British Columbia.

One of the key funding programs established through the GTA is the Gas Tax Strategic Priorities Fund (SPF). The SPF is an application-based funding program, which pools approximately \$30 million of the \$265 million annual federal Gas Tax Fund for strategic investments that are considered large in scale, regional in impact, or innovative and support the Gas Tax Fund national objectives of productivity and economic growth, a clean environment, and strong cities and communities.

The first SPF intake was launched in 2014, which resulted in the approvals of 66 projects across the province and committing over \$122 million in federal Gas Tax Strategic Priorities Funding.

2. GOALS AND OBJECTIVES

The SPF program provides grant funding specifically targeted for the capital costs of local government infrastructure projects that are larger in scale, regional in impact, or innovative and support the national objectives of productivity and economic growth, a clean environment and strong cities and communities. The SPF program also provides grant funding for Local Government capacity building projects, including asset management, long term infrastructure planning and sustainability planning that support the national objectives and are large, regional or innovative.

3. APPLICATION DEADLINE

The deadline for submitting your SPF application is **June 1, 2017**.

4. ELIGIBLE APPLICANTS

The SPF program is open to all Local Governments in British Columbia outside of the Greater Vancouver Regional District.¹

Local Governments may choose to apply either as an individual applicant, or as a sponsor for another Ultimate Recipient. Ultimate Recipients are defined as: a local government; a non-municipal entity, including for-profit, non-governmental and not-for-profit organizations; and BC Transit.

All Local Governments are encouraged to apply for funding under this 2017 SPF intake.

¹ Islands Trust and Okanagan Basin Water Board are considered eligible applicants under this SPF program

5. APPLICATION LIMITS

Each eligible Local Government may submit two (2) applications under the *SPF-Capital Infrastructure Projects Stream* and one (1) application under the *SPF-Capacity Building Stream* for a total of three (3) applications.

If a Local Government chooses to sponsor an application for an Ultimate Recipient, that will be considered one of that Local Government's allowable applications.

6. PROJECT CATEGORIES

SPF Capital Infrastructure Projects Stream

Public Transit	Brownfield Redevelopment
Local Roads, Bridges and Active Transportation	Local and Regional Airports
Solid Waste	Short-sea Shipping
Community Energy Infrastructure	Short-line Rail
Drinking Water	Highways
Wastewater	Broadband Connectivity
Disaster Mitigation	Culture Infrastructure
Recreational Infrastructure	Sport Infrastructure
Tourism Infrastructure	

SPF Capacity Building Stream

Asset Management Planning	Long-term Infrastructure Planning
Integrated Community Sustainability Planning	

Examples of eligible projects under each category can be found in Annex A of this program guide.

7. ELIGIBLE AND INELIGIBLE COSTS

Eligible Costs for SPF Capital Infrastructure Projects Stream

Eligible Costs are the expenditures associated with acquiring, planning, designing, constructing or renovating a tangible capital asset, as defined by Generally Accepted Accounting Principles (GAAP), and any related debt financing charges specifically identified with that asset.

In addition, eligible costs also include expenditures directly related to the joint communication activities and with federal project signage for GTF funded projects.

The application will ask the applicant to include the class of cost estimate for the project. Below is a definition of cost estimate classification.

Cost Estimate Classification Definitions

(Source: APEGBC/CEBC: Budget Guidelines for Consulting Engineering Services 2009)

Class A estimate ($\pm 10-15\%$): A detailed estimate based on quantity take-off from final drawings and specifications. It is used to evaluate tenders or as a basis of cost control during day-labour construction.

Class B estimate ($\pm 15-25\%$): An estimate prepared after site investigations and studies have been completed and the major systems defined. It is based on a project brief and preliminary design. It is used for obtaining effective project approval and for budgetary control.

Class C estimate ($\pm 25-40\%$): An estimate prepared with limited site information and based on probable conditions affecting the project. It represents the summation of all identifiable project elemental costs and is used for program planning, to establish a more specific definition of client needs and to obtain preliminary project approval.

Class D estimate ($\pm 50\%$): A preliminary estimate which, due to little or no site information, indicates the approximate magnitude of cost of the proposed project, based on the client's broad requirements. This overall cost estimate may be derived from lump sum or unit costs for a similar project. It may be used in developing long term capital plans and for preliminary discussion of proposed capital projects.

Eligible Costs for SPF Capacity Building Stream

Expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, life cycle costs assessments, and Asset Management Plans.

Expenditures could include developing and implementing:

- i. Studies, strategies, or systems related to asset management, which may include software acquisition and implementation
- ii. Training directly related to asset management planning
- iii. Long-term infrastructure plans

Ineligible Costs for Capital Infrastructure and Capacity Building Projects

Ineligible Costs include:

- Leasing costs;
- Overhead costs, including salaries and other employment benefits of any employees of the Ultimate Recipient;
- Direct or indirect operating or administrative costs;
- Costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff;
- Purchase of land or any interest therein, and related costs;
- Legal fees; and
- Routine repair and maintenance costs.

Employee and equipment costs are **only** eligible if:

- a) The Ultimate Recipient demonstrates that it is not economically feasible to tender a contract.
- b) The employee or equipment is directly engaged in the work under the parameters of the contract.
- c) And the arrangement has received prior approval in writing by UBCM.

If the use of own force employee or equipment costs is being considered, please provide in addition to the application, a letter addressing the conditions above. Note that while most eligible costs are eligible from the date of the application submission, own force employee and equipment costs are only eligible from date of UBCM approval.

Under the Capital Infrastructure Stream:

- Response and emergency services related infrastructure are not eligible (including fire halls, fire trucks, fire services equipment, emergency service vehicles, buildings and equipment).
- Investments in health infrastructure (hospitals, convalescent and seniors centres) are not eligible.
- Investments in the National Airport System are not eligible.
- Investments in facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League), are not eligible.
- The purchase of vessels, infrastructure that supports passenger-only ferry services, rehabilitation and maintenance of existing facilities such as wharves and docks, and dredging are not eligible under the Short-sea Shipping investment category.

Under Capacity Building Stream:

- Feasibility studies and detailed design for a specific infrastructure project are ineligible.

8. PHASING OF PROJECTS

For large projects that require significant funding support, it is recommended that applicants submit a “phased” approach. Applicants should apply for a component of the phased project or identify how the project could be phased. Each phase should be a stand-alone aspect of the project. It is important to note that successful grant awards for phased projects do not ensure subsequent funding for future phases of the project.

9. INELIGIBLE PROJECTS

Project works, which would otherwise be eligible, become ineligible if the project works have started prior to the date the project is included in a submitted SPF application. The project is deemed to have been started if a tender has been awarded or work has commenced.

Under the Capacity Building stream, projects that have been approved under the UBCM Asset Management Planning (AMP) grant program are deemed ineligible projects under the SPF-Capacity Building Project Stream, unless they are identified as a distinct or phased component of the overall project.

10. HOW TO APPLY

Applications must be received through the **UBCM Program Information Management System (PIMS)** and must include the following:

- ✓ Completed online application form;
- ✓ Attached feasibility study and/or detailed designs/detailed cost estimates and other relevant supplemental documentation; and
- ✓ A Council/Board resolution indicating support for the application.

It is expected that **PIMS** will be open to accept online applications beginning in April 2017. Local Governments will be notified at that time.

For any questions related to PIMS, please contact Gas Tax Program Services via e-mail at gastax@ubcm.ca or by phone at 250-356-5134.

11. FUNDING AMOUNT LIMIT

A SPF grant can fund up to 100% of eligible costs of an eligible project up to a maximum federal Gas Tax Fund amount of \$6 million. Project applications over \$6 million remain eligible provided that additional costs are confirmed through other funding sources.

12. AVAILABLE FUNDING

It is anticipated that there is approximately \$180 million in SPF funding available for this intake. Depending on the quality of applications, it is expected that this amount will be committed. If funds are remaining, a final intake will follow. All eligible Local Governments are encouraged to apply for this 2017 SPF intake.

Approximately 5% of SPF funding will be reserved for projects under the Capacity Building stream.

Funding allocations and decisions are made by the Gas Tax Management Committee.

13. SELECTION PROCESS AND CRITERIA

Applications will first be screened to ensure the applicant and the project meet eligibility requirements. Those meeting eligibility requirements will then be reviewed and scored against the selection criteria noted below. Funding decisions will be made primarily on the basis of the relative ranking of the applications in relation to these criteria. Applicants are responsible for ensuring that applications include full and accurate information to assess eligibility and to score the project on the stated selection criteria.

Screening Criteria

- Applications must be submitted by an eligible Local Government either individually or as a sponsor for another Ultimate Recipient.
- Applications must be for a project that is an Eligible Project, as defined in the GTA and listed in Annex A.
- The project must not have started prior to the submission of the application.

14. SELECTION AND SCORING CRITERIA

SPF Capital Infrastructure Projects Stream

Selection criteria are based on the program purposes and objectives listed below. These selection criteria form the basis of the scoring and ranking of applications. Note the criteria listed below are not listed in order of priority; applicants should provide full information in relation to all of the criteria that are relevant to the project for which funding is requested.

- How much the project is expected to support the Gas Tax Fund National Objectives of productivity and the economic growth; a clean environment; and strong cities and communities;
- The timing of the project and its outcomes;
- The capacity of the community to undertake, evaluate and document the project, and to operate and maintain it;
- The degree to which the project develops or supports strategic infrastructure investment decisions or links to sustainability or capital investment plans;
- The degree to which asset management practices were considered;

- The degree to which the project uses sustainability principles or leads to sustainable outcomes (e.g., demand management; resource management and construction practices);
- The degree the project benefits more than one community or is identified as regional in impact;
- The size or scale of the project in relation to the size of the community;
- The degree to which the project reflects inter-jurisdiction cooperation;
- The degree to which the innovative plan, process, method or technology supports the approach that will be used, and the additional risks associated with using this innovation;
- The relative benefit of the innovative process, method or technology over existing processes, methods and technologies.

SPF Capacity Building Stream

Scoring will be based primarily on:

- How the project is expected to align with the Gas Tax Fund National Objectives of productivity and economic growth, a clean environment or strong cities and communities;
- The degree to which the project is identified as large in scale;
- The degree to which the project is considered regional in impact;
- Contribution to innovation;
- Long term thinking;
- Integration with other plans, planning or sustainability activities;
- Collaborative elements, including engaging community members and other partners;
- Implementation program;
- Monitoring and evaluation component;
- Linkage to capital investment plans; and
- Contribution to efficient use of infrastructure and other resources.

15. APPROVED APPLICATIONS

Successful applicants will be notified after funding decisions have been made.

Content of Funding Agreements

All grant approvals are subject to the execution of a funding agreement between the recipient and UBCM. The agreement will set out the roles and responsibilities of the parties, including a deadline for completion of the project and other recipient obligations.

Applicable Law

Recipients are responsible for ensuring that all projects are implemented in accordance with all laws applicable in British Columbia and for ensuring that any required permits, licenses, or approvals are obtained.

Payments

Payments will be made available to recipients in accordance with the terms and conditions of the funding agreement. Payments are also on condition of the following:

- That UBCM has received sufficient funds from Canada;
- That a holdback of 15% be placed on the project until such time as it is deemed complete; and
- The Ultimate Recipient is in compliance with the terms and conditions of the funding agreement.

ANNEX A: EXAMPLES OF ELIGIBLE SPF PROJECTS

Project Category	Description	Examples
<p>Public Transit</p>	<p>Infrastructure which supports a shared passenger transport system which is available for public use</p>	<ul style="list-style-type: none"> • Transit infrastructure such as rail and bus rapid transit systems, and related facilities • Buses, rail cars, ferries, para-transit vehicles, and other rolling stock and associated infrastructure • Intelligent Transport Systems such as fare collection, fleet management, transit priority signaling, and real time traveler information system at stations and stops • Related capital infrastructure including bus lanes, streetcar and trolley infrastructure, storage and maintenance facilities, security enhancement, and transit passenger terminals
<p>Local Roads, Bridges, and Active Transportation</p>	<p>Roads, bridges and active transportation (active transportation refers to investments that support active methods of travel)</p>	<ul style="list-style-type: none"> • New and rehabilitation of roads • New and rehabilitation of bridges • Cycling lanes, paths, sidewalks and hiking trails • Intelligent Transportation systems • Additional capacity for high occupancy/ transit lanes, grade separations, interchange structures, tunnels, intersections and roundabouts
<p>Regional and Local Airports</p>	<p>Airport related infrastructure (excludes National Airport System)</p>	<ul style="list-style-type: none"> • Construction projects that enhance airports and are accessible all year-round, through the development, enhancement or rehabilitation of aeronautical and/or non-aeronautical infrastructure (includes runways, taxiways, aprons, hangars, terminal buildings etc.) • Non-aeronautical infrastructure such as groundside access, inland ports, parking facilities, and commercial and industrial activities
<p>Short-line Rail</p>	<p>Railway related infrastructure for carriage of passengers or freight</p>	<ul style="list-style-type: none"> • Construction of lines to allow a railway to serve an industrial park, an intermodal yard, a port or a marine terminal • Construction, rehabilitation, or upgrading of tracks and structures, excluding regular maintenance, to ensure safe travel • Construction, development or improvement of facilities to improve

Project Category	Description	Examples
		<ul style="list-style-type: none"> interchange of goods between modes • Procurement of technology and equipment used to improve the interchange of goods between modes • Short-line operators must offer year-round service
Short-sea Shipping	Infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean	<ul style="list-style-type: none"> • Specialized marine terminal intermodal facilities or transshipment (marine to marine) facilities • Capitalized equipment for loading/unloading required for expansion of short-sea shipping • Technology and equipment used to improve the interface between the marine mode and the rail/highways modes or to improve integration within the marine mode including Intelligent Transportation Systems (ITS) <p><i>Note: The purchase of vessels, infrastructure that supports passenger-only ferry services, rehabilitation and maintenance of existing facilities such as wharves and docks, and dredging are not eligible for funding</i></p>
Community Energy Systems	Infrastructure that generates or increases efficient use of energy	<ul style="list-style-type: none"> • Renewable electricity generators • Electric vehicle infrastructure/fleet vehicle conversion • Hydrogen infrastructure (generation, distribution, storage) • Wind/solar/thermal/geothermal energy systems • Alternative energy systems that serve local government infrastructure • Retrofit local government buildings and infrastructure
Drinking Water	Infrastructure that supports drinking water conservation, collection, treatment and distribution systems	<ul style="list-style-type: none"> • Drinking water treatment infrastructure • Drinking water distribution system (including metering)
Wastewater	Infrastructure that supports wastewater and storm water collection, treatment and management systems	<ul style="list-style-type: none"> • Wastewater collection systems and or wastewater treatment facilities or systems • Separation of combined sewers and or combined sewer overflow control, including real-time control and system optimization • Separate storm water collection systems

Project Category	Description	Examples
		<ul style="list-style-type: none"> • and or storm water treatment facilities or systems • Wastewater sludge treatment and management systems
Solid Waste	Infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage	<ul style="list-style-type: none"> • Solid waste diversion projects including recycling, composting and anaerobic digestion • Solid waste disposal projects including thermal processes, gasification, and landfill gas recovery • Solid waste disposal strategies that reduce resource use
Sport Infrastructure	Amateur sport infrastructure (excludes facilities, including arenas, which would be used as a home of professional sports teams or major junior hockey teams)	<ul style="list-style-type: none"> • Sport infrastructure for community public use • Sport infrastructure in support of major amateur athletic events
Recreation Infrastructure	Recreational facilities or networks	<ul style="list-style-type: none"> • Large facilities or complexes which support physical activity such as arenas, gymnasiums, swimming pools, sports fields, tennis, basketball, volleyball or other sport-specific courts, or other facilities that have sport and/or physical activity as a primary rationale • Community centers that offer programming to the community at large, including all segments of the population • Networks of parks, fitness trails and bike paths
Cultural Infrastructure	Infrastructure that supports arts, humanities, and heritage	<ul style="list-style-type: none"> • Museums • The preservation of designated heritage sites • Local government owned libraries and archives • Facilities for the creation, production, and presentation of the arts • Infrastructure in support of the creation of a cultural precinct within an urban core
Tourism Infrastructure	Infrastructure that attract travelers for recreation, leisure, business or other purposes	<ul style="list-style-type: none"> • Convention centers • Exhibition hall-type facilities • Visitor centres
Disaster Mitigation	Infrastructure that reduces or eliminates	<ul style="list-style-type: none"> • Construction, modification or reinforcement of structures that protect

Project Category	Description	Examples
	long-term impacts and risks associated with natural disasters	<p>from, prevent or mitigate potential physical damage resulting from extreme natural events, and impacts or events related to climate change</p> <ul style="list-style-type: none"> • Modification, reinforcement or relocation of existing public infrastructure to mitigate the effects of and/or improve resiliency to extreme national events and impacts or events related to climate change <p><i>Note: this category is related to disaster prevention (such as dykes, berms, seismic upgrades etc.) and <u>not</u> response (such as fire trucks, fire halls etc.)</i></p>
Broadband Connectivity	Infrastructure that provides internet access to residents, businesses, and/or institutions in British Columbia	<ul style="list-style-type: none"> • High-speed backbone • Point of presence • Local distribution within communities • Satellite capacity
Brownfield Redevelopment	Remediation or decontamination and redevelopment of a brownfield site within municipal boundaries, where the redevelopment includes: the construction of public infrastructure as identified in the context of any other category under the GTF, and/or the construction of municipal use public parks and publicly-owned social housing.	<ul style="list-style-type: none"> • New construction of public infrastructure as per the categories listed under the Federal Gas Tax Agreement • New construction of municipal use public parks and affordable housing
Asset Management	Increase local government capacity to undertake asset management planning practices.	<ul style="list-style-type: none"> • Asset Management Practices Assessment • Current State of Assets Assessment • Asset Management Policy • Asset Management Strategy • Asset Management Plan • Long-Term Financial Plan • Asset Management Practices Implementation Plan • Asset Management Plan Annual Report
Integrated Community	Increase local government capacity to	<ul style="list-style-type: none"> • Integrated community sustainability plans

Project Category	Description	Examples
Sustainability Plans	undertake integrated community sustainability plans	<ul style="list-style-type: none"> • Regional growth strategies • Community development plans • Community plans
Long-term Infrastructure Plans		<ul style="list-style-type: none"> • Transportation plans • Infrastructure development plans • Liquid waste management plans • Solid waste management plans • Long-term cross-modal transportation plans • Water conservation/demand management plans • Drought management contingency plans • Air quality plans • GHG reduction plans • Energy conservation plans

STAFF REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Meeting Date: May 1, 2017
File No:

RE: Authority to adjust water accounts

RECOMMENDATION(S)

That Council direct staff to:

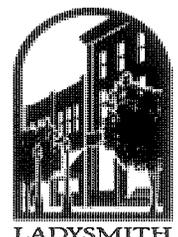
1. Adjust the water billing due to leaks for the following properties:

0324.000	\$48.11;
0490.005	\$100.76;
0176.000	\$501.48;
1343.445	\$38.05;
0036.000	\$153.25;
1348.685	\$455.56;
1343.487	\$287.07;
1002.317	\$162.63;
0660.000	\$125.77;
1047.040	\$160.54;
0262.000	\$520.84;
1177.000	\$5,004.44;
1348.241	\$514.29;
1348.610	\$733.56;
1057.010	\$1,939.09;
1002.274	\$3,026.13;
0641.000	\$4,699.90;
1073.176	\$3,586.77; and

2. Direct staff to amend the Waterworks Rates and Regulation Bylaw 1999, No.1298 to include the authority for the Director of Finance to make adjustments up to \$1,000 to the water accounts.

PURPOSE

The purpose of this report is for Council to (1) approve adjustments of water rate charges on certain properties that have received excessive consumption charges due to water leaks, and (2) obtain direction from Council to amend the Waterworks Rates and Regulation Bylaw 1999, No.1298 to delegated authority to the Director of Finance to amend water chargers in the future.



PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

Delegation Bylaw 2007, No.1614 (repealed):

6. Parking, Business Licences, Utilities, Property Tax Penalties and Fees

Council hereby delegates to the Director of Financial Services all the powers, duties and function of Council to waive, reimburse or discount business license, utility charges, property tax penalties and parking fees to a maximum of \$1,000.00

Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905

14. The Director of Financial Services is authorized to administer any system of discount, interest, penalty, payment and refund of fees established by bylaw.

INTRODUCTION/BACKGROUND

Each time the water meters are read, there are a few properties with excessive water consumption. Often this excess consumption is due to a water leak on the property. Water leaks can arise from breakages in the water main between the meter at the street and the building, leaks within the irrigation system, running toilets or issues with appliances.

When property owners can demonstrate that the leak has been repaired and Public Works Utilities Crew has confirmed that the consumption has returned to normal, an adjustment (up to \$1,000) would be made to the account.

With the introduction of the new Officer and Delegation Bylaw, the authority to make adjustments to the water accounts has been transferred from the Delegation Bylaw 2007, No. 1614 to the program specific bylaws. If Council wishes to continue to delegate the authority to make adjustments to the Director of Finance, the Waterworks Rates and Regulation Bylaw 1999, No.1298 requires an amendment to include a provision for making adjustments.

The amendment could include:

Where any meter fails to register or to properly indicate the quantity of water used or consumed, or where breakages occur on private property, the Director of Finance shall estimate the consumption of water and shall render an account to the customer.

Where any account is rendered pursuant to this section, the Director of Finance, in estimating the account, shall consider previous billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director, may affect the consumption of water. The maximum adjustment amount is \$1,000 per account.

When an adjustment is made to an account as a result of a leakage or other unusual occurrence on the owner's property, the Director may charge an administration

fee. This fee shall be ten percent of the amount of any credit to the account, except that the fee may not be less than \$5.00 or more than \$25.00.

Decisions on adjustment over \$1,000 will still be presented to Council for approval. There are currently 5 adjustments over this threshold. These are unusual adjustments; the water meters were not read in December which allowed for leaks to continue undetected for a longer period.

SCOPE OF WORK

Upon Council's direction, Staff will make the necessary adjustment to the accounts and mail amended bills, giving the property owner 30 days to make payment.

ALTERNATIVES

Council could choose not to adjust the water bills for the property owners.

FINANCIAL IMPLICATIONS

Decreases in water consumption charges will result in less revenue derived from water charges. Adding an administrative charge to water leak adjustments will recover a small portion of staff time in processing.

LEGAL IMPLICATIONS

Not applicable.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Encouraging people to quickly fix water by offering a reduction in the charges supports water conservation efforts.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

Finance and Public Works Utilities are involved in any adjustment.

RESOURCE IMPLICATIONS

No additional resources are required.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

Offering an incentive to property owners to quickly repair water leaks aligns with the Town's desire to reduce potable water usage, included in the Sustainability Goals.

ALIGNMENT WITH STRATEGIC PRIORITIES

Offering an incentive to property owners to quickly repair water leaks is in support of Strategic direction of Watershed Protection and Water Management.

SUMMARY

When there are water leaks on private property, property owners often received a large water bill. If the repair is quickly repaired, an adjustment is offered to the property owner. Staff are seeking authorization to adjust a number of accounts and requesting the

adjustment of water accounts up to \$1,000 be delegated to the Director of Financial Services.

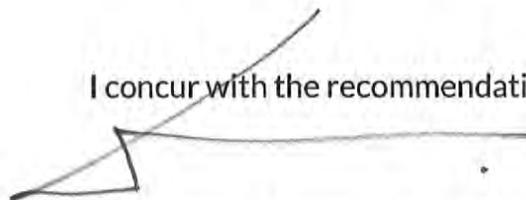


Erin Anderson, Director of Financial Services

25 April 2017

Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

none

TOWN OF LADYSMITH

BYLAW NO. 1920

A bylaw to authorize the borrowing for the construction of a Water Filtration Plant

WHEREAS it is deemed desirable and expedient to construct a Water Filtration Plant to treat the water supply system servicing the Town of Ladysmith.

AND WHEREAS the estimated cost of constructing the Water Filtration Plant including expenses incidental thereto is the sum of \$13,266,910 of which the sum of \$6,000,000.00 is the amount of debt intended to be borrowed by this bylaw;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled; enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of the Water Filtration Plant for the water supply system generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - a) To borrow upon the credit of the Municipality a sum not exceeding \$6,000,000.00.
 - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the said improvements to the water supply system.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 25 years.

Citation

3. This bylaw may be cited as "Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920".

READ A FIRST TIME on the 19th day of December, 2016

READ A SECOND TIME on the 19th day of December, 2016

READ A THIRD TIME on the 19th day of December, 2016

RECEIVED the approval of the Inspector of Municipalities on the 30th day of January, 2017

RECEIVED the approval of the electors of the Town of Ladysmith on the 12th day of April, 2017

RECONSIDERED AND FINALLY PASSED AND ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

TOWN OF LADYSMITH

BYLAW NO. 1926

A bylaw establishing the Financial Plan for the years 2017-2021

WHEREAS the *Community Charter* requires Municipal Councils to prepare and adopt, by bylaw, a financial plan;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Administration

- (1) Schedule "A" attached hereto and made part of the bylaw is hereby adopted and shall be the Financial Plan for the Town of Ladysmith for the five years ending the 31st of December, 2021.
- (2) Schedule "B" attached hereto and made part of the bylaw is hereby adopted and shall be the statement of objectives and policies for the Town of Ladysmith for the five years ending the 31st of December 2021.

Repeal

- (3) The "Town of Ladysmith Financial Plan Bylaw 2016, No. 1908" is hereby repealed.

Citation

- (4) This bylaw may be cited for all purposes as: "*Town of Ladysmith Financial Plan Bylaw 2017, No. 1926*".

READ A FIRST TIME on the 10th day of April, 2017

READ A SECOND TIME on the 10th day of April, 2017

READ A THIRD TIME on the 10th day of April, 2017

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule 'A' of Bylaw 1926

2017 – 2021 Financial Plan

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
REVENUES:					
Revenue From Property Tax Values	7,733,844	8,043,395	8,279,449	8,499,598	8,730,531
Revenue From Grants In Lieu	159,024	160,773	162,685	165,937	169,255
Revenue From Parcel Taxes	2,254,447	2,563,067	2,847,767	3,132,467	3,132,467
Revenue From Fees & Charges	3,830,817	3,925,800	4,024,372	4,103,512	4,223,327
Revenue From Other Sources	2,486,885	9,252,745	3,892,345	1,683,145	897,345
	<u>16,465,017</u>	<u>23,945,780</u>	<u>19,206,618</u>	<u>17,584,659</u>	<u>17,152,925</u>
EXPENSES:					
General Operating Expense	9,620,547	9,665,221	9,859,177	10,057,025	10,258,812
Sanitary Sewer Operating Expenses	1,473,481	1,147,758	1,174,235	1,201,237	1,228,777
Water Operating Expenses	958,775	1,061,344	1,396,571	1,424,498	1,452,985
Interest Payments	515,408	505,058	705,598	982,390	972,390
Amortization	2,875,406	2,932,915	2,991,573	3,051,406	3,112,434
	<u>1,021,400</u>	<u>8,633,484</u>	<u>3,079,464</u>	<u>868,103</u>	<u>127,527</u>
Annual Surplus/Deficit					
Add back:					
Amortization	2,875,406	2,932,915	2,991,573	3,051,406	3,112,434
Capital Expenditures					
General Capital	3,834,668	1,503,533	1,594,416	1,285,000	1,044,200
Sanitary Sewer Capital	3,642,987	470,000	335,000	320,000	580,000
Water Capital	7,290,200	9,132,000	6,756,000	7,115,000	400,000
Proceeds from New Debt	(6,635,000)	0	(2,980,000)	(4,985,675)	0
Principal Payments	1,089,927	1,089,099	1,172,272	1,231,772	1,396,772
Transfers from Reserves	(836,500)	(406,933)	(358,839)	(1,216,812)	(238,974)
Transfer to (from) Own Funds	(4,489,476)	(221,300)	(447,812)	170,224	57,963
Financial Plan Balance	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

Schedule 'B' of Bylaw No. 1926

**Town of Ladysmith 2017 – 2021 Financial Plan
Statement of Objectives and Policies**

In accordance with Section 165(3.1) of the Community Charter, the Town of Ladysmith (Town) is required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

1. The proportion of total revenue that comes from each of the funding sources described in Section 165(7) of the Community Charter;
2. The distribution of property taxes among the property classes, and
3. The use of permissive tax exemptions.

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2017. Council currently has no specific policy surrounding the proportion of total revenue to come from each funding source. Property taxes form the greatest proportion of revenue. As a revenue source, property taxation offers a number of advantages, for example, it is simple to administer and it is fairly easy for residents to understand. It offers a stable and reliable source of revenue for services that are difficult or undesirable to fund on a user-pay basis. These include services such as general administration, fire protection, police services, bylaw enforcement and street lighting.

User fees and charges form a large portion of planned revenue. Many services can be measured and charged on a user-pay basis. Services where fees and charges can be easily administered include water and sewer usage, building permits, business licenses, and sale of services - these are charged on a user-pay basis. User fees attempt to apportion the value of a service to those who use the service.

Objective

- The Town will increase the proportion of revenue that is received from user fees and charges until the fees and charges more closely meet the costs incurred to provide the services.

Policies

- The Town will review all user fee levels to ensure they are adequately meeting both the capital and delivery costs of the service.
- Water and Sanitary Sewer Rates will be reviewed to ensure that appropriate user fees are charged, rather than taxation, to lessen the burden on its limited property tax base.
- Borrowing will be considered when a capital project will provide benefits to taxpayers over a long period.
- Pursuant to Council's direction, the Town will build a reserve to fund major capital projects. For 2017, a minimum of 8% prior year's municipal tax levy will be transferred to General Capital projects as well as setting aside a further 5% for asset replacement. For the years 2018-2021, a 10% prior year's municipal tax levy to General Capital projects.

Table 1: Sources of Revenue

<u>Revenue Source</u>	<u>2017</u>	<u>% total</u>
Property Taxes	7,733,844	26.46%
Grants in Lieu	159,024	0.54%
Parcel Taxes	2,254,447	7.71%
User fees & Charges	3,830,817	13.11%
Other Sources	262,300	0.90%
Borrowing	6,635,000	22.70%
Government Grants	2,224,585	7.61%
DCCs & Reserves	836,500	2.86%
Own Funds	5,288,095	18.09%

Distribution of Property Tax Rates

Table 2 outlines the distribution of property taxes among the property classes. The residential property class provides the largest proportion of property tax revenue. This is appropriate as this class also forms the largest portion of the assessment base and consumes the majority of Town services.

Objectives

- The amount of taxes to be collected from each of the classes will be reviewed each year.

Policies

- Supplement, where possible, revenues from user fees and charges to help to offset the burden on the entire property tax base.
- Continue to maintain and encourage economic development initiatives designed to attract more light industry, retail and commercial businesses to invest in the community. Align the distribution of tax rates among the property classes with the social and economic goals of the community, particularly to encourage economic and environmental sustainability opportunities.
- Regularly review and compare the Town's distributions of tax burden relative to other municipalities in British Columbia.

Table 2: Distribution of 2017 Property Tax Rates

Property Class	2017
	% of Total Property Taxation
Residential (1)	72.41%
Utilities (2)	0.38%
Supportive Housing (3)	0.00%
Major Industry (4)	11.95%
Light Industry (5)	0.78%
Business and Other (6)	14.19%
Managed Forest Land (7)	0.00%
Recreation/Non-profit (8)	0.28%
Farmland (9)	0.01%
Total	100%

Permissive Tax Exemptions

The Town provides permissive tax exemptions. The Permissive Tax Exemption Bylaw 2016, No. 1915, adopted on October 17, 2016, contains a list of property exempt from taxation for 2016. Some of the eligibility criteria for permissive tax exemptions include the following:

- The tax exemption must demonstrate benefit to the community and residents of the Town by enhancing the quality of life (economically, socially and culturally) within the community.
- The goals, policies and principles of the organization receiving the exemption must not be inconsistent or in conflict with those of the Town.
- The organization receiving the exemption must be a registered non-profit society, as the support of the municipality will not be used for commercial and private gain.
- Permissive tax exemptions will be considered in conjunction with: (a) other assistance being provided by the Town; (b) the potential demands for Town services or infrastructure arising from the property; and (c) the amount of revenue that the Town will lose if the exemption is granted.

Objective

- The Town will continue to provide permissive tax exemptions to some non-profit societies. The Town has also expanded its offering of permissive tax exemptions to include revitalization tax exemptions. It also intends to offer permissive tax exemptions targeted at green development for the purposes of encouraging development that will meet our *Climate Action Charter* commitments.

Policies

- Expand the permissive tax exemption policy to include eligibility requirements for green revitalization tax exemptions.
- Develop a revitalization tax exemption program which details the kinds of green activities that the exemption program will target.

- Integrate the green revitalization tax exemption program into the Town's existing economic initiatives as a means of attracting retail and commercial businesses to further invest in the community.
- Continue the use of the revitalization tax exemption for economic revitalization in order to encourage the commercial and industrial redevelopment of specific areas.

Table 3: Utilization of Reserves, Development Cost Charges and Surplus for 2017

Source	% of Total	Dollar Value
Development Cost Charges - Roads	3%	168,000
Reserve - Amphitheatre	0%	5,000
Gas Tax Funds	11%	663,500
Surplus	86%	5,288,095
Total		\$6,124,595

TOWN OF LADYSMITH

BYLAW NO. 1929

A bylaw for the levying of rates for Municipal, Hospital and Regional District purposes for the year 2017.

WHEREAS the Council of the Town of Ladysmith shall, pursuant to the *Community Charter*, in each year, adopt a bylaw to impose rates on taxable land and improvements according to their assessed value to provide the money required for purposes specified in the Charter;

NOW THEREFORE the Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Administration

1. The tax rates for the year 2017 shown on Schedule "A", attached to and forming part of this Bylaw, shall be imposed on the assessed value of all the land and improvements within the Town of Ladysmith for the following purposes of:
 - (a) The Town of Ladysmith General Municipal Purposes – Column 'A';
 - (b) The Cowichan Valley Regional District – Column 'B';
 - (c) The Cowichan Valley Regional District Hospital – Column 'C'.

Citation

2. This bylaw may be cited as the "Town of Ladysmith Tax Rates Bylaw 2017, No. 1929".

READ A FIRST TIME on the 10th day of April, 2017

READ A SECOND TIME on the 10th day of April, 2017

READ A THIRD TIME on the 10th day of April, 2017

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (J. Winter)

**Town of Ladysmith Tax Rates Bylaw 2017, No.1929
Schedule "A"**

Tax Rates (Dollars of Tax per \$1,000 Net Taxable Value)

PROPERTY CLASS		<u>'A'</u> Municipal	<u>'B'</u> Cowichan Valley Regional District	<u>'C'</u> Cowichan Valley Regional Hospital District
1	Residential	4.9249	0.8404	0.5352
2	Utilities	34.6092	2.9414	1.8732
3	Supportive Housing	4.9249	0.8404	0.5352
4	Major Industry	103.1356	2.8574	1.8196
5	Light Industry	18.0763	2.8574	1.8196
6	Business/Other	13.8438	2.0590	1.3112
7	Managed Forest	35.4545	2.5212	1.6056
8	Rec Non Profit	3.0033	0.8404	0.5352
9	Farm	33.2277	0.8404	0.5352

**TOWN OF LADYSMITH
BYLAW NO. 1928**

A bylaw to impose a water parcel tax on owners of land in the Town of Ladysmith pursuant to the provisions of the *Community Charter*.

WHEREAS the Council of the Town of Ladysmith is empowered by the *Community Charter* to impose and levy a water parcel tax to meet the cost of works and services that benefit land within the Municipality; and

WHEREAS certain costs have been or are to be incurred by the Town of Ladysmith in constructing and improving the water system of the Town; and

WHEREAS it is deemed essential and expedient to impose and levy a water parcel tax on land benefiting from such improvements to meet such costs;

NOW THEREFORE the Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Definitions

1. In this Bylaw:

"Parcel" Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2017 Revised Assessment Roll and all amendments thereto.

"Group of Parcels" Means where a building or improvement is constructed over more than one parcel of land, those parcels, if contiguous, may be dealt with by the Assessor as one parcel and be assessed accordingly.

Levy

2. A water parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the water system of the Town, or which is deemed to abut on the said water system.

3. The annual water parcel tax shall be in the amount of Three Hundred and Nine Dollars (\$309.00) per parcel or group of parcels.

4. The water parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the water parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.

5. The water parcel tax shall have the same rights and remedies as other real property taxes.

6. Every water parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter*.

Repeal

7. "Water Parcel Tax Bylaw, 2016, No. 1906" is hereby repealed.

Citation

8. This bylaw may be cited as "Water Parcel Tax Bylaw 2017, No. 1928".

READ A FIRST TIME on the 10th day of April, 2017

READ A SECOND TIME on the 10th day of April, 2017

READ A THIRD TIME on the 10th day of April, 2017

ADOPTED

on the

day of

Mayor (A. Stone)

Corporate Officer (J. Winter)

**TOWN OF LADYSMITH
BYLAW NO. 1927**

A bylaw to impose a sewer parcel tax on owners of land in the Town of Ladysmith, pursuant to the provisions of the *Community Charter*.

WHEREAS the Council of the Town of Ladysmith is empowered the *Community Charter* to impose and levy a sewer parcel tax to meet the cost of works and services that benefit land within the Municipality; and

WHEREAS certain costs have or will be incurred by the Town of Ladysmith in constructing and improving the sewer system of the Town; and

WHEREAS it is deemed essential and expedient to impose and levy a sewer parcel tax on land benefitting from such improvements to meet such costs;

NOW THEREFORE the Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Definitions

1. In this Bylaw:

"Parcel"

Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2017 Revised Assessment Roll and all amendments thereto.

"Group of Parcels"

Means where a building or improvement is constructed over more than one parcel of land, those parcels, if contiguous, may be dealt with by the Assessor as one parcel and be assessed accordingly.

Levy

2. A parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the sewer system of the Town, or which is deemed to abut on the said sewer system.
3. The annual sewer parcel tax shall be in the amount of Two Hundred Ninety-Nine Dollars (\$299.00) per parcel or group of parcels.
4. The sewer parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.
5. The sewer parcel tax shall have the same rights and remedies as other real property taxes.
6. Every parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter*.

Repeal

7. "Sewer Parcel Tax Bylaw 2016, No. 1907" is hereby repealed.

Citation

8. This bylaw may be cited as "Sewer Parcel Tax Bylaw 2017, No. 1927".

READ A FIRST TIME on the 10th day of April, 2017

READ A SECOND TIME on the 10th day of April, 2017

READ A THIRD TIME on the 10th day of April, 2017

ADOPTED

on the

day of

Mayor (A. Stone)

Corporate Officer (J. Winter)

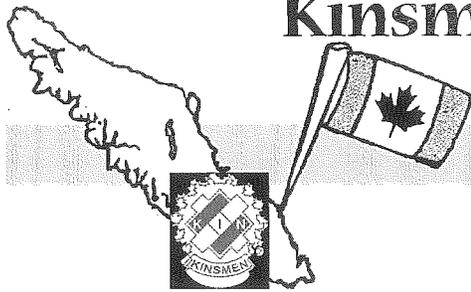
From: Lynda Curry
Sent: April 10, 2017 5:46 PM
To: Clayton Postings
Subject: Vacant heritage buildings

I would love to know if anything can be, or is being done to improve the looks of so many of these neglected properties. A few have their windows covered in brown newspaper and look desolate. A simple, inexpensive, temporary solution would be to insist the owners cover the windows with privacy film available at hardware stores. This can let light in while allowing privacy. If the owners don't comply, could the town go ahead and just do it?

Our downtown area is so beautiful. We will be having more and more tourists driving through and many will be scoping out the town. The flowers are gorgeous and it is kept so clean, so I know you care. These vacant buildings would enhance our town, if they were made to look just a bit better.

I couldn't find who I should contact, so your name sounded just right!

Lynda Curry

Kinsmen Club of Ladysmith On The 49th Parallel

P.O. Box 324, Ladysmith, B.C. V9G 1A3

April 25th, 2017

Clayton Postings
Town of Ladysmith
P.O. Box 220
Ladysmith, B.C.

Dear Mr. Postings and Ladysmith Council

The Ladysmith Kinsmen Club have purchased an electronic scoreboard for the minor baseball players on Little League Field. We actually purchased the scoreboard over a year ago... it's just that we've been lax in getting all the "stuff" together in getting it installed. Well ... we're almost there.

We have new iBeams to mount the scoreboard on as well as all the necessary hardware and volunteers to get that part done. BC Hydro has also donated a 40' pole so that we can run the power from the alley beside Little League Park over to where the pole will be planted. BC Hydro is also going to put the pole in the ground once our electrician has his goodies attached to run the wiring across. The Kinsmen Club is paying for all this installation including the permits, etc from Hydro.

Once the power is run over to the new pole the club will be able to power up the new scoreboard as well we are putting in some electrical so that the community gardens will have power. The Kinsmen are covering the costs of this as well.

The club will cover ALL the costs of all this work ... so the only cost item that the Town of Ladysmith will be responsible for will be the monthly power bill to B.C. Hydro. We hope that this meets the approval of the Town and council... and this is our request.

We have been working with the Parks Dept. as well as Town Public Works so that every thing can run smoothly ... we hope. At time of writing we're not exactly sure of the final installation day, but we will keep you informed. Hopefully, maybe council can form a ball team and take on one of the Little League teams.

Please contact the Kinsmen Club if you have any questions or require more information. We wish to thank you for your time and consideration of this request.

Yours in Kin

Duck Paterson

Projects Chair

Ladysmith Kinsmen Club

EMERGENCY MANAGEMENT AGREEMENT

THIS AGREEMENT dated and in effect this _____ day of _____, 2017.

BETWEEN:

COWICHAN VALLEY REGIONAL DISTRICT
175 Ingram Street
Duncan, BC V9L 1N8

AND: THE CITY OF DUNCAN
PO Box 820
200 Craig Street
Duncan, B.C. V9L 3Y2

AND: THE TOWN OF LADYSMITH
PO Box 220
410 Esplanade,
Ladysmith, B.C. V9G 1A2

AND: THE TOWN OF LAKE COWICHAN
PO Box 860
39 South Shore Road
Lake Cowichan, B.C. V0R 2G0

AND: THE CORPORATION OF THE DISTRICT OF NORTH COWICHAN
PO Box 278
7030 Trans Canada Highway
Duncan, B.C. V9L 3X4

(hereinafter called "the parties")

NOW THIS AGREEMENT WITNESSETH:

WHEREAS, it is desirable that the resources and facilities of the parties, and their various departments and agencies, be made mutually available to prevent and combat the effects of emergencies and disasters and,

WHEREAS, "CVRD Bylaw No. 1909 – *Emergency Programs (Emergency Program Act) Extended Service Bylaw, 1999*", enacted under the *Local Government Act*, RSBC 2015 c. 1 grants to the Cowichan Valley Regional District the additional power to provide emergency programs as an extended service under the *Emergency Program Act*. RSBC 1996 c. 111;

WHEREAS, Pursuant to section 263(1)(b), of the *Local Government Act*, RSBC 2015 c. 1 a local authority may enter into a Mutual Aid Agreement with one or more local authorities for emergency resources of all types and subsequent cost recovery.

WHEREAS, it is necessary and desirable that an Emergency Management Agreement be executed for the exchange of mutually beneficial assistance, and for the potential to achieve complete integration of emergency services during an emergency or disaster.

NOW THEREFORE in consideration of the agreements and covenants set out herein, it is hereby agreed by each of the parties hereto as follows:

1. Interpretation

In this Agreement:

Disaster means “a calamity that

- (a) is caused by accident, fire, explosion, or technical failure or by the forces of nature, and
- (b) has resulted in serious harm to the health, safety, or welfare of people, or in widespread damage to property.” [*Emergency Program Act*]

Emergency means “a present or imminent event or circumstance that

- (a) is caused by accident, fire, explosion, technical failure, or the forces of nature, and
- (b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety, or welfare of a person or to limit damage to property.” [*Emergency Program Act*]

EOC means Emergency Operations Centre which is a facility where key personnel can gather to coordinate, plan, and manage overall response activities. It provides support to the site by facilitating emergency response operations, providing centralized access to information, and assisting in the identification, prioritization, and allocation of resources.

Emergency Management Program means a program within an organization that assumes overall responsibility for emergency planning and facilitates the implementation of activities during each phase of the emergency management process. This Agreement supports a regional emergency management program that includes all of the Municipalities and Electoral Areas within the Regional District.

Emergency Plan means a document that describes the actions that will be taken when an emergency or disaster occurs, including how people, property, and the environment will be protected in an emergency or disaster.

Local Authority means

- (a) for a municipality, the Mayor and Council;
- (b) for an electoral area, the Chair and Board of the regional district;
- (c) for a First Nation, the Chief and Council.

Municipality of North Cowichan means the Corporation of the District of North Cowichan;

Providing Party means a party providing assistance under this Agreement;

Regional Emergency Operations Centre (REOC) means a centre that combines emergency response resources and has the same function as an EOC, but allows for collaborative decision making, coordinated resource requests, coordinated public messaging and prioritization of scarce resources between local authorities during regional emergencies or disasters.

Requesting Party means a party requesting assistance under this Agreement.

Emergency Management Agreement

Resources means persons, equipment, supplies and other property of the Providing Party which has been designated to be made available to a Requesting Party under this Agreement.

Senior Elected Representative means the Chair of the CVRD, the Electoral Area Director(s) from the affected area(s), and/or the Mayors of the City of Duncan, the Town of Ladysmith, the Municipality of North Cowichan, and/or the Town of Lake Cowichan, or in any of their absence, the Deputy Mayor, Vice-Chair and/or Alternate Electoral Area Director(s).

Unified Command means two or more individuals sharing authority over an emergency or disaster in which multiple agencies or jurisdictions are involved.

2. Services

- (a) The parties agree to provide assistance in the case of disaster or emergency in accordance with this Agreement.
- (b) Each party to this Agreement shall provide for the effective mobilization and utilization of its resources to respond to Level 2 or higher emergencies or disasters as defined in Schedule A "EOC Operational Procedures" attached. The said "EOC Operational Procedures" outline where and under what circumstances an Emergency Operation Centre(s) will be located within the boundaries of the CVRD, including the municipalities of Duncan, Ladysmith, North Cowichan and Lake Cowichan, and the command structure that will be implemented to operate the centres.
- (c) Each of the parties to this Agreement are committed to ensuring that the use of personnel, equipment and supplies, and other emergency response resources and capabilities are directed toward maximizing the efficiency of coordinated planning and response to and recovery from major emergencies and disasters within the boundaries of the Cowichan Valley Regional District.
- (d) Where a party determines that a disaster or emergency exists to which the party is unable to adequately respond, it may request assistance from one or more of the parties to this Agreement and subject to paragraphs 2(f) and (g) the party or parties receiving the request for assistance may provide the assistance subject to the conditions set out in this Agreement.
- (e) Requests for assistance may be made by the Chief Administrative Officer of the Requesting Party and may be made to the Chief Administrative Officer of the Providing Party in accordance with provisions set out in Schedule "A".
- (f) If a party requested to provide assistance under paragraph 2(d) is unable to do so because of an emergency or disaster within its own jurisdiction or because it has already deployed its resources to provide assistance to another requesting party, then the Requesting Party shall be advised as soon as possible.
- (g) All parties understand that their resources may be deployed outside their own jurisdiction. The Providing Party shall have the primary interest of protecting the welfare

Emergency Management Agreement

of their own jurisdiction and does not assume any responsibilities or liabilities by not providing provisions as laid out in this Agreement.

- (h) The extent of the assistance provided by a Providing Party will be at the discretion of the Providing Party having regard for its own need for its own resources. The Providing Party shall at all times be able to deploy or re-deploy its own resources for the purpose of protecting its residents and property within its jurisdiction from the effects of a disaster or emergency.
- (i) The parties acknowledge that this Agreement is not intended to replace any Mutual Aid Agreements in force between any of the parties nor to prevent any party from negotiating a new Mutual Aid Agreement or from renewing or amending an existing Mutual Aid Agreement.
- (j) The Providing Party retains the right to recall equipment back to its own jurisdiction should the need to combat an emergency or disaster arise in the Providing Party's jurisdiction.
- (k) It is understood that an Emergency Management Agreement entered into herein may not supplant pre-existing Mutual Aid Agreements nor deny the right of any party hereto to negotiate supplemental Mutual Aid Agreements.
- (l) Assistance extended pursuant to this Agreement may be provided in accordance with current governing legislation, the *Emergency Program Act* RSBC 1996 c. 111 and the *British Columbia Emergency Management System (BCEMS)*.

3. Term

This Agreement may be in effect for a term of five (5) years commencing on _____, 2017 and expiring on _____, 2022 unless otherwise terminated as provided for herein.

4. Cost Sharing of Resources

Schedule "B" " - Cost Sharing of Resources" sets out Compensation and Payment provisions for what and to whom payments are to be made.

5. Claims

Claims for compensation by owners of real or personal property for damage or injury suffered in a disaster should be processed, either individually or jointly through the existing "Compensation and Disaster Financial Assistance Regulation" of the *Emergency Program Act* RSBC 1996 c. 111.

The Emergency Management British Columbia "*Financial Assistance Guide for Local Authorities and First Nations*" will also be utilized as a guideline.

6. Independent Jurisdiction

- (a) Any and all agents, servants or employees of each of the parties, or other persons, while engaged in the performance of any work or services required to be performed by the parties under this Agreement may not be considered employees of any other party, and a party shall not be responsible for any act or omission of any person other than one of its own agents, servants, or employees, except as provided in this Agreement.
- (b) Each party to this Agreement will retain decision-making authority within its own jurisdiction. All parties will ensure that decisions involving multiple jurisdictions are made in consultation with all the authorities involved.
- (c) Each party to this Agreement is responsible for declaring its own "State of Local Emergency" as per the *Emergency Program Act* RSBC 1996 c. 111 should this be deemed necessary. The other parties are to be notified as soon as possible, should this occur.

7. Indemnity

Where a Providing Party supplies resources to a Requesting Party pursuant to this Agreement, the Requesting Party shall indemnify and save harmless the Providing Party from any and all claims, causes of actions, suits and demands whatsoever arising out of the assistance rendered by the Providing Party, its servants, employees or agents, or arising out of the failure to respond to a request for assistance pursuant to this Agreement, the failure to render adequate assistance, or for any other reason.

8. Insurance

Each party to this Agreement agrees to maintain insurance and liability coverage, subject to the terms and conditions of its own insurance policy provided by its own insurer on any and all chattels and equipment owned by the party and utilized pursuant to provisions of this Agreement.

9. Waivers

The failure at any time of any party to enforce any provision of this Agreement or to require at any time performance by any other party of any provision of this Agreement shall not constitute or be construed to constitute a waiver of such provision, nor in any way affect the validity of this Agreement, or the right of any party thereafter to enforce each and every provision of this Agreement.

10. Modification

No waiver, modification or amendment to this Agreement shall be binding unless it is in writing and signed by the duly authorized representatives of each of the parties to this Agreement.

11. Termination

Notwithstanding any other provision of this Agreement:

- (a) If any party fails to comply with any provision of this Agreement, then, in addition to any other remedy or remedies available to the other parties, any of those other parties may, at its option, terminate this Agreement by giving written notice of termination to each of the other parties;
- (b) Any party may terminate this Agreement at any time upon giving each of the other parties thirty (30) days written notice of such termination.

Should either option herein be exercised by any party ("the Terminating Party"), the Terminating Party will be under no further obligation to any of the other parties SAVE AND EXCEPT to pay each of the other parties such amount as each of the said parties is entitled to receive for services properly performed and provided to the date written notice is given to the said parties, less any amounts necessary to compensate the Terminating Party for damages or costs incurred by the Terminating Party arising from another party's failure to comply with any provision of this Agreement.

12. Communication

- (a) Each party will appoint an Information Officer who will be responsible for providing information to the public regarding an emergency or disaster.
- (b) In the course of a multijurisdictional emergency or disaster, the parties may delegate authority to provide information or communication regarding an emergency or disaster to a single Information Officer.
- (c) Senior Elected Representatives will be kept informed by the EOC Director on a regular basis and will be consulted regarding policy-related issues as required. Senior Elected Representatives will ensure that their boards/councils are also kept informed.
- (d) All communications will be directed through the EOC Director to the Incident Commander(s) at the Site Level, the Policy Group, other EOC's (if activated), and the Provincial Regional Level.
- (e) All parties to the Agreement will meet at least annually to discuss, review and test the effectiveness of the Agreement by participating in an annual exercise.

13. Dispute Resolution

Any and all claims arising out of the implementation of this Agreement will not be brought forward for resolution until the response phase of an emergency is over.

All parties to the Agreement will work together and cooperate to mutually resolve any issue arising out of implementation of this Agreement. An external arbitrator may be brought in to

Emergency Management Agreement

assist in resolution of any outstanding issues, if required. The appointment of an arbitrator is to be mutually agreed upon and all costs of arbitration are to be shared equally by those parties who participate in the arbitration.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals as of the day and year first above written.

The Corporate Seal of the
COWICHAN VALLEY REGIONAL DISTRICT
as hereto affixed in the presence of:

_____)
Chairperson)
_____)
Secretary)

The Corporate Seal of the
CITY OF DUNCAN
as hereto affixed in the presence of:

_____)
Mayor)
_____)
City Administrator)

The Corporate Seal of the
TOWN OF LADYSMITH
as hereto affixed in the presence of:

_____)
Mayor)
_____)
Manager of Corporate Services)

Emergency Management Agreement

The Corporate Seal of the
TOWN OF LAKE COWICHAN
as hereto affixed in the presence of:

_____)
Mayor)
_____)
Chief Administrative Officer)

The Corporate Seal of the
CORPORATION OF THE DISTRICT OF NORTH COWICHAN
as hereto affixed in the presence of:

_____)
Mayor)
_____)
Corporate Officer/)
Deputy CAO)

SCHEDULE "A"

EOC OPERATIONAL PROCEDURES

The parties mutually agree to the following EOC Operational Procedures set out below:

BCEMS and the Use of ICS

The British Columbia Emergency Management System (BCEMS) is the comprehensive management standard to be used by all emergency management personnel involved in this Agreement. BCEMS has been developed provincially to ensure a coordinated and organized response for all emergency incidents. The four operational levels of BCEMS are; Site, Site Support (through an Emergency Operations Centre (EOC), Provincial Regional Coordination (through a Provincial Regional Emergency Operations Centre (PREOC), and Provincial Central Coordination (through the Provincial Emergency Coordination Centre (PECC).

Site

The Incident Command System (ICS) is the emergency management system to be used by all parties to this Agreement. ICS is a modular management system that expands or contracts as the incident escalates or de-escalates.

Establishing Unified Command in large events

It is recommended that Unified Command be established when multiple agencies are involved in a large event, to ensure development of one Incident Action Plan with a common set of response strategies, objectives and tactical decisions without losing or abdicating agency authority, responsibility or accountability. Under Unified Command there would be one Incident Commander (IC) from each of the agencies involved, and one single spokesperson speaking on behalf of the incident team (selected by IC's by consensus).

Site Support

Local Authority Emergency Operations Centres may be established for any event that involves only a single jurisdiction.

The Regional Emergency Operations Centre may be established when one or more participating jurisdictions are affected by an emergency or disaster or when an incident is large or complex enough that it requires extended EOC activation. The primary site for the Regional EOC will be determined according to the location, type and scale of the emergency or disaster.

1. Levels of Response

Levels of Operational Response

Level 1 – Site Response – (Readiness and Routine) - *All ongoing routine response activities by Emergency Services Personnel (Police, Ambulance, Fire) on a daily basis.*

Emergency Management Agreement

Level 2 – Local Authority EOC Response – (Local Emergency) – *A situation confined to one location/jurisdiction that does not affect zone-wide services, population or traffic.*

Level 3 – Regional EOC Response – (Regional Emergency) – *A situation affecting multiple-jurisdiction services, populations and geographical areas.*

Level 4 – PREOC Response, Regional EOC – (Major Disaster) – *A region-wide disaster that involves widespread damages in addition to the disruption of services. A “Provincial Regional Emergency Operations Centre” will be activated and the Minister may declare a “state of Emergency”.*

Level 5 – PECC Response – (Major Disaster) – *A province-wide disaster that involves widespread damages in addition to the disruption of services, requiring additional support and resources from the Federal Government and/or other Provinces. A “Provincial Emergency Coordination Centre” is activated and the Minister may declare a “State of Emergency”.*

Zone Definitions (created to assist with geographic designations):

CVRD Zone 1 – comprises the following areas; CVRD Electoral Areas A – Mill Bay/Malahat, B – Shawnigan Lake, C – Cobble Hill, D – Cowichan Bay and Malahat Nation

CVRD Zone 2 – comprises the following areas; City of Duncan, Municipality of North Cowichan, CVRD Electoral Area E – Cowichan Station/Sahtlam/Glenora, Cowichan Tribes and Halalt First Nation

CVRD Zone 3 – comprises the following areas; Town of Ladysmith, CVRD Electoral Areas G – Saltair/Gulf Islands, H – North Oyster/Diamond, Lyackson First Nation, Penelakut First Nation and Stz’uminus First Nation

CVRD Zone 4 – comprises the following areas; Town of Lake Cowichan, CVRD Electoral Areas F – Cowichan Lake South/Skutz Falls, I – Youbou/Meade Creek, Ditidaht First Nation and Lake Cowichan First Nation

EOC Management (Local Authority) – Municipal and Regional staff have been trained to manage the emergency or disaster response and recovery collaboratively, unless otherwise specified, or mutually agreed upon by all parties to this Agreement affected by the situation.

2. EOC Locations

Site Level (Level 1 Emergency)

An EOC would not normally be established at this level. Should basic support or coordination be required, this would be provided through the Municipal or Regional Offices or through the Emergency Program Coordinator at the CVRD.

Local Authority EOC's (Level 2 Emergency)

A Local Authority EOC may be activated under the following Level 2 Emergency Conditions:

(a) Localized CVRD Electoral Areas Only Emergency

The existing facilities at the CVRD Administration Building would be utilized to establish a CVRD EOC as necessary. Given the widespread nature of the electoral areas, a municipality may be approached to host and assist with a localized response should this be more suitable. The EOC may be jointly and cooperatively set-up and designated EOC Management Staff from some or all participating parties may share management of the EOC as necessary during an emergency or disaster.

(b) Localized City of Duncan Emergency

The existing facilities at the City of Duncan would be utilized to establish a City of Duncan EOC as necessary. The CVRD Administration Building would function as one alternate EOC location as necessary. The request to set up, or move the EOC to an alternate location would come from the EOC Director. The EOC may be jointly and cooperatively set-up and designated EOC Management Staff from some or all participating parties may share management of the EOC as necessary.

(c) Localized Municipality of North Cowichan Emergency

The existing facilities at the Municipality of North Cowichan would be utilized to establish a Municipality of North Cowichan EOC as necessary. The CVRD Administration Building would function as one alternate EOC location as necessary. The request to set up, or move the EOC to an alternate location would come from the EOC Director. The EOC may be jointly and cooperatively set-up and designated EOC Management Staff from some or all participating parties may share management of the EOC as necessary.

(d) Localized Town of Ladysmith Emergency

The existing facilities at the Ladysmith City Hall Council Chambers would be utilized to establish a Town of Ladysmith EOC as necessary. The CVRD Administration Building would function as one alternate EOC location as necessary. The request to set up, or move the EOC to an alternate location would come from the EOC Director. The EOC may be jointly and cooperatively set-up and designated EOC Management Staff from some or all participating parties may share management of the EOC as necessary.

(e) Localized Town of Lake Cowichan Emergency

The existing facilities at the Cowichan Lake Sports Arena would be utilized to establish a Town of Lake Cowichan EOC as necessary. The CVRD Administration Building would function as one alternate EOC location as necessary. The request to set up, or move the EOC to the alternate location would come from the EOC Director. The EOC may be jointly and cooperatively set-up and designated EOC Management Staff from some or all participating parties may share management of the EOC as necessary.

Regional EOC (Level 3 Emergency)

A Regional EOC will be activated under one of the following Level 3 Emergency Conditions:

- (a) Regional Emergency (involving one or more jurisdictions)

The EOC Director would decide which location(s) would be most appropriate to setup the EOC. The EOC would then be jointly and cooperatively set-up and the EOC Management Staff from all participating parties would share management of the EOC as necessary.

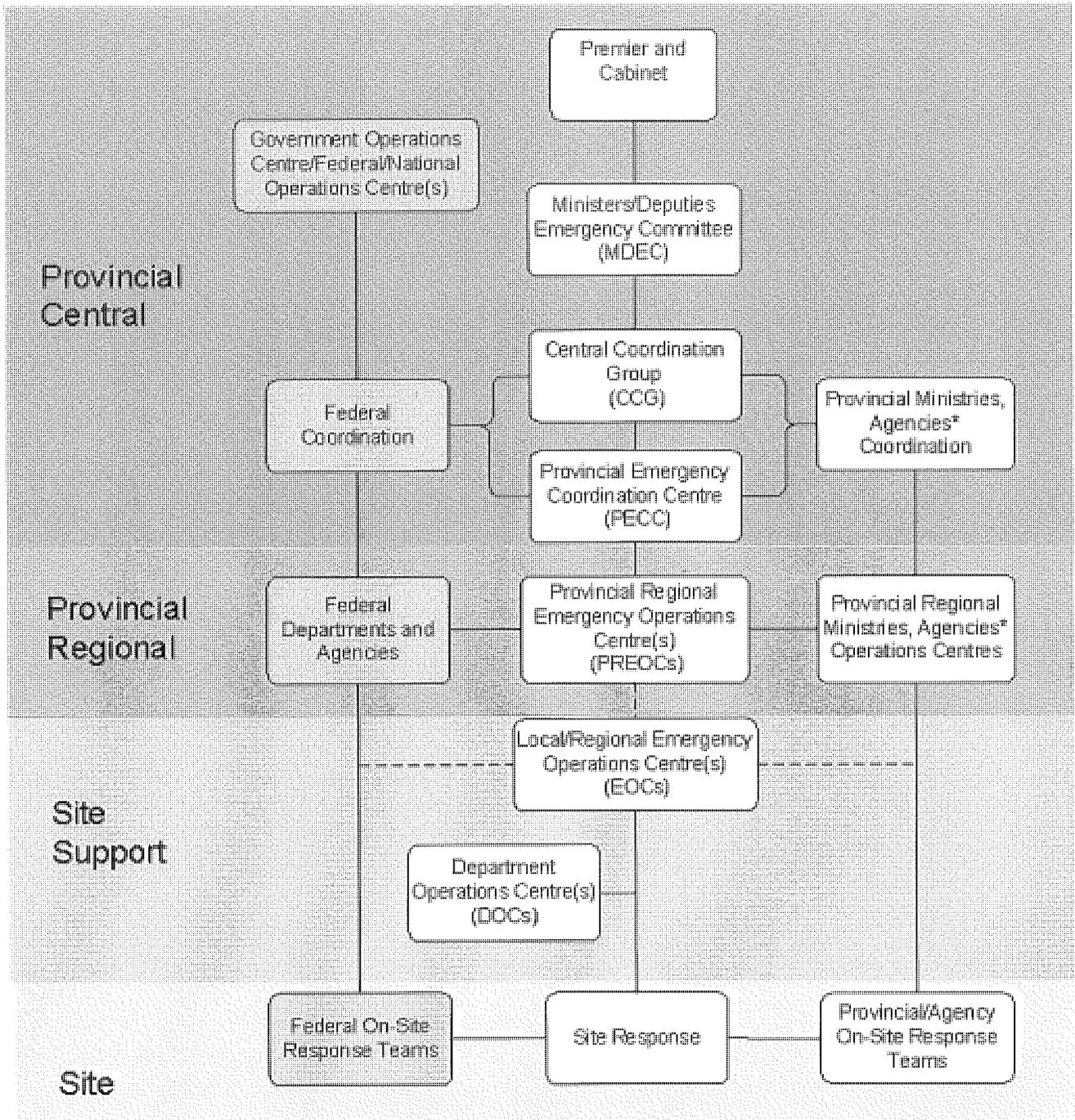
Provincial Regional Coordination Level (Level 4 Emergency)

Provincial Regional Emergency Operations Centre (PREOC) locations are designated by Emergency Management British Columbia (EMBC) officials immediately prior to activation and the communications links are shared with all other levels of operation. The PREOC is activated by EMBC to support local authorities whenever a local authority EOC is activated. Resource requests not available within the region, should be funneled through the PREOC.

Provincial Coordination Level (Level 5 Emergency)

Provincial Emergency Coordination Centre (PECC) is activated by EMBC whenever more than one PREOC is activated. The PECC is the conduit to provincial and federal resources and is accessed only via the PREOC.

EMERGENCY COORDINATION STRUCTURE



Legend:

Required Reporting ———
 Information Sharing - - - - -

Federal Integration

Local/Regional/
 Provincial
 Integration

* Agencies = Stakeholders

SCHEDULE "B"

COST SHARING OF RESOURCES

The parties agree to the following Cost Sharing Principles set out below:

1. Wherever feasible, the parties will pay their own costs and seek reimbursement from the Province either through the Emergency Management British Columbia "*Financial Assistance Guide for Local Authorities and First Nations*" process or through the "*Wildfire Suppression with Local Governments Standard Operating Guideline*".
2. A Providing Party shall be responsible for any costs incurred in connection with the gathering, movement and deployment of resources to a Requesting Party.
3. A Requesting Party shall pay to the Providing Party:
 - (a) Overtime salaries, wages and other employment expenses of employees or members of volunteer emergency programs, if such volunteers are entitled to compensation under their arrangements with the Providing Party for the time spent by such persons combating the emergency or disaster in the Requesting Party's area.
 - (b) The B.C. Road Builders & Heavy Construction Association, in partnership with the provincial Ministry of Transportation, publishes the "***Blue Book Equipment Rental Rate Guide***". This standard is accepted by the Province and will be used to establish the value and rates of resources consumed or otherwise not returnable to the Providing Party.
3. Following cessation of an emergency or disaster, the Providing Party may submit an invoice to the Requesting Party for payment pursuant to paragraph 2 herein and the Requesting Party shall provide payment within thirty (30 days) of receipt of said invoice.
4. The Requesting Party shall:
 - (a) Be responsible for the operating costs of resources provided; and
 - (b) Be responsible for repair costs for resources in its possession and return those resources to the Providing Party in the state of repair they were in when provided by the Providing Party to the Requesting Party.
5. The Providing Party will retain direction and control over resources provided under this Agreement for the duration of service to the Requesting Party. The Providing Party retains the right to withdraw its resources if these are needed to respond to an emergency in the Providing Party's jurisdiction.
6. Resources provided to a Requesting Party shall be returned to a Providing Party as soon as they are no longer needed to combat an emergency or disaster. Resources shall be deemed to be provided in good working order unless otherwise noted by the Requesting Party at time of acceptance.
7. Each Party hereto shall within 3 months from the date of this Agreement provide a list of major equipment resources to the CVRD for distribution to each of the other parties. Each year thereafter during the Term of this Agreement, the parties shall each provide an updated resource list to the CVRD for distribution to the other parties.



STZ'UMINUS FIRST NATION

April 26, 2017

Aboriginal Day 2017

To: Town of Ladysmith, Mayor and Council.

On June 21, 2017 Stz'uminus First Nation is looking forward to celebrating Aboriginal Day once again. Aboriginal Day is an opportunity for people of all ages to come together, honor the ancestors, and promote Wellness within the Community. In a continuing tradition we look forward to working with the Town of Ladysmith to promote our Culture and Heritage at Transfer Beach, in Ladysmith.

As part of our Wellness goals we look to keep the communities engaged in activities and encourage an active lifestyle and a connection to the past, through canoe demos, dancing and other games; healthy eating by bringing in traditional food, caught on Stz'uminus territory like fish, clams and oysters, continueing our tradition of surviving off of the land; and nurturing spirit through traditional song and dance, drumming, traditional crafts and food, and through sharing and teaching these traditions to our neighbouring communities.

In support of these festivities Stz'uminus First Nation would like to request a financial contribution in the amount of \$1200 dollars to put towards traditional food and supplies.

We thank you for your time and consideration.

Sincerely,

Chris Baker

Senior Community Manager

12611A Trans Canada Highway
Ladysmith, BC V9G 1M5
Ph. 250.245.7155
Fax. 250.245.3012
<http://www.stzuminus.com>



LADYSMITH

RECEIVED
APR 19 2017
TOWN OF LADYSMITH

Town of Ladysmith 2017 Grant in Aid Application

1. Name of Organization	Stz'uminus First Nation		
Application Contact	Pam Jack		
Civic Address	3945 Shell Beach Rd		
Mailing Address	3945 Shell Beach Rd Ladysmith BC V9G 1K6		
Town/City	Ladysmith		
Postal Code	V9G 1K6		
Phone	250-245-8551	Email	
2. President/Chairperson	Chief John Elliott		
Mailing Address	12611A Trans Canada Highway		
Phone	250-245-7155	Email	
3. Treasurer	Kim Shotton		
Mailing Address	12611A Trans Canada Highway		
Phone	250-245-7155	Email	
4. Description of Event or Project/ Service	Our celebration will commence with opening protocol in which students and a facilitator will sing a prayer song, our Stz'uminus Anthem & an honour song. Stz'uminus Youth Group will do a play on story of creation. At noon, will provide a lunch of traditional food for all participants.		
5. Amount Requested	1200.00		

6. How will the community benefit?	to provide opportunities for our people, and to nurture and support a safe and health community as we strive to build the capacity of our people. To instill pride in being a Stz'uminus member.
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7. List full and part-time paid positions (use separate sheet if necessary)	
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8. Number of individual participants (clients) who will receive your service.	500
Number of volunteers	
Volunteer hours/week	

9. Is your organization a registered society?	N/A
Number:	
Is your organization a charitable institution?	N/A
Number:	

10. What other efforts have been made to obtain funding? (include list of grants received or pending)	Celebrate Canada Funding
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11. Please attach the following:	
Budget (total local organization)	<input type="checkbox"/> Attached
Audited Financial Statements or Engagement Review	<input type="checkbox"/> Attached
Current Year Projections	<input type="checkbox"/> Attached
Statement of Assets and Liabilities	<input type="checkbox"/> Attached

The information included in this application is true and correct to the best of my knowledge.

Signature	<i>S. Dewiel</i>
Position / Title	Administrative Assistant
Date	April 19, 2017

APPLICATION DUE: FEBRUARY 28, 2017

OFFICE USE

Date Application Received	
Amount Approved	
Dec 31 Reporting Received	

Sent: April 20, 2017 5:52 PM
To: Mayor; Joe Friesenhan; Carol Henderson; Steve Arnett; Cal Fradin; Rob Hutchins; Duck Paterson
Cc: Town of Ladysmith
Subject: Fw: Letter to Mayor & Council (Without Prejudice)

Dear Mayor Stone .

As per our phone conversation Wednesday, April 12th 2017. I am forwarding this letter to all Town Council Members. I would ask that this be placed on the Agenda for Monday May 1st .

Thanks to ALL in advance.

Allan Kaufmann

----- Original Message -----

From: TeamKaufmann@shaw.ca
To: Mayor
Sent: Monday, April 17, 2017 6:56 PM
Subject: Letter to Mayor & Council (Without Prejudice)

Dear Mayor & Council;

I'd like to start by expressing my gratitude for the consideration and time that has been put forward on this matter . I would like to further

suggest that In regards to correspondence 10.6. Extension of the Chain Linked Fence in Brown Park 46 - 50, October 17, 2016. This matter be revisited .

New to the Town of Ladysmith , my family and I have discovered the park right beside us is enjoyed by countless visitors both day and night.

Even though before purchasing our new home, we drove by countless times both day and night only to find the park vacant . Since then we have received quite the education.

I would like to share our observations in point form, so as to better stay on topic.

* October 7th 2016. Meeting with Councilman Joe Friesenhan, neighbour Alex Stuart and Myself to review concerns pertaining to the shared property boundary adjacent to our home located at 990 Colonia Drive.

* October 11th 2016. Sent letter addressing concerns and suggestions to Mayor & Council . Was placed on Agenda for Monday, October, 17th 2016.

* With all due respect. Since that time , several Emails and suggestions have gone back and fourth. Only to come up with, installing a 4ft high chain link fence down the shared property line. I have been told by, Mr. Postings, Director of Parks Recreation & Culture, that this fence (while not addressing any of the concerns put forward by my family and I) Will cost the Towns people, quoting Mr. Postings \$ 2000.00 to \$ 5000.00 dollars .

* I would like to suggest, as I have before. That my family and I be allowed to build an 8ft fence constructed of 2"x6" cedar with a small cement block retaining wall at the west end as to make the fence level and more appealing to the eye on the park side . All cost associated to the materials and construction of the fence would be covered myself .

* All we would ask of The Town, to wave the cost of all permits and variance for the extra height of 1 1/2 ft as to arrive at 8ft. As well, we would further suggest, The Town to place a form of small hedging along the park side of the fence to further beautify the park grounds. This would also serve as a buffer to prevent individuals from banging up against the fence.

* In regards to the Curfew on Brown Street Park . I would like to suggest Curfew time of 10:00 pm. I arrive at this time for this reason, at one Block Watch meeting that I was present at, the question was asked. What time is "Quiet Time" ? The RCMP Officer present at the meeting indicated that 10:00pm was in fact "Quiet Time".

* Further to the issue of a Curfew. I would also like to suggest that if put into place in the next short while. It could be broadcast over to the Schools in Ladysmith. So that our young residents who don't have time to watch the news or read the paper are made aware of the changes in their community.

* I would be pleased to answer any questions. As well, I have pictures of other examples of Town Fences, I would like to share with Mayor and Council.
(Unable to send all pictures via Email. How ever will make hard copies to bring forward)

Thanking All of You in Advance.
Allan Kaufmann & Family



