

**A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, MARCH 19, 2018**

**Call to Order and Closed Meeting
6:00 p.m.
Regular Open Meeting
7:00 p.m.**

AGENDA

CALL TO ORDER (6:00 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:

- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality – section 90(1) (e)
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public – section 90(1)(k)
- litigation or potential litigation affecting the municipality – section 90(1)(g)

REGULAR MEETING

2. AGENDA APPROVAL

3. RISE AND REPORT – Items from Closed Meeting of Council held March 12, 2018.

Council rose and reported on the following matters:

- *Resolution CE 2018-017*
That Council endorse the final draft Waterfront Area Plan, including the Implementation Projects, by:

- a. Taking it to Public Hearing,
- b. Inviting the Stz'uminus Chief and Council to participate in the public hearing process, and
- c. Including specific language in the plan to provide flexibility in implementation timing
- *Resolution CE 2018-018*
That Council:
 - a. Establish a new Waterfront Implementation Project Leadership Committee (to replace the current Project Leadership Committee) in accordance with Community Charter s. 142 to be comprised of three members of Stz'uminus Council and three members of Town Council, with members of the communities as determined by the Committee to serve in an ex-officio capacity from time to time, and
 - b. Task the Waterfront Implementation Project Leadership Committee with developing terms of reference for the consideration and endorsement of both Councils.
- *Resolution CE 2018-019*
That Council appoint Chief Elliott, Mayor Stone and Councillors Peter Seymour, Anne Jack, Joe Friesenhan and Rob Hutchins to the Waterfront Implementation Project Leadership Committee.

4. MINUTES

- 4.1. **Minutes of the Regular Meeting of Council held March 5, 2018 1 – 8**
- 4.2. **Minutes of the Special Meeting of Council held March 12, 20189 - 10**

5. DELEGATION

- 5.1. **Judy Stafford, Cowichan Green Community
Cowichan Green Community Year in Review**

6. PROCLAMATIONS - None

7. DEVELOPMENT APPLICATIONS

- 7.1. **Development Variance Permit Application 3090-18-01 – 220 Kitchener St.
(Bryce) 11 - 16**

Staff Recommendation:

That Council:

- 1. Issue Development Variance Permit 3090-18-01 to vary the minimum parcel line setback for an accessory building from 1.5 metres to 0.46 metres to permit the replacement of an existing accessory building on Lot

- A (DD EF99202), Block 44, District Lot 56, Oyster District, Plan 703A (220 Kitchener Street); and
- 2. Authorize the Mayor and Corporate Officer to sign the Development Variance Permit.

8. BYLAWS – OFFICIAL COMMUNITY PLANNING AND ZONING

- 8.1. Town of Ladysmith Zoning Bylaw Amendment Bylaw OCP/Rezoning Application 11 and 17 Kitchener Street (Sharkare)..... 17 - 23**
 - **Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952 20-21**
 - **Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 13) 2018, No. 1953..... 22-23**

Staff Recommendation:

That Council:

- 1. Give first and second reading of Bylaw 1952 cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952”;
- 2. Give first and second reading of Bylaw 1953 cited as “Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.13) 2018, No. 1953”; and
- 3. Refer Bylaws 1952 and 1953 to public hearing.

- 8.2. Zoning Bylaw Amendment Application 3360-17-04 – 618 Farrell Road (Schnurch, Turner Land Surveying Inc.)..... 24 - 29**
Subject Property: Lot 1, Block 7, District Lot 41, Oyster District, Plan 11706, Except Part in Plans 43985, VIP58153 and VIP79598
 - **Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.11) 2018, No.1944..... 28 - 29**

Staff Recommendation:

That Council:

- 1. Proceed with first and second reading of Bylaw 1944 cited as “Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No. 11) 2018, No.1944”;
- 2. Refer Bylaw 1944 to public hearing; and

3. Direct that prior to the enactment of Bylaw 1944 the following voluntary and land use matters shall be completed to the satisfaction of the Director of Development Services:
 - a. Submission of the \$7000 voluntary contribution to the amenity fund; and
 - b. Registration of a Section 219 covenant on the title for Lot 1, District Lot 41, Oyster District, Plan 11706 to address the following land use matters:
 - That the street lighting on the strata road adheres to dark sky principles.
 - That a grading plan is submitted and approved by the Approving Officer as a condition of the subdivision application.
 - That at the time of building permit, two trees are planted on each new lot. The diameter of each new tree will be a minimum of 6cm. A security of \$300 per tree will be required. One tree must be in the rear yard.

Authorize the Mayor and Corporate Officer to sign the covenant.

8.3. OCP/Rezoning Application – 1240 4th Avenue..... 30 - 37

- Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954 34 - 35
- Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.14) 2018, No. 1955..... 36 - 37

Staff Recommendation:

That Council:

1. Proceed with first and second reading of Bylaw 1954 cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954”;
2. Proceed with first and second reading of Bylaw 1955 cited as “Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.14) 2018, No. 1955”.
3. Refer Bylaws 1954 and 1955 to public hearing.
4. Direct that prior to the enactment of Bylaw 1955 the following voluntary and land use matters shall be secured in a section 219 covenant that is registered on the title of 1240 Fourth Ave. (Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in Plan VIP89355) to the satisfaction of the Director of Development Services:

- i) A bareland strata residential development at 1240 Fourth Avenue shall:
 - include one visitor parking space per five residential lots and the location of the visitor parking spaces shall be approved by the Approving Officer as a condition of subdivision of the land;
 - provide an area that is a minimum of 372m² (4004ft²) in size for the storage of recreational vehicles and boats; and
 - not permit a secondary suite in any dwelling.

- ii) A grading plan and geotechnical assessment of the proposed lots is required to be submitted to the satisfaction of the Approving Officer as a condition of the subdivision application.

- iii) An amenity contribution of \$1000 per residential lot shall be submitted to the Town (as previously agreed to in covenant EL128958) prior to the Approving Officer issuing final approval of the subdivision of land.

- 5. Approve of the discharge of covenant EL128958 from the title of Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in Plan VIP89355 once the new section 219 covenant is registered on the title; and authorize the Mayor and Corporate Officer to sign the new covenant and execute the discharge document of covenant EL128958.

9. REPORTS

9.1. Waste Water Treatment Plant Outfall Piping Configuration 38 - 40

Staff Recommendation:

That Council:

- 1. Approve a budget of \$300,000 for the design and construction of new 710mm outfall piping from the chlorine contact chamber to the existing 710mm outfall line, with funds to come from the Sanitary Sewer Reserve.
- 2. Award the design to WSP/OPUS, the Town's waste water engineering consultant with a project completion date of September 30, 2018

9.2. Water Treatment Plant Update – Tender 41 - 43

Staff Recommendation

That Council receive for information the progress report on the new Water Treatment Plant.

9.3. Watermain Relining Tender 44 - 49

Staff Recommendation:

That Council:

1. Notify the two proponents that the tender for the Watermain Relining, Colonia to the Public Works Yard is being cancelled due to insufficient budget; and
2. Direct staff to investigate installation of a new watermain along the Holland Creek Trail utilizing conventional trenching, as well as exploring pipe routing that bypasses the majority of the trail system, utilizing the Town’s existing road network.

9.4. Aggie Hall Playground Concept..... 50 - 53

Staff Recommendation:

That Council refer the matter of Aggie Natural playspace draft concept design to the Parks, Recreation and Culture Advisory Committee for review and comment.

9.5. Machine Shop Restoration Project..... 54 - 58

Staff Recommendation:

That Council direct staff to:

1. Contract with Hotson Architecture to undertake the Machine Shop Restoration Project pre-design phase, including working with staff and the main tenants to define the building program and preparing an implementation strategy to outline the scope of work at a cost of \$25,000 plus expenses (net of taxes), and that the Purchasing Policy be waived accordingly;
2. Invite the Machine Shop Users Advisory Group to participate in the development of the building program with staff and the consulting team;
3. Include the Machine Shop Restoration Project within the scope of the Project Manager, Waterfront Implementation to represent the Town and liaise with the project team and stakeholder representatives during the Machine Shop Restoration Project; and
4. Amend the Town of Ladysmith 2018-2022 Financial Plan to include the Machine Shop Restoration Project grant in the amount of \$1,752,553.00.

9.6. Davis Road Dog Park Neighbourhood Consultation..... 59 - 64

Staff Recommendation:

That Council receive the report from the Director of Parks, Recreation and Culture on the results of the Davis Road Dog Park Neighbourhood Consultation.

9.7. Bylaw Officer Bylaw Update 65 - 67

Staff Recommendation:

That Council:

1. Direct staff not to proceed with introduction of a Bylaw Officer and Inspection Bylaw as previously directed; and
2. Appoint Coastal Animal Services to provide Animal Control Officer services in the Town of Ladysmith.

10. BYLAWS -- None

11. CORRESPONDENCE

**11.1. Allen McDermid, Ladysmith Ground Search and Rescue
Proposal to Increase Storage 68 - 70**

Staff Recommendation:

That Council approve the request from Ladysmith Ground Search and Rescue, dated March 2, 2018, for permission to install a second container at the Ladysmith Fire/Rescue site for additional storage, and direct the organization to work with the Fire/Rescue Chief on specific location and logistics.

12. NEW BUSINESS

13. UNFINISHED BUSINESS - None

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

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, MARCH 5, 2018
CALL TO ORDER 6:02 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
Clayton Postings	Sue Bouma	

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:02 p.m.

CLOSED SESSION

CS 2018-054

Moved and seconded:

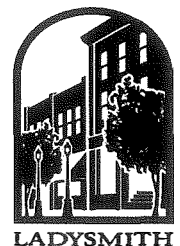
That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:01 p.m. in order to consider items related to the following:

- The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality - section 90(1) (e)
- Human Resources matter - section 90 (1) (c)
- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality - section 90 (1) (a)
- the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both - section 90 (2)-(b)

Motion carried.

REGULAR MEETING

Mayor Stone called this Open Session of Council to order at 7:01 p.m., recognizing the traditional territory of the Stz'uminus First Nation and the Coast Salish people and expressing gratitude to be here.



AGENDA APPROVAL

CS 2018-055

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for Monday, March 5, 2018 as amended by the following:

- Remove Item 5.4., "Rod Smith, Managing Director, Ladysmith Maritime Society" as this item has been rescheduled to the March 12th Municipal Services Committee meeting
- Add feedback under Item 9.1., "Mayor Stone Committee Report" regarding the special events of February 24th, including the "Heritage Stands the Test of Time" events and the Wounded Warriors welcome

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:49 p.m. without report.

MINUTES

CS 2018-056

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held February 13, 2018.

Motion carried.

CS 2018-057

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held February 19, 2018.

Motion carried.

DELEGATIONS

Brian Carruthers, Cowichan Valley Regional District Proposed Watershed Service Establishment Bylaw

Mr. Carruthers provided an overview of the Cowichan Valley Regional District's Watershed Service Establishment Bylaw initiative, summarizing the steps taken to research both the public's and the neighbouring district's interests and concerns regarding the watersheds in the region. He noted that the region is growing rapidly, that water issues are increasingly complex due to climate change, and that fragmented water protection is not cohesive or protective enough. The proposed Watershed Service Establishment Bylaw will be a more cost effective method of working collaboratively to protect the seventeen district watersheds in the region.

Mr. Carruthers responded to Council's questions regarding population consultation, public education and involvement with First Nations communities.

Council thanked Mr. Carruthers for his informative presentation

and welcomed him to return in April to present the bylaw.

**Mark Drysdale, Chamber of Commerce
2017- Tourist Statistics and Food Truck Program**

Mr. Drysdale presented Council with the tourism statistics for 2017 and analyzed the data as it related to previous years. He noted that the pure tourist statistics for Ladysmith have been relatively flat in recent years, and considered the possibility of the changing location of the Visitor Information Centre as one of the reasons.

Mr. Drysdale also discussed the highly successful Food Truck program at Transfer Beach and recommended the need for a dry, level area (which would possibly include a concrete pad) for the trucks to park. He suggested including a rotation of three trucks for 2018.

Mr. Drysdale responded to Council's questions. Council thanked him for his insights and presentation.

**Denis Hughes and Kirily Park
Request to Ban Single Use Shopping Bags in Ladysmith**

Ms. Park and Mr. Hughes made a presentation to Council recommending a ban on single use shopping bags in Ladysmith. They provided background information regarding the number of single use plastic bags used by Canadians per year, noted the environmental effects of using both plastic and paper bags, and underscored why recycling bags does not solve the problem.

Ms. Park and Mr. Hughes responded to Council's questions. Council thanked them for their thoughtful presentation.

CS 2018-019

Moved and seconded:

That Council refer the issue of potentially banning single use shopping bags in Ladysmith to the next meeting of the Municipal Services Committee for discussion.

Motion carried.

**DEVELOPMENT
APPLICATIONS**

CS 2018-058

**Development Variance Permit Application 3090-17-05 - 12
White St. (Blok-Andersen)**

**Subject Property: Lot 14, Block 12, District Lot 56, Oyster District,
Plan 703**

Moved and seconded:

That Council:

1. Issue Development Variance Permit application 3090-17-05 to

vary the minimum parcel area for a Coach House dwelling from 668m² to 666m² for Lot 14, Block 12, District Lot 56, Oyster District, Plan 703 (12 White Street); and

2. Authorize the Mayor and Corporate Officer to sign the Development Variance permit.

Motion carried.

Coach House Development Permit Application 3060-17-19 - 12 White St. (Blok-Andersen)

Subject Property: Lot 14, Block 12, District Lot 56, Oyster District, Plan 703

Moved and seconded:

CS 2018-059

That Council:

1. Subject to the issuance of Development Variance Permit 3090-17-05, issue Development Permit 3060-17-19 to permit the issuance of a building permit for the construction of a coach house dwelling on Lot 14, Block 12, District Lot 56, Oyster District, Plan 703 (12 White Street); and

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

Motion carried.

Zoning Bylaw Amendment Application - 618 Farrell Road (Schnurch, Turner Land Surveying Inc.)

Subject Property: Lot 1, Block 7, District Lot 41, Oyster District, Plan 11706, Except Part in Plans 43985, VIP58153 and VIP79598

Staff responded to questions regarding the Community Amenity Fund contributions and the drainage plan for the subject property. The agent for the applicant, Matt Schnurch, responded to questions regarding the potential location of the road on the subject property.

Moved and seconded:

CS 2018-060

That Council:

1. Receive the report of the neighbourhood information meeting and associated correspondence regarding the rezoning of 618 Farrell Road and require:
 - a. A Section 219 covenant to be registered prior to final approval of the amending bylaw, to ensure:
 - That the street lighting on the strata road adheres to dark sky principles.
 - That a grading plan is submitted and approved by the

Approving Officer as a condition of the subdivision application.

- That at the time of the building permit, two trees are planted on each new lot. The diameter of each new tree will be a minimum of 6cm. A security of \$300 per tree will be required. One tree must be in the rear yard.

2. Accept a \$7000 voluntary contribution to the Community Amenity Fund.
3. Direct staff to prepare a bylaw to amend the Zoning Bylaw to rezone the property at 618 Farrell Road (Lot 1, District Lot 41, Oyster District, Plan 11706) from the Rural Residential (RU-1) Zone to the Single Dwelling Residential (R-1) Zone.

Motion carried.

BYLAWS – OFFICIAL COMMUNITY PLANNING AND ZONING

CS 2018-061

Official Community Plan Amendment (Waterfront Area Plan and consequential amendments) and Rezoning of a portion of Lot 4, Plan 45800 (The Jewel) – Bylaws 1950 and 1951

Moved and seconded:

That Council:

1. Give first and second reading to Bylaw 1950, cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 50) 2018, No. 1950” to implement the new Waterfront Area Plan, Development Permit Area 1 - Maritime and make consequential amendments.
2. Give first and second reading to Bylaw 1951, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951” to implement multi-unit residential zoning on the portion of Lot 4, Plan 45800 known as The Jewel.
3. Pursuant to s. 475, confirm that early and on-going consultation was directed and has taken place with the following during the development of the community plan amendment (Waterfront Area Plan): Stz’uminus First Nation, Provincial Ministry of Forests, Lands and Natural Resource Operations and Rural Development, and Fisheries and Oceans Canada – Small Craft Harbours.
4. Refer Bylaw 1950 to the Stz’uminus First Nation pursuant to the Stz’uminus-Town Memorandum of Understanding and invite the Stz’uminus First Nation Chief and Council to attend the public

hearing.

5. Direct staff to proceed with statutory notice and scheduling the Public Hearing for Bylaws 1950 and 1951.

Motion carried.

COMMITTEE REPORTS

The Mayor and members of Council discussed the highly successful special events of February 24th, including the “Heritage Stands the Test of Time” events and demonstrations, the unveiling of the Salish Wind at Transfer Beach, the “Coldest Night of the Year Walk” in support of the hungry and homeless, the “Release the Light” lantern festival, and the Wounded Warriors welcome to Ladysmith.

Recommendations from the Municipal Services Committee

Moved and seconded:

CS 2018-062

1. That the Town initiate a community dialogue regarding the retail sale of cannabis within the Town of Ladysmith.
2. That Council direct staff to prepare a list of options for community engagement as well as a proposed budget allocation for consideration.
3. That Council establish an ad hoc committee of three Council members to support the public consultation process on the retail sale of cannabis in the Town of Ladysmith.

Motion carried.

Recommendations from the Advisory Planning Commission Meeting

Moved and seconded:

CS 2018-063

That Council receive the recommendation from the Advisory Planning Commission supporting the review of permitting coach houses outside the downtown area in the Single Dwelling Residential (R-1) zones, utilizing the existing coach house regulation framework and considering each local neighbourhood.

Motion carried.

Recommendations from the Vancouver Island Regional Library Committee

Moved and seconded:

CS 2018-064

That Council support the Vancouver Island Regional Library's ongoing campaign to have the BC Provincial government reinstate an adequate funding commitment to the Library system.

Motion carried.

CORRESPONDENCE

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

Moved and seconded:

That Council:

CS 2018-065

1. Allocate \$300 to sponsor a hole at the Ladysmith Family and Friends Annual Golf Day on May 27, 2018; and
2. Enter a team in the tournament.

Motion carried.

Councillor Hutchins left the meeting at 8:48 p.m.

Cathy Peters, BC's Anti-human Trafficking Educator, Speaker, Advocate

Child Sex Trafficking in BC Municipalities and How to Stop it

Moved and seconded:

CS 2018-066

That as requested by Cathy Peters in an email dated February 26, 2018, Council send a letter to Premier John Horgan and Mike Farnworth, Minister of Public Safety and Solicitor General, requesting that a Human Trafficking Task Force be established and that the Federal law be enforced; and further, that a copy of the letter be sent to Ms. Cathy Peters, anti-human trafficking educator, speaker, advocate.

Motion carried.

Nora Arajs, Project Lead - Capture the Rain, Cowichan Watershed Board Cowichan Million Litre Challenge

Moved and seconded:

CS 2018-067

That as requested by Nora Arajs in an email dated February 27, 2018, Council support the Cowichan Watershed Board's "Cowichan Million Litre Challenge" campaign by including the Town logo, for a cost of \$200, to their ad in the March 16th edition of the Cowichan Citizen, with a request to run the ad in the Ladysmith Chronicle.

Motion carried.

Steve Higgs, Equipment and Field Coordinator, Ladysmith Softball Association

Softball Storage at Aggie Field

Moved and seconded:

CS 2018-068

That in response to the letter from the Ladysmith Softball Association, dated February 20, 2018, Council direct staff to liaise with the Ladysmith Softball Association to support the development of additional storage for softball equipment storage at Aggie playing fields.

Motion carried.

NEW BUSINESS

CS 2018-069

Discussion regarding Canada’s Great Street Award Sign Locations
Moved and seconded:
That Council refer consideration of the best location to showcase the “Canada’s Great Street Award” plaque to the Heritage Revitalization Advisory Commission for feedback.
Motion carried:

QUESTION PERIOD

Members of the public advised Council of an upcoming presentation to the Nanaimo Historical Society regarding Ladysmith’s award for “Canada’s Great Street” and enquired about Hospice Society beds at the Lodge on 4th, the formation of the ad hoc committee for the public consultation process on the retail sale of cannabis, whether the approach to the sale of cannabis will be regional or municipal, timelines for developing this approach, and concerns about process regarding the development of 618 Farrell Road.

ADJOURNMENT

CS 2018-070

Moved and seconded:
That this regular meeting of Council adjourn at 9:15 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Deputy Corporate Officer (E. Anderson)

Subject to Adoption

**MINUTES OF A SPECIAL MEETING OF COUNCIL
MONDAY, MARCH 12, 2018
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 Felicity Adams Erin Anderson
Joanna Winter

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

CLOSED SESSION *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:

CS 2018-072

- Various matters related to section 90 (1) (e) -- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public - section 90 (1) (k)

Motion carried.



RISE AND REPORT

Council rose from Closed Session at 8:57 p.m. with report on the following:

- Resolution CE 2018-017 -- That Council endorse the final draft Waterfront Area Plan, including the Implementation Projects, by:
 - a. Taking it to Public Hearing,
 - b. Inviting the Stz'uminus Chief and Council to participate in the public hearing process, and
 - c. Including specific language in the plan to provide flexibility in implementation timing
- Resolution CE 2018-018 -- That Council:
 - a. Establish a new Waterfront Implementation Project Leadership Committee (to replace the current Project Leadership Committee) in accordance with Community Charter s. 142 to be comprised of three members of Stz'uminus Council and three members of Town Council, with members of the communities as determined by the Committee to serve in an ex-officio capacity from time to time, and
 - b. Task the Waterfront Implementation Project Leadership Committee with developing terms of reference for the consideration and endorsement of both Councils.
- Resolution CE 2018-019 -- That Council appoint Chief Elliott, Mayor Stone and Councillors Peter Seymour, Anne Jack, Joe Friesenhan and Rob Hutchins to the Waterfront Implementation Project Leadership Committee.

ADJOURNMENT

CS 2018-073

Moved and seconded:
That this Special Meeting of Council adjourn at 8:59 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)

STAFF REPORT TO COUNCIL

From: Angela Davies, Planner
 Meeting Date: March 19, 2018
 File No: 3090-18-01
 RE: **DEVELOPMENT VARIANCE PERMIT - 220 KITCHENER**
 Subject property: Lot A (DD EF99202), Block 44, District Lot 56, Oyster District, Plan 703A
 PID: 017-882-401

RECOMMENDATION:

That Council:

1. Issue Development Variance Permit 3090-18-01 to vary the minimum parcel line setback for an accessory building from 1.5 metres to 0.46 metres to permit the replacement of an existing accessory building on Lot A (DD EF99202), Block 44, District Lot 56, Oyster District, Plan 703A (220 Kitchener Street); and
2. Authorize the Mayor and Corporate Officer to sign the Development Variance Permit.

PURPOSE:

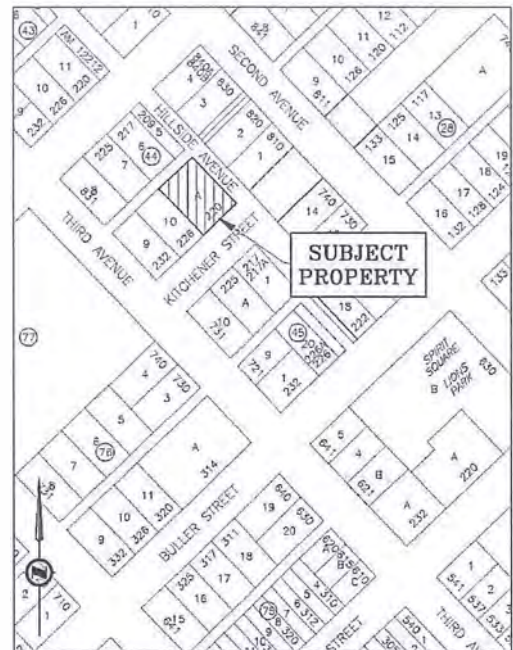
The purpose of this staff report is to obtain Council direction regarding a development variance permit application for a proposed variance to the side parcel line setback to replace an accessory building used as a garage at 220 Kitchener Street.

PREVIOUS COUNCIL DIRECTION

N/A

INTRODUCTION/BACKGROUND:

The applicant is requesting a variance for the siting of an accessory building at 220 Kitchener Street. An existing accessory building is situated on the northeast side of the property and is accessed from Hillside Avenue. The accessory building is 22m² (241ft²) and is located 0.5m from the property line.



Existing Accessory Building

The applicant intends to remove the existing building and replace it with a building 38m² (405ft²) in size. The new accessory building is proposed to be located 0.46m from the property line. The required setback from an exterior side parcel line is 1.5 metres, thus a variance of 1.04 metres is proposed.

The subject property is zoned Old Town Residential (R-2). The proposed accessory building meets the required conditions in the Zoning Bylaw except the side parcel line setback. The table below summarizes the requested variance:

R-2 Zone	Required Setback	Proposed Setback	Proposed Variance
Minimum Side Parcel Line Setback for an Accessory Building	1.5 metres	0.46 metres	1.04 metres

SCOPE OF WORK:

The current stage of this application is to seek Council’s decision on the development variance permit application.

ALTERNATIVES:

Council can choose to not support Development Variance Permit application 3090-18-01.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

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

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Development Procedures Bylaw No. 1667 provides that setback requests for the redevelopment or expansion of an existing development may proceed directly to neighbourhood notice. The notice regarding Development Variance Permit application 3090-18-01 was delivered and sent to neighbouring properties (within 60 metres of the subject property) on March 2, 2018.

At the time of writing this report, the Town has received one inquiry and one written submission regarding the variance application. One individual requested clarification of the proposed variance, and noted a concern with public on-street parking on Hillside Avenue. The proposed variance is not anticipated to impact on-street parking. The written submission included concern that the proposed building location within the required setback could create difficulties for maneuvering large trucks. The proposed building will be located 0.46 m from the property line, and will not encroach on the road right of way.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Variance Permit application 3090-18-01 has been referred to the Infrastructure Services Department and the Building Inspector for review and they have no concerns with the proposed variance.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

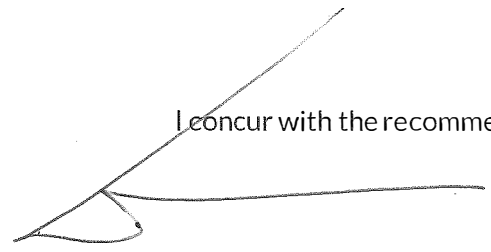
SUMMARY:

Council may consider approving Development Variance Permit application 3090-18-01.

Reviewed by:


Felicity Adams, Director of Development Services

March 13, 2018
Date Signed


I concur with the recommendation.

Guillermo Ferrero, City Manager

ATTACHMENTS:

DVP 3090-18-01



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-18-01

DATE: March 19, 2018

Name of Owner(s) of Land (Permittee): Peter Julian Bryce & Pamela Jean Griffin

Applicant: Peter Bryce

Subject Property (Civic Address): 220 Kitchener Street

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance 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 (DD EF99202)
Block 44
District Lot 56
Oyster District
Plan 703A
PID: 017-882-401**

3. Section 10.6(5)(e) "Siting, Sizing and Dimension of Uses, Buildings and Structures" in the Old Town Residential (R-2) Zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the subject property as follows:

From:

No Accessory Building or Structure, with a Finished Floor Area (m²) as shown in the Table below, shall be located closer to the Parcel Line than the minimum Setback shown in the Table below:

PARCEL LINE	MINIMUM SETBACK ≤ 10.0 M ²	MINIMUM SETBACK >10.0 M ²
Front Parcel Line	6.0 metres	6.0 metres
Interior or Exterior Side Parcel Line	1.0 metres	1.5 metres
Rear Parcel Line	1.0 metres	1.5 metres

To:

No Accessory Building or Structure, with a Finished Floor Area (m²) as shown in the Table below, shall be located closer to the Parcel Line than the minimum Setback shown in the Table below:

PARCEL LINE	MINIMUM SETBACK ≤ 10.0 M ²	MINIMUM SETBACK >10.0 M ²
Front Parcel Line	6.0 metres	6.0 metres
Interior or Exterior Side Parcel Line	1.0 metres	1.5 metres
Rear Parcel Line	1.0 metres	1.5 metres

Except for one accessory building which may be located 0.46 metres from the exterior side parcel line as shown in Schedule A.

4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:
 - a) **Schedule A – Site Plan**
6. 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 **(3090-18-01)** or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION PASSED BY MUNICIPAL COUNCIL ON THE DAY OF 20 .

Mayor (A. Stone)

Corporate Officer (J. Winter)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Peter Bryce** other than those contained in this permit.

Signed

Title

Date

Witness

Occupation

Date

Signed

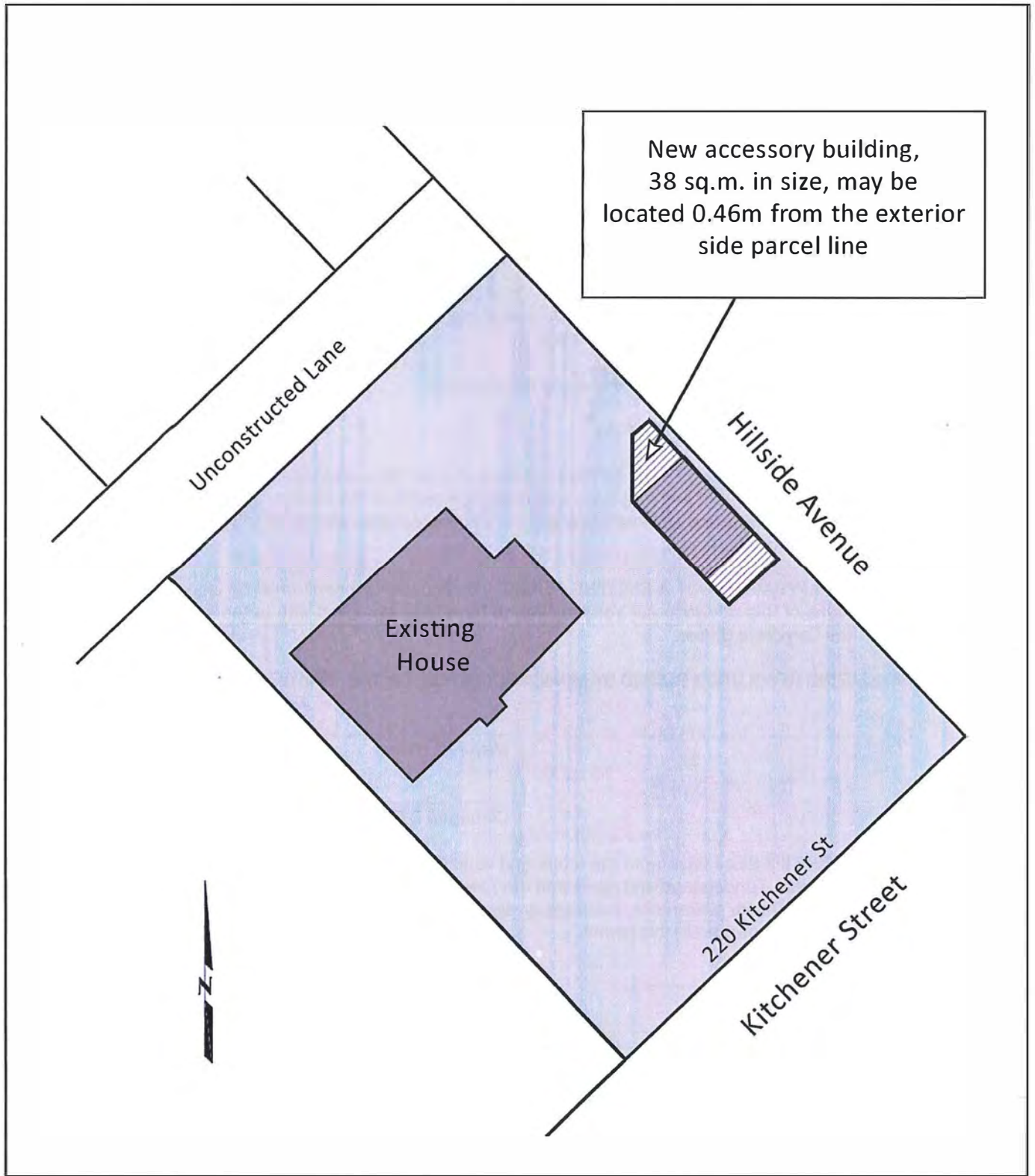
Title

Date

Witness

Occupation

Date



Schedule A - Site Plan
DP 3090-18-01
220 Kitchener Street (Peter Bryce)

STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
 Meeting Date: March 19, 2018
 File No: 3360-18-01
 RE: **OCP & ZONING BYLAW AMENDMENT APPLICATION
 11 and 17 KITCHENER ST. (I. NIAMATH)**
 Subject Properties: Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703

RECOMMENDATION:

That Council:

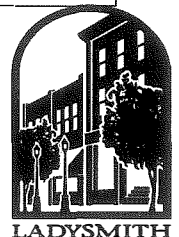
1. Give first and second reading of Bylaw 1952 cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952";
2. Give first and second reading of Bylaw 1953 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.13) 2018, No. 1953"; and
3. Refer Bylaws 1952 and 1953 to public hearing.

PURPOSE:

The purpose of this staff report is to present Official Community Plan (OCP) amending Bylaw 1952 and Zoning Amending Bylaw 1953; and to report on consultation.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2018-027	February 13, 2018	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approve in principle the application (3360-18-01) to amend: <ol style="list-style-type: none"> a) the Official Community Plan by designating 11 & 17 Kitchener St. from 'Downtown Mixed Use' to 'Downtown Core'; and b) the Zoning Bylaw by rezoning 11 & 17 Kitchener St. from "Live/Work Residential (R-2-LW)" to "Downtown Commercial (C-2)"; (for properties legally described as Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703) 2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to: <ol style="list-style-type: none"> a) Refer the OCP amendment application 3360-18-01 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding; and b) Refer application 3360-18-01 to the Advisory Planning Commission for review and comment. 3. Direct staff to commence the preparation of an Official Community Plan (OCP) amendment bylaw and Zoning Bylaw amendment bylaw for application 3360-18-01 (11 & 17 Kitchener St.).



INTRODUCTION/BACKGROUND:

The current stage of this rezoning application is to present OCP amending Bylaw No. 1952 and Zoning Bylaw amending Bylaw No. 1953 and to report on the consultation.

Bylaw No. 1952

Bylaw No. 1952 proposes to amend the Official Community Plan (OCP) by changing the designation of the properties at 11 and 17 Kitchener Street from 'Downtown Mixed Use' to 'Downtown Core' to allow for a commercial development.

Bylaw No. 1953

Bylaw No. 1953 proposes to amend the Zoning Bylaw by rezoning 11 and 17 Kitchener Street from R-2-LW (Live/Work Residential) to C-2 (Downtown Commercial) to allow for a commercial development.

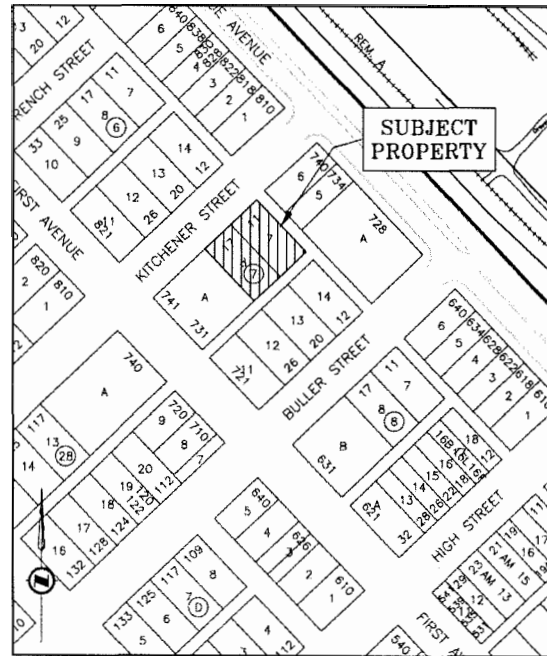


Table 1: Summary of Application 3360-18-01

	Current	Proposed
Official Community Plan	Downtown Mixed Use	Downtown Core
Development Permit Area (DPA)	Downtown DPA 2	Downtown DPA 2
Zoning Bylaw	R-2-LW (Live/Work Residential)	C-2 (Downtown Commercial)

ALTERNATIVES:

That Council not proceed with Bylaw readings and provide additional direction to staff.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

The subject properties are located within 800 metres of a controlled access highway, thus Bylaw 1953 must be referred to the Ministry of Transportation & Infrastructure for approval following third reading. Also, if the application proceeds a public hearing will be required to be held.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The OCP amendment application was referred to the Stz'uminus First Nation at the February 7, 2018 Naut'Sa Mawt Steering Committee meeting and was sent by mail for consideration and no concerns have been identified.

The Advisory Planning Commission (APC) passed the following motion at their meeting on March 8, 2018:

“The APC supports the application to amend the OCP and Zoning Bylaw for 11 and 17 Kitchener St. to ‘Downtown Core’ and ‘Downtown Commercial C-2’ respectively for the purpose of constructing a new commercial building, however the APC has some concern that the building and site at 731/741 First Avenue would not fall into disrepair or abandonment.”

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department has no concerns with the proposed amendment to the OCP and Zoning Bylaw.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

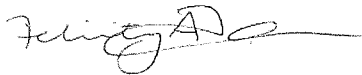
ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input checked="" type="checkbox"/> Not Applicable |

SUMMARY:

It is recommended to proceed with first and second reading of Bylaw 1952 and 1953 and refer the bylaws to public hearing.

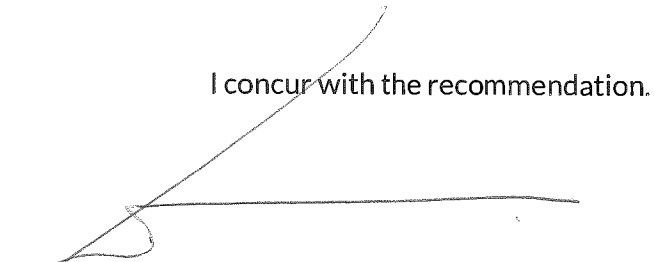
Reviewed By:



Felicity Adams, Director of Development Services

March 13, 2018

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

none

TOWN OF LADYSMITH

BYLAW NO. 1952

A bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Official Community Plan Bylaw 2003, No. 1488".

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

- (1) "Official Community Plan Bylaw 2003, No. 1488", as amended, is further amended as shown in "Schedule 1" which is attached to and forms part of this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952".

READ A FIRST TIME on the _____ day of _____, 2018

READ A SECOND TIME on the _____ day of _____, 2018

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the _____ day of _____, 2018

READ A THIRD TIME on the _____ day of _____, 2018

ADOPTED on the _____ day of _____, 2018

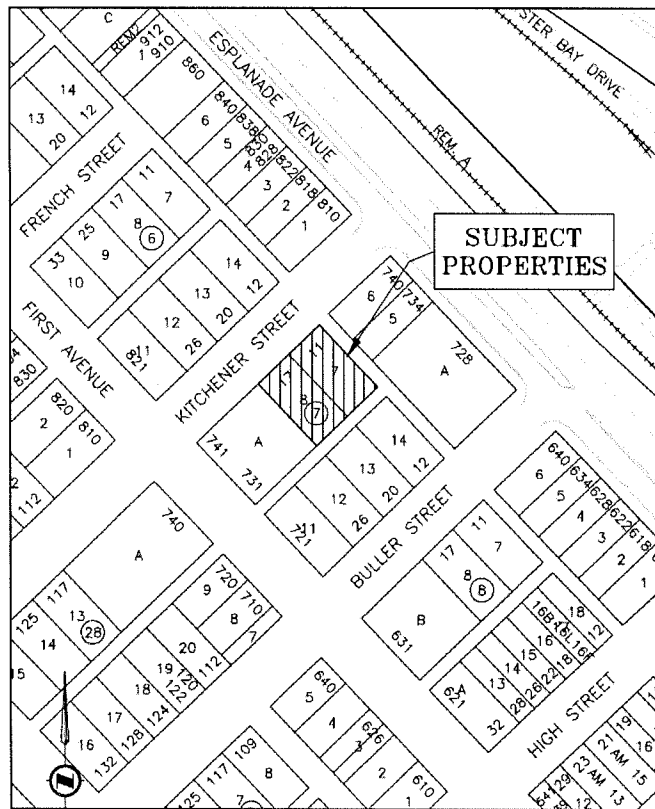
Mayor (A. Stone)

Corporate Officer (J. Winter)

“Schedule 1” of Bylaw No. 1952

1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:

- (a) “OCP Map 1 - Land Use” is amended by removing “Downtown Mixed Use” from the subject properties legally described as Lot 7 and 8, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener Street) and replacing it with “Downtown Core”.



TOWN OF LADYSMITH

BYLAW NO. 1953

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

- (1) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:
 - (a) By removing R-2-LW (Live/Work Residential) and placing C-2 (Downtown Commercial) on the properties legally described as Lot 7 and Lot 8, Block 7, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener St.) as shown on Schedule I attached to and forming part of this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 13) 2018, No. 1953".

READ A FIRST TIME on the _____ day of _____, 2018

READ A SECOND TIME on the _____ day of _____, 2018

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the _____ day of _____, 2018

READ A THIRD TIME on the _____ day of _____, 2018

APPROVED BY THE MINISTER OF TRANSPORTATION

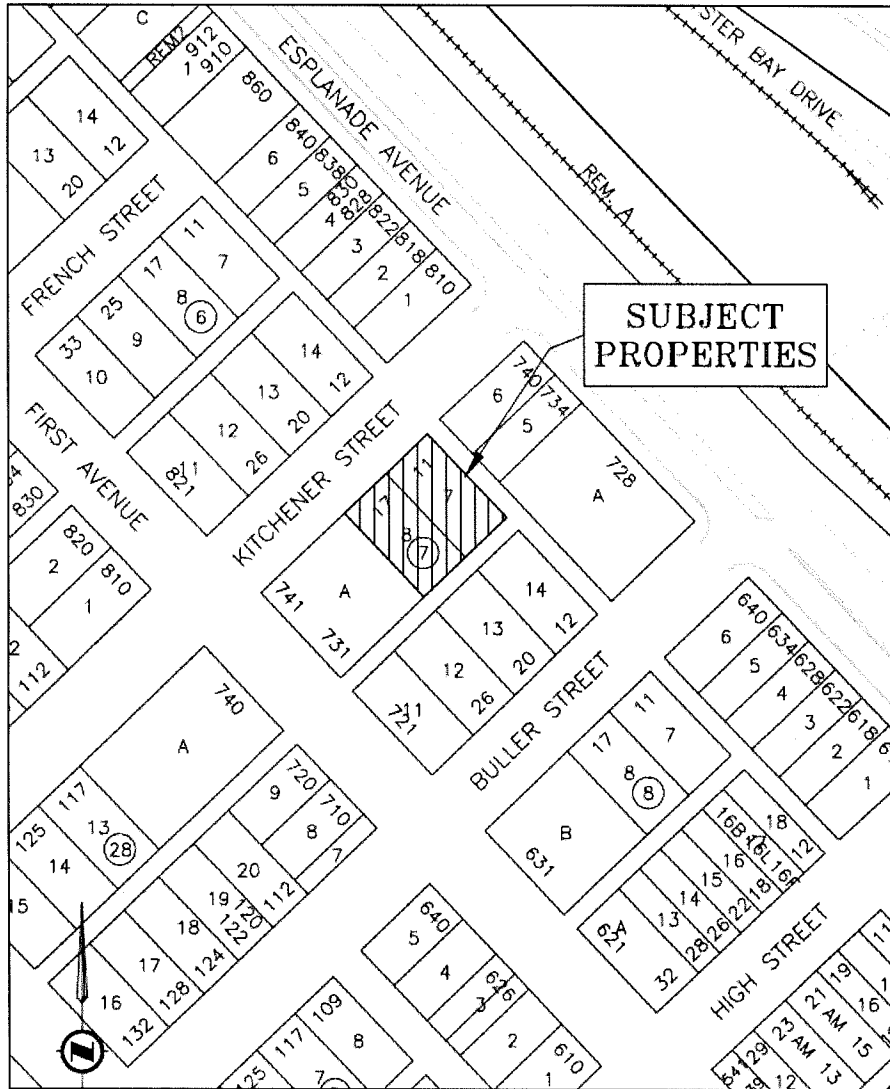
on the _____ day of _____, 2018

ADOPTED on the _____ day of _____, 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1953 - Schedule I



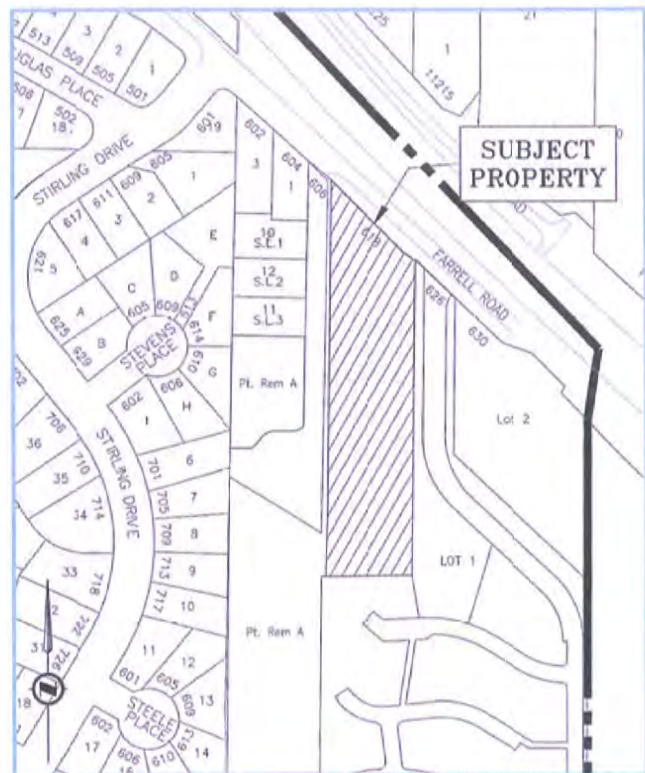
STAFF REPORT TO COUNCIL

From: Angela Davies, Planner
 Meeting Date: March 19, 2018
 File No: 3360-17-04
 RE: ZONING BYLAW AMENDMENT APPLICATION – 618 FARRELL ROAD
 (SCHNURCH, TURNER LAND SURVEYING INC.)
 Subject Property: LOT 1, DISTRICT LOT 41, OYSTER DISTRICT, PLAN 11706, EXCEPT
 PART IN PLANS 43985, VIP58153 AND VIP79598

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Bylaw 1944 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No. 11) 2018, No.1944";
2. Refer Bylaw 1944 to public hearing; and
3. Direct that prior to the enactment of Bylaw 1944 the following voluntary and land use matters shall be completed to the satisfaction of the Director of Development Services:
 - a. Submission of the \$7000 voluntary contribution to the amenity fund; and
 - b. Registration of a Section 219 covenant on the title for Lot 1, District Lot 41, Oyster District, Plan 11706 to address the following land use matters:
 - That the street lighting on the strata road adheres to dark sky principles.
 - That a grading plan is submitted and approved by the Approving Officer as a condition of the subdivision application.
 - That at the time of building permit, two trees are planted on each new lot. The diameter of each new tree will be a minimum of 6cm. A security of \$300 per tree will be required. One tree must be in the rear yard.



And that the covenant be signed by the Mayor and Corporate Officer.

PURPOSE:

The purpose of this staff report is to present Bylaw 1944 which proposes to amend the Zoning Bylaw at 618 Farrell Road.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017-311	October 16, 2017	<i>That Council:</i> <ol style="list-style-type: none">1. Consider the application to amend the Zoning Bylaw to rezone the property legally described as Lot 1, District Lot 41, Oyster District, Plan 11706, except part in Plans 43985, VIP58153 and VIP79598 (618 Farrell Road) from the Rural Residential (RU-1) zone to the Single Dwelling Residential (R-1) zone;2. Direct staff to work with the applicant on land use matters, including lot layout, tree retention, and the location and finished grade of the strata road and lots; and3. Direct that the applicant host a neighborhood information meeting, with staff support, and that the meeting be held early in the rezoning process.
CS 2018-060	March 5, 2018	<i>That Council:</i> <ol style="list-style-type: none">1. Receive the report of the neighbourhood information meeting and associated correspondence regarding the rezoning of 618 Farrell Road and require:<ol style="list-style-type: none">a. A Section 219 covenant to be registered prior to final approval of the amending bylaw, to ensure:<ul style="list-style-type: none">➤ That the street lighting on the strata road adheres to dark sky principles.➤ That a grading plan is submitted and approved by the Approving Officer as a condition of the subdivision application.➤ That at the time of the building permit, two trees are planted on each new lot. The diameter of each new tree will be a minimum of 6cm. A security of \$300 per tree will be required. One tree must be in the rear yard.2. Accept a \$7000 voluntary contribution to the Community Amenity Fund.3. Direct staff to prepare a bylaw to amend the Zoning Bylaw to rezone the property at 618 Farrell Road (Lot 1, District Lot 41, Oyster District, Plan 11706) from the Rural Residential (RU-1) Zone to the Single Dwelling Residential (R-1) Zone.

INTRODUCTION/BACKGROUND:

The current stage of the application is to present amending Bylaw 1944.

The subject property is zoned 'Rural Residential' (RU-1). Bylaw 1944 proposes to rezone the subject property to 'Single Dwelling Residential' (R-1) to permit a single family subdivision. The R-

1 zone permits residential parcels that are a minimum of 668 m² (7190 ft²). Staff anticipates that there could 8 single family lots if the property is rezoned.

	Current	Proposed
OCP	Single Family Residential	Single Family Residential
Zoning	Rural Residential (RU-1)	Single Dwelling Residential (R-1)
Minimum lot size	0.4 hectares (4000 m ²)	668 m ²
Maximum height of dwelling	10 metres	9 metres

ALTERNATIVES:

That Council not proceed with Bylaw readings and provide additional direction to staff.

FINANCIAL IMPLICATIONS:

The preparation of the Section 219 covenant is the applicant's cost.

LEGAL IMPLICATIONS:

A public hearing is required to be held.

The subject property is located within 800 metres of a controlled access highway, thus Bylaw 1944 must be referred to the Ministry of Transportation & Infrastructure for approval following third reading.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The applicant hosted a neighbourhood information meeting on November 29, 2017. Should Council proceed with a public hearing, notification of the public hearing will be delivered to the neighbourhood and published in the local newspaper.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department has provided input on this rezoning proposal. If the rezoning is successful the applicant will submit an application for subdivision to the Infrastructure Services Department.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- Complete Community Land Use
- Green Buildings
- Innovative Infrastructure
- Healthy Community
- Not Applicable
- Low Impact Transportation
- Multi-Use Landscapes
- Local Food Systems
- Local, Diverse Economy

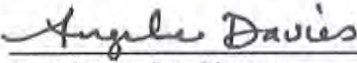
ALIGNMENT WITH STRATEGIC PRIORITIES:

- Employment & Tax Diversity
- Watershed Protection & Water Management
- Communications & Engagement
- Natural & Built Infrastructure
- Partnerships
- Not Applicable

SUMMARY:

It is recommended that Bylaw 1944 be given first and second reading and that the Bylaw be referred to a public hearing.

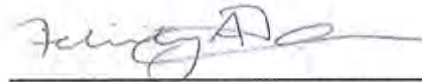
Report Author



Angela Davies, Planner

March 13, 2018
Date Signed

Reviewed By



Felicity Adams, Director of Development Services

March 13, 2018
Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

None.

TOWN OF LADYSMITH

BYLAW NO. 1944

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

- (1) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No.1860" is hereby amended as follows:
 - (a) By placing "Single Dwelling Residential (R-1)" on the subject property legally described as Lot 1, District Lot 41, Oyster District, Plan 11706 except part in Plans 43985, VIP58153 and VIP79598 (618 Farrell Road), as shown in 'Schedule 1' attached to and forming part of this Bylaw.

CITATION

- (2) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.11) 2018, No.1944".

READ A FIRST TIME on the _____ day of _____, 20

READ A SECOND TIME on the _____ day of _____, 20

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*
on the _____ day of _____, 20

READ A THIRD TIME on the _____ day of _____, 20

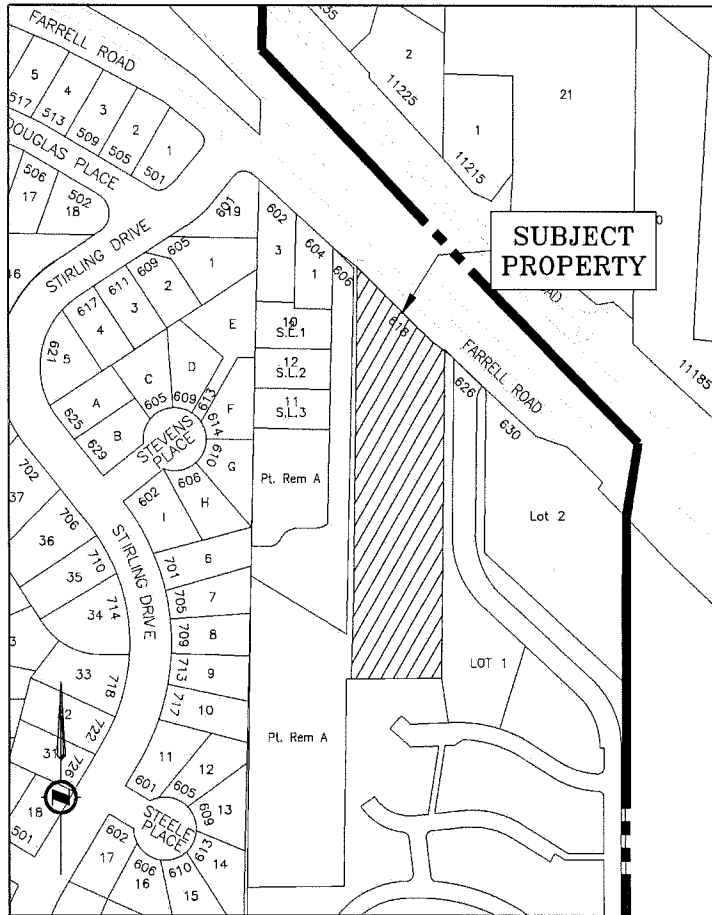
APPROVED by the Minister pursuant to the provisions of the Transportation Act
on the _____ day of _____, 20

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (G. Ferrero)

Bylaw 1944 – Schedule 1



STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
Meeting Date: March 19, 2018
File No: 3360-17-01
RE: **ZONING BYLAW AMENDMENT APPLICATION - 1240 4TH AVE.**
Subject Property: Lot B, District Lot 97, Oyster District, Plan
VIP56663, Except part in plan VIP89355

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Bylaw 1954 cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954";
2. Proceed with first and second reading of Bylaw 1955 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.14) 2018, No. 1955".
3. Refer Bylaws 1954 and 1955 to public hearing.
4. Direct that prior to the enactment of Bylaw 1955 the following voluntary and land use matters shall be secured in a section 219 covenant that is registered on the title of 1240 Fourth Ave. (Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in Plan VIP89355) to the satisfaction of the Director of Development Services:
 - i) A bareland strata residential development at 1240 Fourth Avenue shall:
 - include one visitor parking space per five residential lots and the location of the visitor parking spaces shall be approved by the Approving Officer as a condition of subdivision of the land;
 - provide an area that is a minimum of 372m² (4004ft²) in size for the storage of recreational vehicles and boats; and
 - not permit a secondary suite in any dwelling.
 - ii) A grading plan and geotechnical assessment of the proposed lots is required to be submitted to the satisfaction of the Approving Officer as a condition of the subdivision application.
 - iii) An amenity contribution of \$1000 per residential lot shall be submitted to the Town (as previously agreed to in covenant EL128958) prior to the Approving Officer issuing final approval of the subdivision of land.
5. Approve of the discharge of covenant EL128958 from the title of Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in Plan VIP89355 once the new section 219 covenant is registered on the title; and authorize the Mayor and Corporate Officer to sign the new covenant and execute the discharge document of covenant EL128958.

PURPOSE:

The purpose of this staff report is to introduce bylaws to amend the Official Community Plan (OCP) and Zoning Bylaw for 1240 4th Avenue and to seek consideration of first and second reading.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2018-049	February 19, 2018	<p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>Approve application 3360-17-01 to amend:</i> <ol style="list-style-type: none"> a) <i>The Official Community Plan by removing Development Permit Area 4 – Multi-Unit Residential from the property at 1240 4th Avenue; and</i> b) <i>the Zoning Bylaw by rezoning 1240 4th Avenue from Medium Density Residential (R-3) to Single Dwelling Residential – Small Lot B Zone (R-1-B);</i> <i>for the property legally described as Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in plan VIP89355.</i> 2. <i>Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to:</i> <ol style="list-style-type: none"> a) <i>Refer the proposed OCP amendment (3360-17-01) to the Stz’uminus First Nation, pursuant to the Town’s Memorandum of Understanding; and</i> b) <i>Refer application 3360-17-01 to the Advisory Planning Commission for review and comment.</i> 3. <i>Direct staff to work with the applicant regarding land use matters and a community amenity contribution; and commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-17-01 (1240 4th Ave.).</i>

INTRODUCTION/BACKGROUND:

Bylaw 1954

Bylaw 1954 proposes to amend the Official Community Plan by removing “Development Permit Area 4 – Multi-Unit Residential” from the property at 1240 Fourth Avenue.

Bylaw 1955

Bylaw 1955 proposes to amend the Zoning Bylaw by removing the R-3 (Medium Density Residential) zone and placing the R-1-B (Single Dwelling Residential-Small Lot B) zone on the property at 1240 Fourth Avenue to allow a single family subdivision of lots that are a minimum size of 372m² (4004ft²).

Section 219 Covenant

To address the land use matters and voluntary contribution it is recommended that a section 219 covenant be required with the following commitments:

- i) A bareland strata residential development at 1240 Fourth Avenue shall:
 - include one visitor parking space per five residential lots and the location of the visitor parking spaces shall be approved by the Approving Officer as a condition of the subdivision of the land;
 - provide an area that is a minimum of 372m² (4004ft²) in size for the storage of recreational vehicles and boats; and

- not permit a secondary suite in any dwelling.
- ii) A grading plan and geotechnical assessment of the proposed lots is required to be submitted to the satisfaction of the Approving Officer as a condition of the subdivision application.
- iii) An amenity contribution of \$1000 per residential lot shall be submitted to the Town prior to the Approving Officer issuing final approval of the subdivision of land. (This will replace the requirement in Covenant EL128958 which was registered on the title of the property in 1997 when the land was zoned to R-3. Covenant EL128958 requires that the owner pay an amenity of \$1000 per multi-family unit. Once the new section 219 covenant is registered on the title, covenant EL128958 can be removed.)

Table 1: Summary of Application 3360-17-01

	Current	Proposed
OCP	Single Family Residential	Single Family Residential
Development Permit Area	DPA 4 Multi-Unit	None
Zoning	Medium Density Residential (R-3)	Single Dwelling Residential Small Lot B (R-1-B) <i>Minimum parcel size: 372 m² (4004ft²)</i>

ALTERNATIVES:

That Council not proceed with bylaw readings and provide additional direction to staff.

FINANCIAL IMPLICATIONS:

none

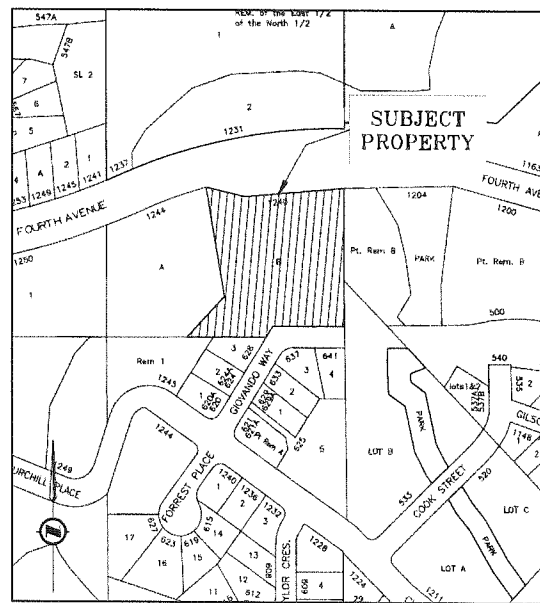
LEGAL IMPLICATIONS:

If the application proceeds a public hearing is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Advisory Planning Commission (APC) passed the following motion at their meeting on March 8, 2018:

“The APC supports the application to amend the OCP and Zoning Bylaw for the property at 1240 Fourth Avenue to remove DPA 4 and allow the R-1-B zone respectively; and if the development is a bareland strata the APC agrees that it may be appropriate to restrict secondary suites, require space for storage of recreational vehicles, and provide visitor parking.”



The applicant’s neighbourhood information meeting was held on Wednesday, March 14, 2018. Notice of the applicant’s meeting was posted in the Chronicle newspaper and was delivered to residents within 60 metres of the subject property. Notices were also sent by mail to owners of vacant land within 60 metres. The neighbourhood information meeting report will be provided under a separate cover as it is not available at the time of writing this report.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department recommends that:

- 1) visitor parking be required in a bareland strata lot subdivision to accommodate visitors. The applicant is considering a bareland strata subdivision in which the road width may be 6 metres (rather than public roads which are 15.5 metres in width); and
- 2) a grading plan and geotechnical assessment of the proposed lots be required to be submitted as a condition of the subdivision application.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

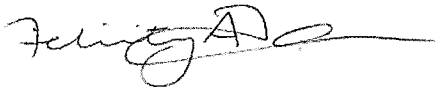
ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY:

It is recommended to proceed with first and second reading of Bylaw 1954 and 1955 and refer the bylaws to public hearing.

Reviewed By

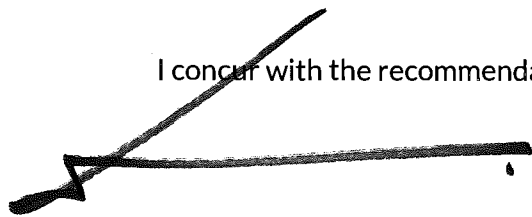


Felicity Adams, Director of Development Services

March 14, 2018

Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

none

TOWN OF LADYSMITH

BYLAW NO. 1954

A bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Official Community Plan Bylaw 2003, No. 1488".

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

- (1) "Official Community Plan Bylaw 2003, No. 1488", as amended, is further amended as shown in "Schedule 1" which is attached to and forms part of this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954".

READ A FIRST TIME on the _____ day of _____, 2018

READ A SECOND TIME on the _____ day of _____, 2018

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the _____ day of _____, 2018

READ A THIRD TIME on the _____ day of _____, 2018

ADOPTED on the _____ day of _____, 2018

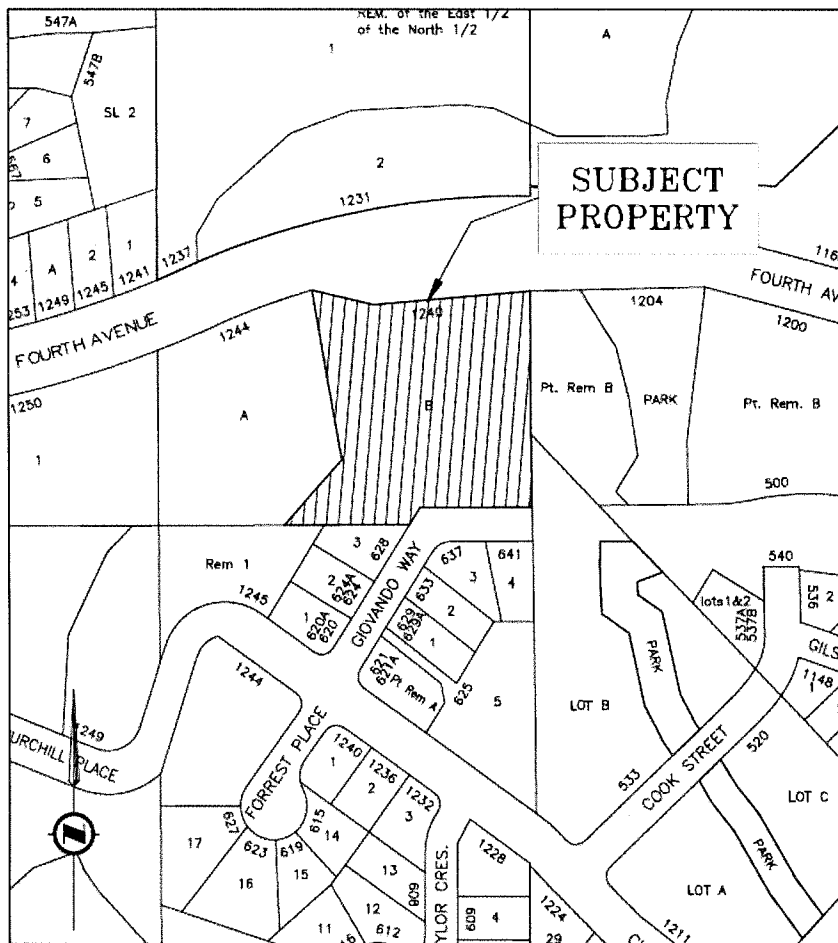
Mayor (A. Stone)

Corporate Officer (J. Winter)

“Schedule I” of Bylaw No. 1954

1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:

- (a) “OCP Map 2 – Development Permit Areas” is amended by removing “Development Permit Area 4 – Multi-Unit Residential” from the subject property legally described as Lot B, District Lot 97, Oyster District, PlanVIP56663, Except Part in Plan VIP89355 (1240 Fourth Avenue).



TOWN OF LADYSMITH

BYLAW NO. 1955

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

- (1) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:
 - (a) By removing R-3 (Medium Density Residential) and placing R-1-B (Single Dwelling Residential-Small Lot B) on the property legally described as Lot B, District Lot 97, Oyster District, Plan VIP56663 except part in Plan VIP89355 (1240 Fourth Ave.) as shown on Schedule I attached to and forming part of this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 14) 2018, No. 1955".

READ A FIRST TIME on the _____ day of _____, 2018

READ A SECOND TIME on the _____ day of _____, 2018

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the _____ day of _____, 2018

READ A THIRD TIME on the _____ day of _____, 2018

APPROVED BY THE MINISTER OF TRANSPORTATION

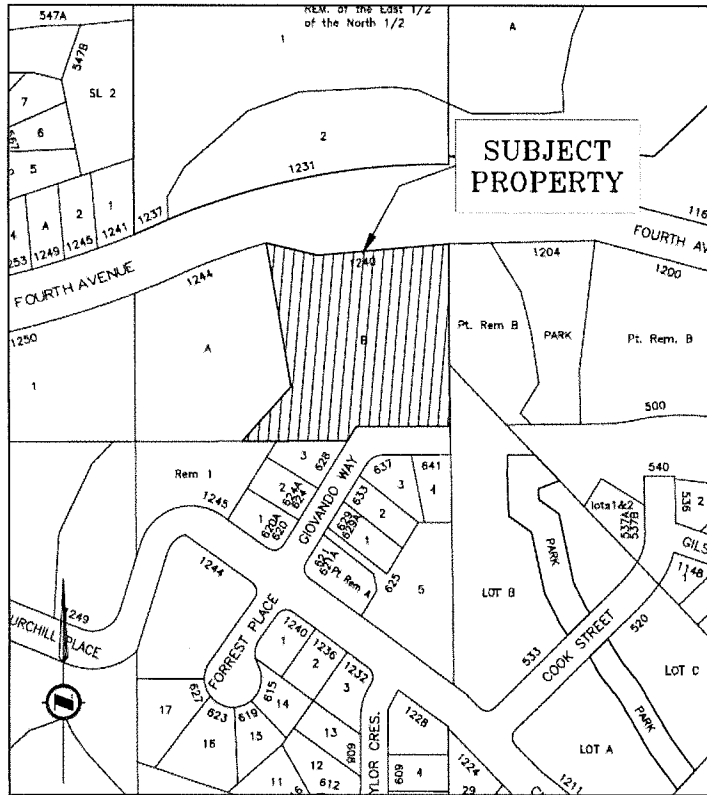
on the _____ day of _____, 2018

ADOPTED on the _____ day of _____, 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1955 - Schedule I



STAFF REPORT TO COUNCIL

From: Director of Infrastructure Services
Meeting Date: March 19, 2018
File No: 5340-03
RE: WASTE WATER TREATMENT PLANT OUTFALL PIPING
RECONFIGURATION

RECOMMENDATION:

That Council:

1. Approve a budget of \$300,000 for the design and construction of new 710mm outfall piping from the chlorine contact chamber to the existing 710mm outfall line, with funds to come from the Sanitary Sewer Reserve.
2. Award the design to WSP/OPUS, the Town's waste water engineering consultant with a project completion date of September 30, 2018

PURPOSE:

To have Council approve design and construction of 710mm piping from the WWTP chlorine contact chamber to the existing 710mm outfall line with an overall budget of \$300,000 and a completion date of September 30, 2018.

PREVIOUS COUNCIL DIRECTION

N/A

INTRODUCTION/BACKGROUND:

On March 21st the Town of Ladysmith completed an inspection of the outfall from the Town waste water treatment facility out into the harbour. The inspection involved dye testing and visual inspection (diver). The inspection occurred during an outgoing tide. During the dye testing, dye was observed bubbling out of the ground exposed by the low tide. The leak was approximately 110m from the shore. It was difficult to estimate the volume of the leak and therefore how significant the problem in the pipe might be.

The Town has two outfall lines side by side, one 710mm high density polyethylene (HDPE) and one 300mm asbestos cement (AC). The 300mm outfall was installed in 1965 and the 710mm outfall was installed in 1985. On March 22 staff shut the 300mm pipe during a low tide and it was confirmed that the leak stopped, confirming that the leak is in the older AC pipe.

Repairs to the outfall in this location will be costly and based on the age of the infrastructure may just be the start of ongoing issues. For this reason staff is proposing to abandon the 300mm outfall. The newer 710mm outfall constructed in 1985 is HDPE pipe which performs well in the marine environment and has sufficient capacity for the foreseeable future.

The pipe configuration from the existing chlorine contact chamber to both the 300mm and the 710mm outfalls is 300mm pipe. During high flows when the plant reaches its design capacity there is some backup that occurs in the chlorine contact chamber. This has never reached a critical point of overflowing the contact chamber, but there is concern that with the 300mm outfall now closed this could cause an overflow during very high flow conditions. Overflows from the contact chamber would be chlorinated effluent, not something that can be released into a marine environment.

Given these concerns staff recommend that Council direct staff to upgrade the pipe from the chlorine contact chamber to the 710mm outfall with 710mm pipe. This will remove capacity issues in this system. It is important that this project be completed before the heavy rains experienced in the fall and winter.

In addition to the piping reconfiguration staff is also recommending that a new Supervisory Control and Data Acquisition (SCADA) monitored level sensing system be installed on the chlorine contact chamber to monitor water levels. This will provide alarming systems to notify staff of any backup in the system. Immediately after shutting the 300mm outfall line, staff were able to rig up a rudimentary alarm float system that uses the phone call out system as a notification to staff. This will provide level alarms until the SCADA system can be installed.

ALTERNATIVES:

Council can choose to:

1. Budget for this work in a later year. Staff are concerned that delaying the project may result in a situation where we are unable to get high flows through the existing 300mm piping to the 710mm outfall line. This may result in having to open the compromised 300mm outfall and trigger a fisheries closure.
2. Instruct staff to repair the 300mm outfall line. It is difficult to determine the cost of this repair option without doing exploratory excavations of the site. This work would need to be done likely in June in conjunction with the lowest tides. Although the repair is likely possible the age of the pipe indicates that it's nearing or at end of life and Council could expect future problems that could result in increased maintenance costs.

FINANCIAL IMPLICATIONS:

This project was not included in the Town's Five Year Financial Plan. The total cost of this project is proposed to be funded through the Sanitary Sewer Utility Reserve.

LEGAL IMPLICATIONS:

Staff have not identified any legal issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The harbour is an important shellfish harvest area and the Town participates in a Conditional Management Agreement, involving the Province, the Federal government and the US Food and Drug Administration. When unusual events occur related to discharges from the WWTP or the Town's sewerage system in general, there is a protocol for reporting. Staff followed this protocol when the leak was found and as a result the shellfish harvest area in the harbour was closed.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The bulk of this project will be completed by engineering consultants that will be managed by Town staff.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input checked="" type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|--|
| <input type="checkbox"/> Employment & Tax Diversity | <input checked="" type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY:

A leak has been detected on the 300mm WWTP outfall line. The line has been closed and staff are proposing abandoning this main and utilizing the newer 710mm outfall. Piping between the chlorine contact chamber and both the 300mm and the 710 mm outfalls is 300mm which may increase the chances of an overflow in the chlorine contact chamber during high flow events if the 300mm outfall is closed. To eliminate this risk staff is proposing to increase the diameter of the piping between the 710 mm outfall and the chlorine contact chamber to 710mm removing the bottleneck.



Geoff Goodall, Director of Infrastructure Services

March 13, 2018
I concur with the recommendation.

Guillermo Ferrero, City Manager

STAFF REPORT TO COUNCIL

From: Director of Infrastructure Services
Meeting Date: March 19, 2018
File No: 5600-05
RE: **WATER TREATMENT PLANT UPDATE - TENDER**

RECOMMENDATION:

That Council receive for information the progress report on the new Water Treatment Plant.

PURPOSE:

To inform Council of the progress of the Water Treatment Plant (WTP) project, specifically that the project is moving to Tender. In addition staff are providing an update on the proposed plan for residual handling.

PREVIOUS COUNCIL DIRECTION

N/A

INTRODUCTION/BACKGROUND:

The Town's WTP consultant, Associated Engineering, has completed the design of the WTP and is now ready to move forward with tendering. Earlier discussion had indicated that there may be some benefit in tendering the project in two phases, earth works and building/piping. Due to time constraints and a desire to understand all costs associated with the construction up front, this idea has been abandoned and the project will be tendered as one project.

There are still some outstanding items that will need to be confirmed before the tender award, including, confirmation of a building permit from CVRD, confirmation of a construction permit from Island Health and confirmation that the Town obtains a license of occupation from the Province for the additional land that is required for the project. All of these processes are currently underway.

Residual handling has also been an issue that has presented some challenges during the design. Residuals are those materials that are removed from the filtration and DAF processes. Due to site constraints it was not possible to construct large lagoons, and overflows of lagoons would also be an issue based on the proximity of the plant to Holland Creek. There are a number of alternative options for residual handling all with pros and

cons and varying capital and maintenance/operational implications. The most straight forward approach and the one favored by the consultant is to direct residuals to the Waste Water Treatment Plant through a connection to the Colonia Sewer main. Staff has spoken to WSP/OPUS (the Waste Water Treatment Plant engineers) about this option and they don't support this approach, as there is no way of determining the impact that these flows will have on the performance of the WWTP.

With these concerns in mind the approach recommended by the Water Treatment Plant consultant is to move to tender with a dual approach model. The plant will be constructed with a connection to the Colonia sewer system and in addition an onsite Geotube filtration system will be constructed. The Geotube facility will have all the permanent piping, pumps and polymer system included in the tender. The Geotube filtration area will not be fully developed, but constructed in a temporary configuration. Solids that would be generated from the Geotube system would be disposed of in the new bio-solids facility.

When the Water Treatment Plant is being commissioned a pilot will be conducted on sending the residuals to the Waste Water Treatment Plant. During this pilot the performance of the WWTP will be closely monitored. If negative impacts to the WWTP are observed the alternative Geotube system will be implemented. Even if all goes well with the WWTP piloting, the Geotube system will be piloted to ensure its availability as a backup. If it is determined that a permanent Geotube system is required there will be additional capital expenditures required to make permanent the Geotube filtration area and to purchase additional filtering containers.

ALTERNATIVES:

N/A

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input checked="" type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

- Employment & Tax Diversity
- Watershed Protection & Water Management
- Communications & Engagement

- Natural & Built Infrastructure
- Partnerships
- Not Applicable

SUMMARY:

This reports provides an update to Council confirming that the project is now ready for tender. In addition it also outlines the approach for dealing with residuals handling.



Geoff Goodall, Director of Infrastructure Services

March 12, 2018

I concur with the recommendation.

A handwritten signature in black ink, appearing to read 'Guillermo Ferrero', written over a horizontal line.

Guillermo Ferrero, City Manager

ATTACHMENTS:

STAFF REPORT TO COUNCIL

From: Director of Infrastructure Services
 Meeting Date: March 19, 2018
 File No: 5600-04
 RE: WATERMAIN RELINING, COLONIA TO PW, TENDER

RECOMMENDATION:

That Council:

1. Notify the two proponents that the tender for the Watermain Relining, Colonia to the Public Works Yard is being cancelled due to insufficient budget.
2. Direct staff to investigate installation of a new watermain along the Holland Creek Trail utilizing conventional trenching, as well as exploring pipe routing that bypasses the majority of the trail system, utilizing the Town’s existing road network.

PURPOSE:

To have Council provide direction on the tender for the Watermain Relining, Colonia to the Works Yard

PREVIOUS COUNCIL DIRECTION

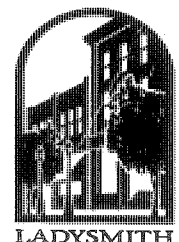
Resolution	Meeting Date	Resolution Details
CS 2017-408	2017-12-11 00:00:00	That Council provide early budget approval for the Water Main Replacement from the Public Works building to Colonia Drive for \$402,000 with the funds to come from the Water Utility and Water Reserve.

INTRODUCTION/BACKGROUND:

The Town tendered a project for the relining of a section of watermain from Colonia Dr. to the Public Works Yard. The tender for this project closed on January 26th and the Town received two tenders as follows:

Fer-Pal Construction Ltd.	\$768,500
David Stalker Excavating Ltd.	\$808,200

The budget for this project was \$393,637, coming from Water Reserves and DCC’s. The



low tender exceeds the budget by \$374,863. Due to insufficient budget it is staff's recommendation that the tender be cancelled and each proponent be sent a notification of this along with a thank you for their interest in the project.

Moving forward staff are suggesting that two alternative options be explored:

- Installation of a new watermain along the Holland Creek Trail utilizing conventional trenching
- Pipe routing that bypasses the majority of the trail system, utilizing the Town's existing road network.

Conventional Trenching Along Existing Trail

Investigation of this option would primarily focus on the geotechnical challenges associated with excavation along this trail. In addition the investigation will detail the impacts this type of construction will have on the trees, vegetation and trail configuration.

Rerouting Using Existing Town Road Network

There are a few options that would be considered here, but the objective would be to utilize as much of the existing road network - Colonia, Mackey, Malone and 6th Ave as possible, thus reducing the amount of work that needs to be done on the Holland Creek Trail. It is expected that this option would result in the highest capital cost, but having the pipe in the road right-of-way would provide better access for maintenance and replacement in the future.

ALTERNATIVES:

Council can also choose to:

1. Increase the budget for the project and award the tender. Without evaluating alternative options staff believes that pursuing this option at this cost may not result in the best value for the Town.
2. Award the tender with a reduced scope that matches the budget. Again without evaluating alternative options staff believes that perusing this option based on these unit costs may not result in the best value for the Town.

FINANCIAL IMPLICATIONS:

\$393,637 has been budgeted for this project; moving forward with award of the project would require that an additional \$374,863 be removed from the water utility reserve.

LEGAL IMPLICATIONS:

Staff has not identified any legal issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Holland Creek Trail network is coveted by Ladysmith residents and any negative changes or disruption would be problematic.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The work program would be managed by engineering staff utilizing consultants.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input checked="" type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|---|
| <input type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input checked="" type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY:

The tender for relining of the watermain between Colonia and the Public Works Yard has come in significantly over budget. Staff recommends cancelling the tender and investigating two alternative options: installation of a new watermain along the trail utilizing conventional trenching and pipe routing that bypasses the majority of the trail system, utilizing the Town’s existing road network.



Geoff Goodall, Director of Infrastructure Services

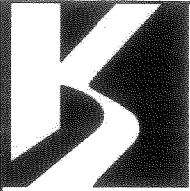
March 13, 2018

I concur with the recommendation.

Guillermo Ferrero, City Manager

ATTACHMENTS:

Koers Memo Dated February 26, 2018



**KOERS
& ASSOCIATES
ENGINEERING LTD.**
Consulting Engineers

P.O. BOX 790
194 MEMORIAL AVENUE
PARKSVILLE, BC. V9P 2G8
Phone: (250) 248-3151
Fax: (250) 248-5362
www.koers-eng.com

March 1st, 2018
File: 1731-01

Town of Ladysmith
Box 220
Ladysmith, B.C. V9G 1A2

Attention: Mr. Geoff Goodall, P.Eng.
Director of Infrastructure Services

Re: Town of Ladysmith
Watermain Relining, Colonia Drive to Works Yard
Tender Summary & Options on Moving Forward

Tenders for this project were received at Town Hall on January 26th, 2018. A total of two Tenders were submitted and are summarized as follows:

<u>Tenderer</u>	<u>Total Tender</u>	<u>Days to Complete</u>
Fer-Pal Construction Ltd.	\$806,925.00	150
David Stalker Excavating Ltd.	\$848,610.00	70

The Tender amounts shown above include a \$45,000.00 contingency allowance and 5% GST. Tenders are irrevocable for sixty days from closing, or until March 27, 2018.

All Tender submissions were complete with Bid Bond and signed Addendum No. 1. The arithmetic was also found to be correct on all Tender Forms. We have enclosed a Tender Evaluation spreadsheet that lists the pricing for the individual construction tasks as submitted by each of the bidders. The two bids are within 6% of each other, suggesting that there are no significant omissions to be concerned about with the lowest bid.

It is noted that David Stalker Excavating submitted a tender as a general contractor and was also listed as a subcontractor in the tender submission from Fer-Pal Construction. The tender form states "That this Tender is made without any connection or arrangement with any company, firm, or person submitting a tender for this work." If the Town wishes to award this Tender, we recommend that the Town have their lawyer review the wording of this section of the Contract prior to award.

Based on the tender amounts that have been submitted on a number of our projects, we have witnessed a large increase in construction costs for local municipal infrastructure, particularly over the last six months.

.../2

March 1st, 2018
File: 1731-01

Town of Ladysmith
Mr. Geoff Goodall, P.Eng.

We understand the watermain relining tenders exceed the budget available to the Town to complete this work. Options for action on this project are provided below for the Town's consideration.

1. Increase Funding and Award Tender

This may not be feasible depending on Town budget.

2. Award Tender with Reduced Scope

The Town could negotiate with the low tenderer to complete a portion of the proposed relining within the Town's allotted budget, however, this option would not provide the best value due to the large mobilization costs associated with the specialized equipment and materials that are required on this project.

3. Budget for Work to be Retendered in Future Fiscal Year

The Town could increase their budget and retender this work in the future.

4. Evaluate Installation of a New Watermain Along Trail by Trenching

A new watermain could be designed and installed along the trail instead of relining the existing watermain. A geotechnical investigation is recommended before proceeding with this option in order to evaluate some of the steep slopes that are located along the existing watermain alignment. This option would also have a larger impact on the trail and surrounding trees and vegetation. Depending on the findings of the geotechnical investigation, it is estimated that the cost of this option would be comparable to the tendered price for the relining option.

5. Evaluate Installation of a New Watermain Bypassing Most of the Trail

It may be possible to construct a portion of the new watermain along the trail and then cross through Town property between Colonia Drive and Mackie Rd to reduce pipe length and road restoration. From this point the new watermain could be designed and installed along the roadway following Mackie Rd, Malone Rd and 6th Ave, bypassing most of the existing Holland Creek Trail alignment. This option would have less overall impact on the trail during construction, would lessen future impacts to the trail during maintenance activities, and could be constructed in stages to accommodate budget constraints. This option is anticipated to have the highest overall construction cost.

.../3

March 1st, 2018
File: 1731-01


Town of Ladysmith
Mr. Geoff Goodall, P.Eng.

We recommend the Town review the above options with regard to capital cost, maintenance cost, ease of access, timing, and trail/park impact. We would be pleased to assist with evaluation of any of the above options.

Please call if you have any questions.

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.



Mar. 1 2018

Matt Palmer, P.Eng.
Project Manager

Enclosure

KOERS & ASSOCIATES ENGINEERING LTD.



ASSOCIATION OF CONSULTING
ENGINEERING COMPANIES
BRITISH COLUMBIA

OQM | Organizational Quality
Management Program

STAFF REPORT TO COUNCIL

From: Clayton Postings, Director of Parks, Recreation and Culture
Meeting Date: March 19, 2018
File No:
RE: **AGGIE NATURAL PLAYSPACE DRAFT DESIGN**

RECOMMENDATION:

That Council refer the matter of Aggie Natural playspace draft concept design to the Parks, Recreation and Culture Advisory Committee for review and comment.

PURPOSE:

The purpose of this staff report is to provide Council the draft Aggie Hall Playground concept.

PREVIOUS COUNCIL DIRECTION

CS 2017-45 That Council direct staff to:

1. Relocate the playground beside Aggie Hall to a location above the existing location on the Aggie site.
2. Commence development of parking on the north side of 2nd Avenue east of Symonds Street along with the parking expansion Option 1 on the Aggie Hall site as listed in the parking concept drawings.
3. Partner with Ladysmith Family and Friends in developing an engagement process with the community in the development of a new play space at Aggie Hall;
4. Include \$180,000 in the 2017-2021 Financial Plan for this project, with funding to come from taxation, gas tax and carry-forward funds.

INTRODUCTION/BACKGROUND:

Through the design development stage of the project completed in early 2018, the consultants (landscape architectural / urban planner) produced concept boards exhibiting a play space that derived inspiration from the natural landscape. Numerous community meetings occurred and Staff and stakeholders worked together to ensure community members had an opportunity to view the proposed playground concept and provide feedback.

Following the public consultation, the consultants incorporated the public input into this draft concept design. The design is structured to allow for a staged approach, meaning depending on funding the project may be completed in stages. This process will allow for community input and involvement, at each stage, as there has been numerous enquires

from community groups to participate in the project.

Once the design feedback is received the consultant will develop the tender specifications for each section.

ALTERNATIVES:

Council can choose not to refer to Parks, Recreation and Culture Advisory Committee.

FINANCIAL IMPLICATIONS:

There are no financial implications identified at this time. Maintenance costs for the concept presented have been taken into consideration. Should there be significant changes to the design, maintenance costs would be reviewed.

LEGAL IMPLICATIONS:

There are no legal implications identified at this time.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There are no citizen / public relation implications identified at this time. The community stakeholders will also be provided the concept drawing for comment and feedback prior to the final design being developed

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

There is no interdepartmental involvement / implications identified at this time.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input checked="" type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|--|
| <input type="checkbox"/> Employment & Tax Diversity | <input checked="" type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY:

Staff have received the Aggie Natural playspace draft concept design from the consultants. Council may wish to refer design to the Parks, Recreation and Culture Advisory Committee for review and input.

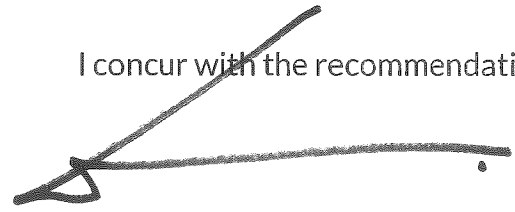




Clayton Postings
Director of Parks, Recreation and Culture

March 15, 2018
Date

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:
Aggie Natural Playspace DRAFT Design Concept

2ND AVENUE

SYMONDS STREET



LANDSCAPE PLAN AGGIE FIELDS NATURAL PLAYSAPCE
SCALE 1:100

DESIGN ELEMENTS

- 1 **Entrance Gateway** - arbour/sculptural feature, visually impactful entrance, latched gate for safety, playful, colourful fence & gate
- 2 **Water Feature** - accessible water pump, (child controlled), concrete play stream, (loose path down, slides in small pool of water, bridge over stream) (connects concrete path to sand area)
- 3 **Central Sand Play Area** - sand (accessible by concrete path), slide, water play, loose parts, mixing sand & water, concrete sit wall for sitting
- 4 **Nature Discovery Area** - open ended play, low impact trail around existing trees, wood boulders (climbing, jumping up and down, perching), boulders, vertical poles (climbing around, places to hang flags)
- 5 **Leg Climbs Area** - greater physical climbing challenge, up, down, over & under, edged with boulders for play & seating, concrete sit wall
- 6 **Slope Play** - climbing up & down stepping stones, dirt & rolling down on logs, winding up & rolling down grass, sitting down, views across playspace
- 7 **Edges** - playful fencing, plantings (provide sensory experience for playground users), seating, surrounds & defines play area, grassy hills, amphitheatre level, provides seating & views to lower aggie fields

DESIGN FOR A **NATURAL PLAYSAPCE**

AGGIE FIELDS NATURAL PLAYSAPCE
Prepared For: The Town of Landimath by: [unreadable] & [unreadable]

STAFF REPORT TO COUNCIL

From: Clayton Postings, Director Parks, Recreation and Culture
Meeting Date: March 19, 2018
File No: 0750-20 Machine Shop
RE: Machine Shop Restoration Project - Pre-Design Phase

RECOMMENDATION(S)

That Council:

1. Contract with Hotson Architecture to undertake the Machine Shop Restoration Project pre-design phase, including working with staff and the main tenants to define the building program and preparing an implementation strategy to outline the scope of work at a cost of \$25,000 plus expenses (net of taxes), and that the Purchasing Policy be waived accordingly.
2. Invite the Machine Shop Users Advisory Group to participate in the development of the building program with staff and the consulting team.
3. Direct staff to include the Machine Shop Restoration Project within the scope of the Project Manager, Waterfront Implementation to represent the Town and liaise with the project team and stakeholder representatives during the Machine Shop Restoration Project.
4. Direct staff to include the Machine Shop Restoration Project grant in the amount of \$1,752,553 in the 2018-2022 Financial Plan and provide early budget approval.

PURPOSE

The purpose of this report is to provide Council recommendations relating to commencing the restoration project of the Machine Shop, as defined in the Gas Tax - Strategic Priorities Grant agreement.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

CS 2017-154 (May-01-2017) *That Council direct staff to make a funding application to the Federal Gas Tax Strategic Priorities Fund - Council Infrastructure Project Stream for the Machine Shop Restoration of up to \$2.25 million dollars in grant funding and support the Town administration with overseeing the management of this grant if successful.*

CS 2016-163 (May-02-2016) *That Council endorse the following recommendations from the Machine Shop Users Advisory Group (MSUAG): That the MSUAG continue to function as an advisory body to Council and that the group be directed to develop a Terms of Reference for consideration at an upcoming Council meeting.*

CS 2014-379 (Nov-17-2014) *That Council direct staff to establish a Machine Shop Users' Advisory Group consisting of staff and tenants of the Machine Shop,*

to work with Council and the consultant regarding the repair/renovation plan and schedule for the facilities.

INTRODUCTION/BACKGROUND

The Town has received \$1,752,553 or 100% of actual eligible costs for the restoration of the Machine Shop project. This funding is through the Federal Government's 2017 Strategic Priorities Fund. This project involves the restoration of Ladysmith's Machine Shop.

The project scope as outlined in the grant submission is to undertake a series of architectural, structural, mechanical and electrical repairs, based on the findings and recommendations of a detailed building assessment prepared by Omricon in April, 2014. The project is designed to address immediate life-safety issues, mitigate tenant discomfort/potential liability and ensure compliance with the current Building Code. The proposed physical works include extensive repairs to the roofing assembly, insulation, flashings, drains, overhangs, windows, walls and interior/exterior finishes. Mechanical, electrical and fire alarm system repairs/upgrades are also included, and Building Code repairs and upgrades include a series of improvements mainly related to reducing fire hazards, improving safety, as well as a series of modifications for facility accessibility (reducing/eliminating barriers).

The Town has not yet received the final agreement from UBCM who administers the funding. However, in an effort to move the project forward staff requested a proposal from Hotson Architecture (Norm Hotson) to provide pre-design services to define the building program and provide an implementation strategy. It is proposed that this work take place quite quickly within a four-week timeline with completion by the end of April.

Waterfront Area Plan

The Machine Shop Restoration Project is included in the recently completed Waterfront Area Plan. The restoration of the building is identified as an important component of maintaining community use of the Machine Shop. This building is identified as central anchor within the arts and culture hub. Mr. Hotson was the principal-in-charge of the Dialog planning and design team.

Machine Shop Advisory Committee

The Machine Shop Advisory Committee was formed in 2016 as a committee to work toward funding and restoration of the Machine Shop. The committee currently has a representative from Ladysmith Arts Council, Ladysmith Maritime Society and Ladysmith and Area Historical Society, along with the Mayor and Town Staff.

Tenant impact

Due to the nature of the project and the fact that significant construction at the site will be occurring, likely within defined project timelines, impacts on tenants will be addressed during the pre-design phase of the project.

SCOPE OF WORK

At this point the only information relating to project scope and timelines available is the pre-design stage. As that portion of the project moves along further information will be available to define the remainder of the project.

It is recommended that the Town commence the pre-design phase (Stage 1 and 2 below) immediately, followed by design and construction stages. The project team for pre-design will be led by Norm Hotson and include architectural, structural, mechanical, electrical, code consultant and cost estimator.

Proposed Phases

Phase 1 – Pre-design (current phase)

Stage 1 – Facility usage review (approx. 1 week)

- Start-up meeting
- Site meeting with tenants and stakeholders
- Summary report

Stage 2 – Implementation plan (approx. 3 weeks)

- Past document reviewed
- Building condition review updated
- Report on required upgrades
- Cost estimates
- Strategy to accommodate existing tenants
- Timetable
- Project budget
- Next steps

Phase 2 - Design

Phase 3 – Construction documents developed, issued and awarded

Phase 4 – Construction

ALTERNATIVES

Council can choose to:

- Engage a consultant to act as project manager for to this project
- Have staff manage the project; which would require altering current departmental priorities.

FINANCIAL IMPLICATIONS

This project was not included in the 2018-2022 Financial Plan discussions that took place in late 2017/early 2018 as the funding was not announced at that time. Upon Council

direction, staff will include the project and the associated grant funding in the 2018-2022 Financial Plan for Council to approve, by bylaw, before May 15.

The cost for the pre-design phase is \$25,000 plus expenses (net of taxes). This fee includes architectural, structural, mechanical, electrical, code and costing services and is a grant eligible expense. As part of the pre-design phase an implementation plan will be created with project budget costs provided.

Due to the fact this is a significant project with defined timelines, it is recommended that a project manager be hired to liaise with Staff and the consulting team. This project manager would continue through the entire project through to construction completion. There are two options to secure this support – either as part of the Project Manager – Waterfront Implementation or as a stand-alone resource. If Council wishes to proceed with a Project Manager specifically for this project, a cost estimate for this support will be determined, once a scope is finalized.

LEGAL IMPLICATIONS

None identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

The Machine Shop is a very significant community building. Ensuring the community is provided regular updates on the project is important. As well, the major tenants (Arts Council, Ladysmith Maritime Society and Ladysmith Historical Society) will need to be engaged to help communicate to their membership and the community as a whole about the scope and phasing of the project.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

It is expected that this project will require Staff resources from all departments throughout the process. Due to the fact the project is not part of the existing work plan, a project manager is recommended to ensure other existing projects are not impacted.

RESOURCE IMPLICATIONS

The project was not included in the 2018 work plan, and due to this there are a number of questions relating to which, if any, projects will need to be adjusted. Parks, Recreation and Culture Staff are currently committed to a number of initiatives, including Youth Strategy, BC Games, and Regional Recreation along with capital projects such as Aggie Parking/Playground and Recreation Software.

However, as noted in the report and if supported by Council, the pre-design phase is to commence immediately. As such, it is recommended that existing Staff within the Parks, Recreation and Culture take on the role of supporting the pre-design phase of the project which will include logistics support and documentation access. During this initial phase period Staff will outline a project management role and present this to Council. By proceeding this direction two projects would be impacted this includes Aggie Playground,

and Facility Condition Assessment, both projects have flexibility to adjust timelines and would only be delayed for a few months.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input checked="" type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY

The Town is fortunate to have received a significant grant for the restoration of the Machine Shop building. Recommendations are provided for Council to consider with respect to the next steps, in particular moving forward quickly with the first phase of the project.



Clayton Postings, Director Parks, Recreation and Culture

March 14, 2018

I concur with the recommendation



Guillermo Ferrero, City Manager

ATTACHMENT(S)

None

INFORMATION REPORT TO COUNCIL

From: Clayton Postings, Director of Parks, Recreation and Culture
Date: March 19, 2018
File No:
RE: DAVIS ROAD DOG PARK

RECOMMENDATION

That Council receives the report regarding the recently completed Davis Road Dog Park survey.

PURPOSE

The purpose of this information report is to provide Council with the survey results for the Davis Road Dog Park.

DISCUSSION

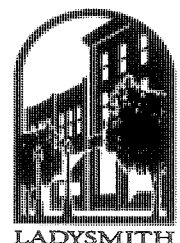
At Council's meeting held on November 6, 2017, Council received correspondence from Katheryn Weber regarding the dog park on Davis Road. In response to this correspondence, Council directed Staff to consult with the neighborhood surrounding Davis Road Dog Park for feedback regarding the park, and that the feedback is returned to Council with a summary of the survey.

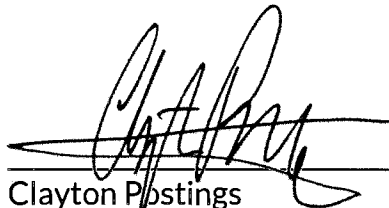
The engagement process consisted of mailing 179 letters to residents surrounding the park. The letter contained a hard-copy of the survey as well as a link to PlaceSpeak for an opportunity to discuss online with others, to add additional comments, and to access the online version of the survey.

Attached is a summary of the survey and the area which was surveyed.

SUMMARY POINTS

- Received 27 completed surveys
- 20 responders lived within one block of the park
- All responders are aware of the fenced dog park
- 17 responders are either satisfied or very satisfied with the park
- 11 responders are either satisfied or very satisfied with the amenities, 9 are neutral
- Responders would like (in order of preference) picnic tables, shelter, toilets and benches
- Additional amenities/comments include improved signage with closure times, better drainage, lighting, wheelchair access
- Some responders indicated that since the opening of the dog park, there is an increase in traffic, noise, and dog waste in the surrounding area

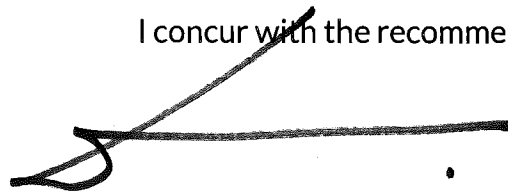




Clayton Postings
Director of Parks, Recreation & Culture

March 14, 2018
Date Signed

I concur with the recommendation.



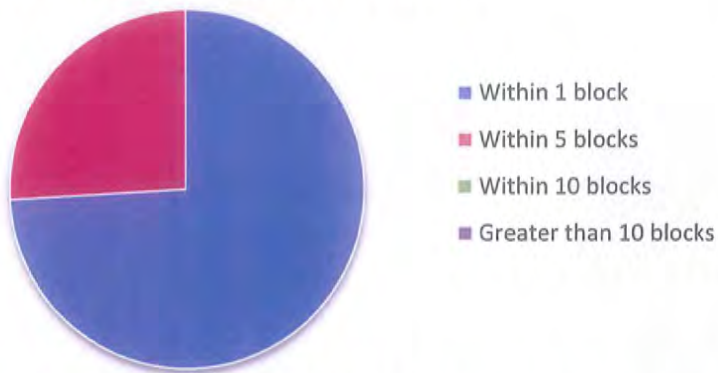
Guillermo Ferrero, City Manager

ATTACHMENT(S)

Map of area consulted
Summary of results

Davis Road Dog Park Survey Results

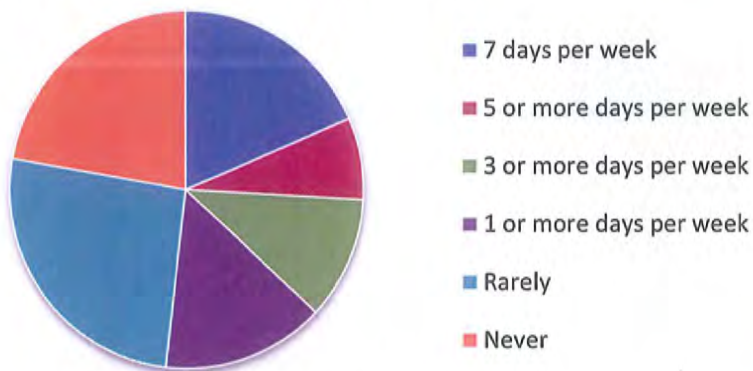
How far do you live from Davis Road School?



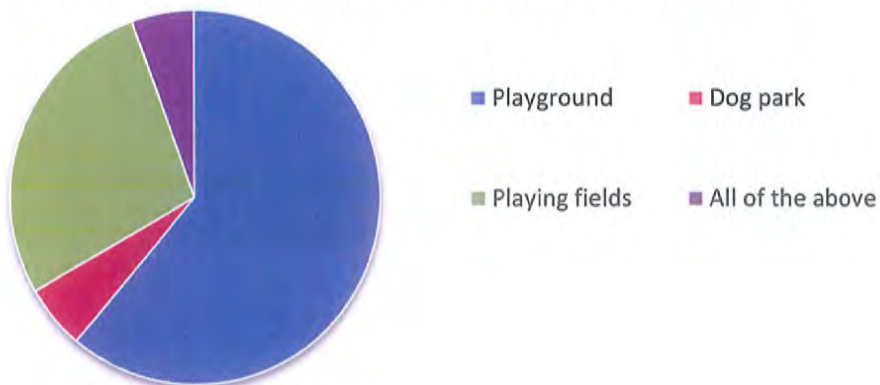
Are you aware that the Town manages the exterior of the site (playground, fence dog park, field)?

All participants indicated awareness.

How often do you visit the Davis Road school site?



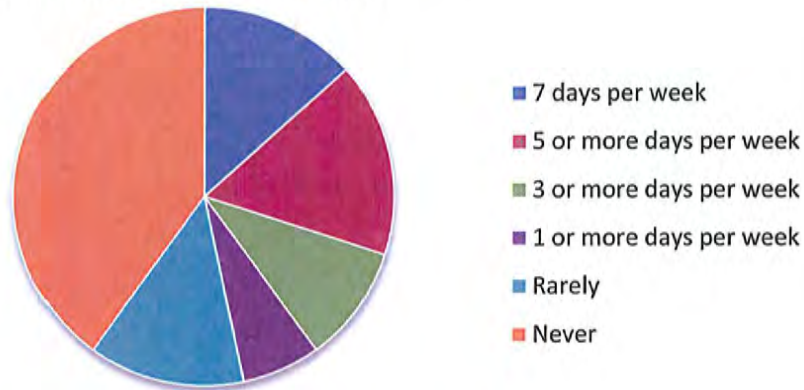
What is your primary reason for visiting the Davis Road school site?



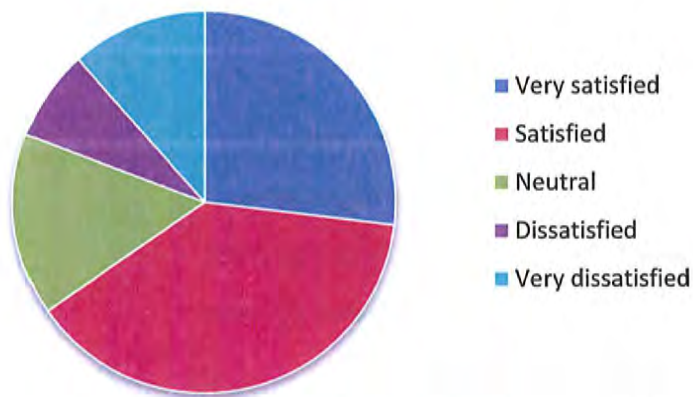
Are you aware of the fenced dog park located at the Davis Road school site?

All participants indicated awareness.

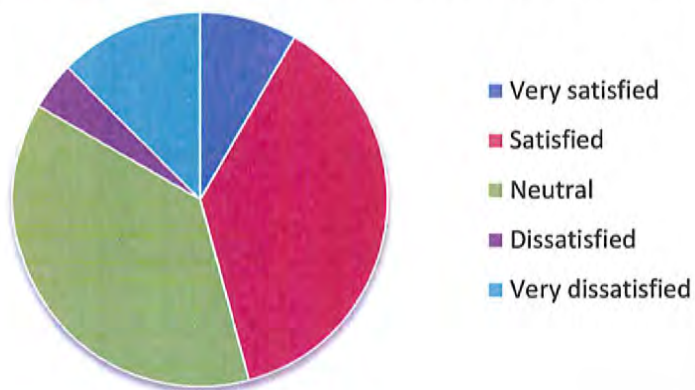
How often do you visit the dog park?



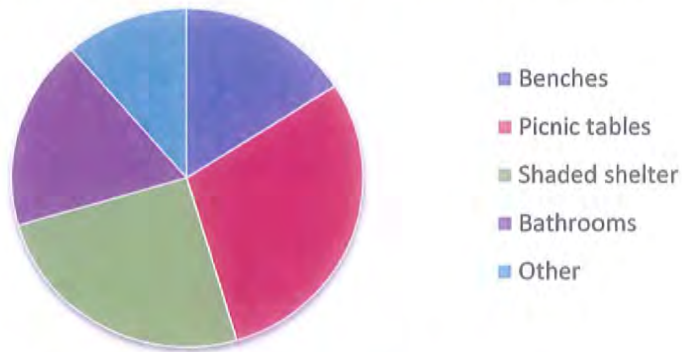
What is your level of satisfaction with the location of the dog park?



What is your level of satisfaction with the amenities located at the dog park?



Which amenities would you like to see added in the future?

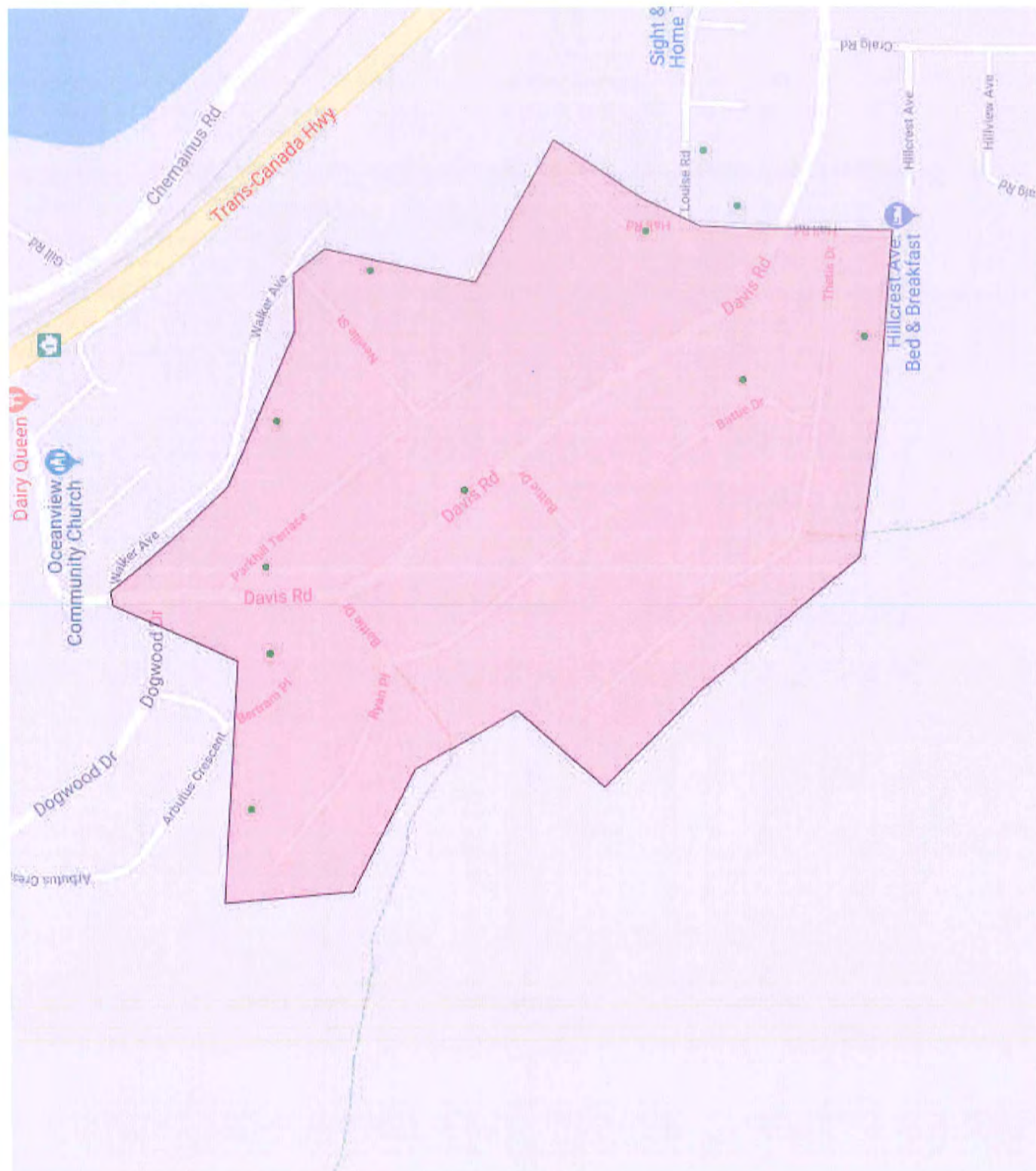


NOTE: "Other" included: signs w/times, better drainage, lighting, wheelchair access

Do you have any other suggestions or comments on the facilities and amenities at the Davis Road school site or the fenced dog park to help us improve your experience?

- *Smaller area within dog park for older or timid dogs*
- *Consultation with neighbourhood before putting in a dog park*
- *Increase in speeding in surrounding areas*
- *Proper times for usage signage – too much noise*
- *Make more use of the school and facilities – doggy daycare*
- *Dog park gets too muddy, needs better drainage*
- *Dog poop in surrounding areas, not just within dog park*
- *Sidewalks on Walker Ave. and Neville street as well as bike lanes*

Map of consultation area



STAFF REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
 Meeting Date: March 5, 2018
 File No: 4020-00
 RE: Bylaw Officer Bylaw Update

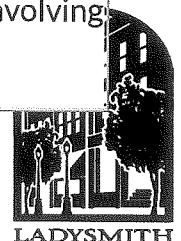
RECOMMENDATION:

That Council:

1. Direct staff not to proceed with introduction of a Bylaw Officer and Inspection Bylaw as previously directed; and
2. Appoint Coastal Animal Services to provide Animal Control Officer services in the Town of Ladysmith.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017-093	2017-03-20	That Council: Direct staff to bring forward a new [...] Bylaw Officer and Inspection Bylaw and amendments to other bylaws that will: a. Make ticket fines available for all bylaw contraventions where using a ticket would enhance the ability to achieve compliance and streamline work; b. Amend the offence and penalty sections of bylaws under which tickets may be issued where such sections do not properly support the issuance of tickets and/or the appropriate prescribed fines for each offence; c. Prescribe ticket fines for all offences using the criteria set out in the Report to ensure consistent application across various bylaws; d. Establish reduced ticket fines for prompt payment, where suitable, to create an incentive for violators to pay their tickets instead of ignoring or disputing them; e. Ensure that the appropriate Town officials and the RCMP are properly appointed and named as bylaw enforcement officers for the purpose of conducting inspections and/or issuing tickets as appropriate; and f. Limit the use of Offence Notices to the Streets and Traffic Bylaw and the Parks Usage Bylaw in relation to offences involving vehicles.



INTRODUCTION/BACKGROUND:

In order to provide clarity and consistency for citizens and staff with respect to bylaw enforcement the issuing of tickets for bylaw offences, in 2017 staff recommended a series of amendments to the Town's bylaws. One of the recommendations was to introduce a Bylaw Officer and Inspection Bylaw to specifically grant authority to local RCMP, the Building Inspector and deputies, the Bylaw Officer and an Animal Control Officer to enforce Town of Ladysmith bylaws.

Since that recommendation was adopted by Council, staff have reviewed the proposed bylaw and received advice from legal counsel. Staff now recommend that the aspects that would be covered in a new Bylaw Officer and Inspection Bylaw are already in existing bylaws. Creating a new bylaw could cause unnecessary duplication and confusion. The one area that is not currently covered by existing bylaw is the appointment of an Animal control Officer. Thus, staff are recommending that Council appoint the Animal Control Officer.

ALTERNATIVES:

Council can choose to direct staff to proceed with introduction of a new Bylaw Officer and Inspection Bylaw.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

Staff have consulted with legal counsel and have been advised that a review of the Town's current bylaws indicates that a Bylaw Officer and Inspection Bylaw is not required at this time.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input checked="" type="checkbox"/> Not Applicable |

SUMMARY:

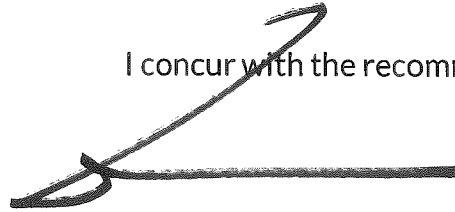
As recommended by the Town's previous Bylaw Enforcement Officer, Council had previously directed staff to prepare a new Bylaw Officer and Inspection Bylaw to give the appropriate authority to key personal to enforce the Town's bylaws. It has since been confirmed by legal counsel that this bylaw is not in fact necessary, as the appropriate authority is contained in various other Town Bylaws. Council is, however, requested to grant authority to Coastal Animal Services for enforcement of the Animal Control Bylaw.



Joanna Winter, Manager of Legislative Services

February 22, 2018

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:



Ladysmith Search and Rescue

PO Box 1808 Ladysmith B.C., V9G 1B4



March 2nd, 2018

Town of Ladysmith Council

410 Esplanade, PO Box 220
Ladysmith, BC
V9G 1A2

Dear Mayor and Council,

Ladysmith Ground Search and Rescue (LSAR) needs your help. We are outgrowing our current storage facility for all our SAR equipment. We currently utilize an old steel Sea-can which is located behind the Ladysmith Fire Rescue in the secured area accessed off Malone road.

We think we have a solution. With the Town's permission, LSAR would like to add another steel Sea-can next to the current one.

What we are proposing is that LSAR would purchase an insulated Sea-can, (same size) placed on a concrete pad, which we will construct, next to the existing structure. It would be located between the hedge that runs along the chain-link fence on Malone Road and the space between our current Sea-can. Please see attached photos and diagram. LSAR will be responsible for obtaining all permits and licenses that are applicable. We would also need to energize the structure and would seek Town's direction as to the best way to tie the two units together.

We would like to discuss the feasibility of this proposal with representatives from the Town Council at the earliest convenience. If you have any questions, please contact me at 250-734-1897.

Sincerely,

A handwritten signature in blue ink, appearing to read "Allen McDermid".

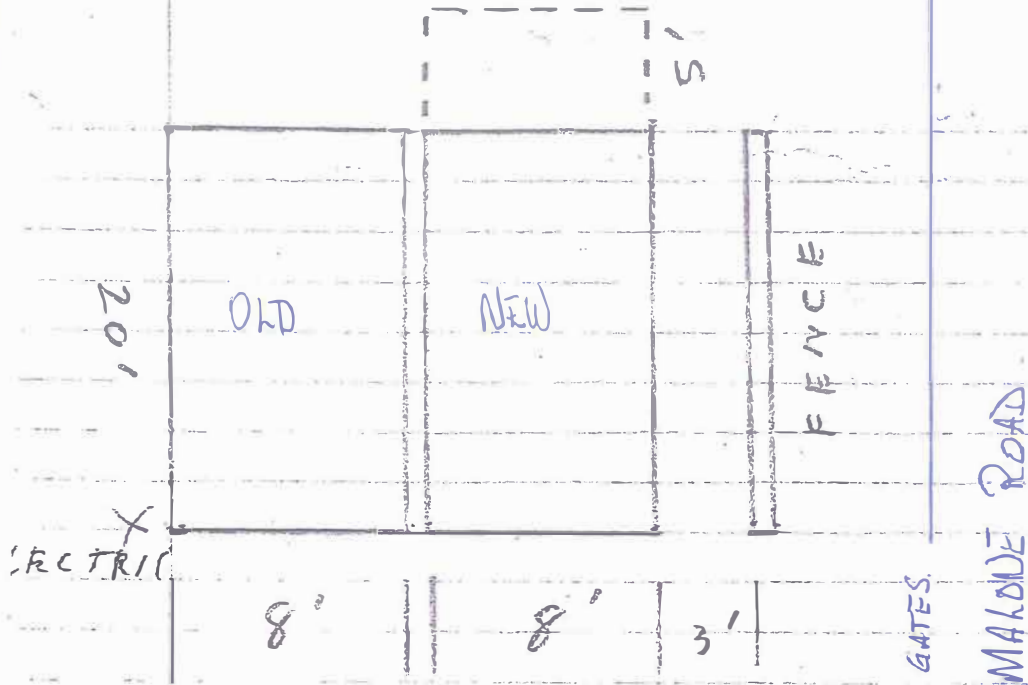
Allen McDermid

President

Ladysmith Ground Search and Rescue

ladysmithsearchandrescue@gmail.com

POSSIBLE ROOM FOR 25' CAN





LSAR 1



LSAR 2



LSAR 3